CITY COUNCIL

The City of Orange Township, New Jersey

DATE <u>October 18, 2022</u>

NUMBER 415-2022

TITLE:

A RESOLUTION AUTHORIZING THE SERVICES OF LAMB KRETZER, LLC, TO REPRESENT CITY OF ORANGE TOWNSHIP AND OMAR CROOM IN THE MATTER, "JOVAN VANZANT V. GS 153 TREMONT LLC, ET AL" DOCKET NO. ESX-L-5329-22 IN AN AMOUNT NOT TO EXCEED \$3,500.00 FOR CALENDAR YEAR 2022

WHEREAS, there exists a need for the City of Orange Township to retain legal representation on behalf of City of Orange Township and Omar Croom in connection with litigation, "Joyan Vanzant v. GS 153 Tremont LLC, et al."; and,

WHEREAS, Resolution No. 524-2021, adopted on December 21, 2021, authorized Lamb Kretzer, LLC, to represent the City, its officers and employees; and

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

WHEREAS, a certification of funds is not required because the payer of this agreement is the City's insurance carrier, PEJIF.

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

- 1. The Mayor and the City Clerk are hereby authorized and directed to execute the attached Agreement, in an amount not to exceed \$3,500.00, with Lamb Kretzer, LLC, 110B Meadowlands Parkway, Ste. 201, Secaucus, N.J. 07094.
- 2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(a) of the Local Public Contracts Law because the services in the field of law required are specialized, and require expertise in employment law generally.
- 3. That the Agreement herein and this resolution is contingent upon certification of funds and appropriate funding to render payment for the services provided herein.

Adopted: October 18, 2022	
Joyce Lanier, Municipal Clerk	Tency A. Eason, Council President

CITY ATTORNEY

AGREEMENT

THIS AGREEMENT, made this day of , 2022, by and between the CITY OF ORANGE TOWNSHIP, a municipal corporation of the State of New Jersey, having its principal office at 29 North Day Street, Orange, New Jersey 07050 (hereinafter referred to as "City") and Lamb Kretzer, LLC, 110B Meadowlands Parkway, Ste. 201, Secaucus, N.J. 07094 (hereinafter referred to as "Counsel");

WITNESSETH

WHEREAS, the City of Orange Township agrees to retain special counsel on behalf of the City and Lamb Kretzer, LLC, is agreeable to perform all the necessary legal matters pursuant to Resolution No. 524-2021 adopted on December 21, 2021 and Counsel is agreeable to perform such legal services for the City, as to such matters.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, it is agreed as follows:

- 1. Lamb Kretzer, LLC is hereby retained as Special Counsel for City of Orange Township for the following matters: <u>Jovan Vanzant v. GS 153 Tremont LLC</u>, <u>Elazar Simons a/k/a Eli Simons; City of Orange Township, its agents, servants and employees; Omar Croom, in his personal, individual, and official capacities; Homes Inspections LLC, Francine Lichtman, Hearth Realty Group LLC, Joshua Jacobs, John Does 1-10 (fictitious names) and ABC Corps 1-10 (fictitious names). Counsel shall carry out all responsibilities in regard to such matters. All services shall be performed under the supervision and discretion of the City Attorney.</u>
- 2. The City of Orange Township agrees to compensate Counsel for such legal services at the hourly rate of \$150.00, not to exceed Three Thousand Five Hundred (\$3,500.00) Dollars, as follows:
 - Payment for services rendered by Counsel shall be due upon presentation of an official voucher with attached, detailed itemization which shall include a description of services rendered, hours expended, as well as disbursements claimed. It is agreed that all vouchers must be accepted by the City as to form and documentation before payment will be made. All statements for services

