

DATE April 6, 2021157-2021

AMENDED

NUMBER

## TITLE:

**A RESOLUTION AUTHORIZING JOSEPH WENZEL, ESQ. TO PROVIDE LEGAL SERVICES TO THE ORANGE MUNICIPAL PLANNING BOARD OF THE CITY OF ORANGE AND LAND USE IN AN AMOUNT NOT TO EXCEED \$7,500.00 FOR THE CALENDAR YEAR 2021.**

**WHEREAS**, Joseph Wenzel, Esq., services are required to provide legal advice and legal representation for scheduled Planning Board Meetings; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires a resolution authorizing the award of contracts for "Professional Services" without competitive bids and that the contract itself be available for public inspection as set forth herein; and

**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, contingent upon the passage of CY 2021 budget certifying that funds are available under the appropriate account – Account No. 1-01-21-180-000-519.

**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Council of the City of Orange Township that a contract be awarded to Joseph Wenzel, Esq., not to exceed an annual amount of \$7,500.00 per year;

**BE IT FURTHER RESOLVED**, that the proper officers of the City of Orange Township are hereby authorized to enter into said contract with Joseph Wenzel, Esq.

**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Council of the City of Orange Township, New Jersey as follows:

- 1. The Mayor hereby authorize and direct to execute the attached agreement with Joseph Wenzel, Esq., 1000 Clifton Avenue, Suite 101, Clifton, NJ 07013, for the term of January 1, 2021 through December 31, 2021.**

Adopted: April 6, 2021

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Kerry J. Coley  
Council President

CITY OF ORANGE TOWNSHIP  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
NEXT BUDGET

I, Nile Clements, Chief Financial Officer for the City of Orange Township, do hereby confirm that based on the Quote or RFP, RFQ, bid results or "extraordinary unspecifiable services" without competitive bids for 2021 service contract, and the resolution to be presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2021 Budget, there will be sufficient funds to contract with:

Vendor Name: Friend & Wenzel LLC.  
Address: 1000 Clifton Ave.

City: Clifton  
State: New Jersey  
Zip Code: 07013

Purpose: Legal Servies for the Planning Board  
Vendor ID: FRIEN025

Temporary Budget: \$ 1,875.00  
Fund: Current Fund  
Line Description PB - Planning Board - Professional Services  
Account Numbers(s): CY'21 1-01-21-180-000-519

The remainder of: \$ 5,625.00  
will be provided in  
Fund: Current Fund  
Line Description PB - Planning Board - Professional Services  
Account Numbers(s): CY'21 1-01-21-180-000-519

Purchase Order # : 21-00398

Amount not to exceed: \$ 7,500.00

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Division Head

Date

*Nile Clements*

1/26/2021

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Chief Financial Officer

Date

# PLANNING BOARD

The City of Orange Township  
New Jersey



Date 01/27/2021

Resolution No. 02-2021

**TITLE: A RESOLUTION APPROVING JOSEPH M. WENZEL, ESQ., OF FRIEND & WENZEL LLC, TO PROVIDE PROFESSIONAL LEGAL SERVICES TO THE PLANNING BOARD OF THE CITY OF ORANGE TOWNSHIP FOR A TERM BEGINNING JANUARY 1, 2021, AND CONTINUING THROUGH DECEMBER 31, 2021, IN AN AMOUNT NOT TO EXCEED \$7,500.00 AND WITH ADDITIONAL FEES PAID THROUGH APPLICANT ESCROW FUNDS**

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, requires a resolution authorizing the award of contracts for professional services without competitive bids and that the contract itself be available for public inspection as set forth herein; and,

**WHEREAS**, the Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq.*, permits the Planning Board ("Board") of the City of Orange Township ("City") to contract for and fix the compensation of an attorney to provide professional legal advice and representation on matters relating to planning and land use ("Board Attorney"); and,

**WHEREAS**, the Board concluded that Joseph M. Wenzel, Esq., of Friend & Wenzel LLC, has the qualifications and experience necessary to serve as the Board Attorney; and,