- rendered will be presented to the City on a monthly basis and should be received by the City no later than the last working day of the month following the month for which the services are rendered.
- The total payments hereunder shall in no event exceed the lawful appropriations
 made therefore from time to time without further approval of the Insurance Fund
 Commission.
- 4. Counsel shall provide proof of professional liability insurance and shall maintain such insurance in effect during the term of this Agreement. Counsel shall indemnify and hold the City harmless against any liability, claims or costs arising out of any claim for negligence arising out of the performance of their duties hereunder.
- 5. The failure of the City at any time to insist upon a strict performance of any terms, conditions and covenants herein shall not be deemed a waiver of any subsequent breach or default in the terms, conditions and covenants herein contained.
- 6. This Agreement shall be binding on the heirs, successors, and assigns of each party hereto. The term of this Agreement shall be for a period not to exceed one (1) year from the date of this Agreement and Lamb Kretzer, LLC shall continue to serve in all matters assigned to him/her as to this issue prior to the end of the term to their completion.
- 7. Counsel shall serve under the supervision and discretion and at the pleasure of the City Attorney.
- 8. This Agreement contains all the terms and conditions agreed upon by the parties hereto, and there are no other agreements, oral or otherwise, between the parties regarding the subject matter of this Agreement.
- 9. No alterations, changes, modifications or variations of this Agreement or the terms thereof shall be valid unless in writing and signed by both of the parties hereto or their duly authorized representative.
- 10. This Agreement is made subject to and shall be construed and governed by the laws of the State of New Jersey.
- 11. During the performance of this Contract, Counsel agrees as follows:
 - (a) Counsel will not discriminate against any employee or applicant for employment because of age, race, creed, national origin, ancestry,

marital status or sex. Counsel will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and, selection for training, including apprenticeship.

(b) Counsel agrees to comply with any regulations promulgated by the Treasurer of the State of New Jersey, pursuant to <u>P.L.</u> 1975, <u>c.</u> 127, as amended and supplemented from time to time.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties have hereunto affixed their hands and seals the day and year first written above.

CITY OF ORANGE TOWNSHIP

	Ву:
ATTEST:	Dwayne D. Warren, Esq., Mayor
Joyce Lanier, Municipal Clerk	
	LAMB KRETZER, LLC
	By: George C. Roselle, Esq., III
ATTEST:	George C. Roselle, Esq., III
	
Approved as to form and sufficiency:	
Gracia Robert Montilus	
City Attorney	

CITY COUNCIL

The City of Orange Township, New Jersey

DATE December 21, 2021

NUMBER __524-2021

TITLE: A RESOLUTION AUTHORIZING A LIST OF LAW FIRMS TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN REGARDS TO LITIGATION MATTERS ON AN AS NEEDED BASIS FOR A PERIOD OF ONE (1) YEAR FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022

WHEREAS, on October 14, 2021, the City of Orange Township published Requests for Qualifications to establish a pool of qualified counsels to provide legal representation to the City, its officers and employees, in connection with lawsuits filed under the New Jersey Tort Claims Act, the Conscientious Employee Protection Act (CEPA), Laws Against Discrimination (LAD), contract matters and/or challenges to governmental action, and such other areas of municipal law as may be required; and

WHEREAS, twenty (20) law firms have submitted resumes in response to the Request for Qualifications; and

WHEREAS, the Qualified Purchasing Agent evaluated the background and experience of each firm submitting responses to the City's Request for Qualifications; and

WHEREAS, two law firms are rejected for failure to comply with the bid specifications; and

WHEREAS, the law firms rejected are:

- Vaughan Baio & Partners 317 George Street, Suite 320 New Brunswick, PA 08901
- 2. Jalloh Jalloh, LLC 21 West Blancke Street Linden, New Jersey 07036

WHEREAS, the City Attorney recommends the law firms:

- 1. David C. Stanziale, LLC 552 High Mountain Road North Halendon, New Jersey 07508
- Lamb Kretzer, LLC 110B Meadowlands Parkway, Ste. 201 Secaucus, New Jersey 07094
- 3. The Antoine Law Firm, LLC 52 Underwood Street, Apt. 1L Newark, New Jersey 07106
- 4. Florio, Kenny & Raval, LLP 125 Chubb Avenue Lyndhurst, New Jersey 07071

ata from the

APPROVED AS TO FORM, SUFFICIENCY AND LEGALITY

- Michael A. Armstrong & Associates, LLC
 Mainbridge Lane
 Willingboro, New Jersey 08046
- Childress & Jackson, LLC
 280 South Harrison Street, Ste. 303
 East Orange, New Jersey 07018
- 7. Ruderman & Roth, LLC 150 Morris Avenue, Ste. 303 Springfield, New Jersey 07081
- Chasan Lamperello, Mallon & Cappuzzo 300 Lighting Way, Ste. 200 Secaucus, New Jersey 07094
- 9. Antonelli Kantor, P.C. 354 Eisenhower Pkwy, Ste. 1000 Livingston, New Jersey 07039
- Flanagan, Barone & O'Brien, LLC
 Essex Avenue, Ste. 200
 Bernardsville, New Jersey 07924
- Simmons Law, LLC.
 Washington Street, Suite 104
 East Orange, New Jersey 07017
- Weiner Law Group, LLP
 629 Parsippany Road
 Parsippany, New Jersey 07054
- Kaufman Semeraro & Leibman, LLP
 East Halsey Road, Suite 385
 Parsippany, New Jersey 07054
- DeCotiis, FitzPatrick, Cole & Giblin, LLP
 South Paramus Road
 Paramus, New Jersey 07652
- Brause, Brause & Ventrice, LLC
 Main Street
 Metuchen, New Jersey 08840
- The Law Offices of Yvette Gibbons, LLC
 South Orange Avenue, No. 139
 South Orange, New Jersey 07079

Murphy Orlando, LLC
 Montgomery Street, 1st Floor
 Jersey City, New Jersey 07302

Renaud Deappolonio, LLC
 190 North Avenue E.
 Cranford, New Jersey 07016

WHEREAS, said firms will only be selected to provide legal services on an as needed basis; and

WHEREAS, all recommended firms have agreed to provide legal services at an hourly rate of \$150.00 per hour; and

WHEREAS, the City Attorney has determined that the above referenced law firms are qualified to provide the legal services as set forth above.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Orange Township, that the Mayor is hereby authorized to enter into Agreements with said law firms as required.

Adopted: December 21, 2021

Joyce L. Lanier City Clerk Kerry J. Coley
Council President

BUSINESS ENTITY DISCLOSURE CERTIFICATION FOR NON-FAIR AND OPEN CONTRACTS Required Pursuant To Ordinance \$4-70, et seq. CITY OF ORANGE TOWNSHIP, NEW JERSEY

Part 1 - Vendor Affirmation

Contractor) In an ont made and will not make any reportable contributions purposen to Ordinance 4-70 et seq. that would ber the sward of this contract in the one year period proceding the date of reorganization to eary of the following assumed candidate committee; or political party committees representing the elected officials of the CTTY OF ORANGE POWNESSIP as defined purposen to N.J.S.A. 19-44A-3(a), (q) and (r). Designs B. Warren, Eng., Mayor Hes., Engry J. Octor Hes., Engry J. Octor Hes., Engry J. Octor Hes., Engry J. Octor Hes., Taleson Hes., Theore J. Hassen Hes., Theore J. Hassen Hes., Theore J. Hassen Hes., Worldon M. Moutague Part II. Ownership Dischesure Cardination If I certify that the list below contains the names and home addresses of all owners bolding 10% or more of the issued and outstanding stock of the undersigned. Check the hose that represents the type of business entity: Check the hose that represents the type of business entity: Check the hose that represents the type of business entity: Check the hose that represents the type of business entity: Check the hose that represents the type of business entity: Check the hose that represents the type of business entity: Check the hose that represents the type of business entity: Check the hose that represents the type of business entity: Check the hose that represents the type of business entity: Check the hose that represents the type of business and home addresses of all owners bolding 10% or more of the issued and outstanding stock of the undersigned. Subschied the following stock of the undersigned. Part J. Signature and Attention: The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law. Name of Business Business Business and Attentions. Print Name: A. D. J. Check C. J. L. J. L. J. L. J. L. J.	The undersigned, being authorized and knowledgeable	le of the circumstances, does hereby certify that
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	My Commission expires:	thy Commission Experimently (Edg-2009-al)
		SECTION AND STREET COMPANY CHARLES AND STREET STREET,

11/15/12

Texpayor Identification# 463-365-634/600

Dear Business Representative:

Congratulational 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 Isw 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 Hottine at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,

James J. Fruscione

Director

New Jersey Division of Revenue