**WHEREAS**, the Board fixed the compensation of the Board Attorney for the CY 2021 term, commencing January 1, 2021, and continuing through December 31, 2021, at an amount not to exceed \$7,500.00 for attendance at Board meetings and other routine Board-related legal work; and,

**WHEREAS**, the Board Attorney shall also be permitted to bill against applicant escrow funds for application-related work (e.g., technical review, resolutions, etc.) at a rate of \$150.00 per hour; and,

**WHEREAS**, the City's Chief Financial Officer has prepared the necessary Certificate of Availability of Funds, contingent upon the passage of CY 2021 municipal budget, certifying that funds are available under the appropriate account.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF ORANGE TOWNSHIP** that Joseph M. Wenzel, Esq., of Friend & Wenzel LLC, is hereby appointed as Board Attorney for a term beginning as of January 1, 2021, and continuing through December 31, 2021, in an amount not to exceed \$7,500.00 for attendance at Board meetings and other routine Board-related legal work, and at a rate of \$150.00 per hour billed against applicant escrow funds for application-related work (e.g., technical review, resolutions, etc.); and,

**BE IT FURTHER RESOLVED** that the Board Chair is hereby authorized to execute an agreement with the Board Attorney on the Board's behalf, reflecting these terms; and,

**BE IT FURTHER RESOLVED** that notice of this action shall be published as required by law within 10 days of its adoption.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

**Motion to Approve Resolution**

Motion Date: January 27, 2021

M	2d	Member		AYE	NAY	N/V	N/P
<input type="checkbox"/>	<input type="checkbox"/>	HOLMES, Dwight	Board Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	JONES, Antoinette	Board Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	WARREN, Hon. Dwayne D.	Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	EASON, Hon. Tency A.	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	MOBLEY, Christopher		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	ONYIUIKE, Callistus		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	FAUSTIN, Enock		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BENNETT, Sharanda		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	(VACANT)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

M: Motion  
 2d: Second  
 NV: No Vote  
 (Abstain/Excused)  
 N/P: Not Present

Vote Totals: 

5	0	1	3
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 Approved  Rejected

I hereby certify the foregoing Resolution was adopted by the Planning Board of the City of Orange Township at its meeting on January 27, 2021, and that said resolution memorializes the action of the Planning Board taken at its meeting on January 27, 2021.

*Dwight Holmes*

Dwight Holmes (Jan 28, 2021 13:36 EST)

Dwight Holmes  
 Planning Board Chair

*Laquana Best*

Laquana Best (Jan 28, 2021 21:05 EST)

Laquana Best  
 Planning Board Secretary

Approved as to form and legality:

*Aaron Mizrahi*

Aaron Mizrahi (Jan 28, 2021 13:38 EST)

Aaron Mizrahi, Esq.  
 Acting Planning Board Attorney

necessary from time to time. I make it an absolute policy for my firm not to front any costs.

I will provide you with copies of correspondence, which is received by or emanates from my office and will keep you fully apprised of all developments. I cannot make any guarantees; however, I can assure you that I will use my utmost efforts to represent the Planning Board to the best of my abilities. You are agreeing to cooperate and participate fully and to truthfully and immediately notify me as to anything that may occur. You understand that I am relying on the facts as given to me by you.

This firm retains the option to conclude its representation of you for failing to pay outstanding fees and costs. Additionally, if it becomes clear that further representation of you would be economically disadvantageous, I retain the right to conclude my services.

For our mutual records, will you please signify your understanding and acceptance of the foregoing by signing the enclosed copy of this letter. Kindly return same to me in the self-addressed stamped envelope provided for your convenience. If I do not receive the signed copy of this letter within 30 days, I shall assume that you have obtained other counsel, and shall mark my file "closed" and do nothing further. In any event, please do not delay.

Should you have any questions with regards to the above, please do not hesitate to contact me.

Very truly yours,

  
JOSEPH M. WENZEL

I hereby acknowledge receipt of a true copy of this letter agreement and the terms set out herein represent a full understanding of the provisions of this agreement. I agree to accept the fee and other terms set forth in this letter.

Dwight Holmes  
Dwight Holmes (Feb 10, 2021 17:12 EST)  
Chairman, Orange Planning Board

Feb 10, 2021  
\_\_\_\_\_  
Date

01/31/17

Taxpayer Identification# 815-162-528/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-6262.

I wish you continued success in your business endeavors.

Sincerely,



James J. Francione  
Director  
New Jersey Division of Revenue

STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY  
DIVISION OF REVENUE  
PO BOX 346  
TRENTON, NJ 08646-0252

TAXPAYER NAME:  
FRIEND & WENZEL LLC

TRADE NAME:

ADDRESS:  
1000 CLIFTON AVENUE SUITE 101  
CLIFTON NJ 07013

SEQUENCE NUMBER:  
2107373

EFFECTIVE DATE:

ISSUANCE DATE:

01/31/17

01/31/17



Director  
New Jersey Division of Revenue



FREEDOM SPECIALTY  
INSURANCE COMPANY®  
a Nationwide Insurance® company  
A Stock Insurance Company, herein called the Company  
7 World Trade Center, 37<sup>th</sup> Floor  
250 Greenwich Street  
New York, NY 10007-0033

### LAWYERS PROFESSIONAL LIABILITY INSURANCE POLICY DECLARATIONS

**THIS IS A CLAIMS MADE AND REPORTED POLICY. PLEASE REVIEW THE POLICY CAREFULLY.**

NOTICE: EXCEPT AS MAY BE OTHERWISE PROVIDED HEREIN, THE COVERAGE OF THIS POLICY IS LIMITED TO LIABILITY FOR COVERED ACTS COMMITTED SUBSEQUENT TO THE RETROACTIVE DATE, IF APPLICABLE, FOR WHICH CLAIMS ARE FIRST MADE AGAINST YOU WHILE THE POLICY IS IN FORCE AND WHICH ARE REPORTED TO US NO LATER THAN SIXTY (60) DAYS AFTER THE TERMINATION OF THIS POLICY. THE COVERAGE OF THIS POLICY DOES NOT APPLY TO CLAIMS FIRST MADE AGAINST YOU AFTER THE TERMINATION OF THIS POLICY UNLESS, AND IN SUCH EVENT ONLY TO THE EXTENT, AN EXTENDED REPORTING PERIOD OPTION APPLIES.

Item 1. Named Insured: Friend & Wenzel, LLC, Attorneys at Law & Mailing Address: 1000 Clifton Avenue Suite 101 Clifton, NJ 07013	Policy No.: LGF0005766 Replacing No.: LGF0004889 Producer Code: PFTKINS
Item 2. Policy Period: From 05/28/2020 to 05/28/2021 12:01 A.M. standard time at address shown in Item 1. above.	
Item 3. Limits of Liability: a. \$1,000,000.00 EACH CLAIM b. \$2,000,000.00 in the AGGREGATE including Defense Costs	
Item 4. Deductible: a. \$5,000.00 EACH CLAIM b. \$N/A in the AGGREGATE including Defense Costs	
Item 5. Premium: \$7,723.00 plus NJ PLIGA: \$46.34	
Item 6. Retroactive Date: 11/01/1966	
Item 7. Notice to Company: Freedom Specialty Insurance Company Attention: Claims Manager 7 World Trade Center, 37 <sup>th</sup> Floor 250 Greenwich Street New York, NY 10007	Telephone: (800) 423-7675 E-mail: <a href="mailto:FSReportALoss@freedomspecialtyins.com">FSReportALoss@freedomspecialtyins.com</a>
Item 8. Forms and endorsements attached at inception of coverage. NOTF0444CW (12-13); LGNOT01 [06/2016]; NOTF0442CW (12-13); NOTF0443CW (12-13); UTF-COVPG (1-17); LGF-D-1 (12-13); LGF-4 (12-13); LGF-52-NJ (12-13); LGF-53-NJ (12-13); LGF-107 (4-20); LGF-P-1 (12-13)	

These Declarations, together with the application and any written endorsement(s) attached thereto, shall constitute the contract between the Insured and the company.

Issued on: June 2, 2020

Countersigned at Maywood, New Jersey  
on: June 2, 2020

for the Company

by: 