

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

DATE December 20, 2022

NUMBER 501-2022

**TITLE: RESOLUTION AMENDING RESOLUTION NO. 105-2022 TO AUTHORIZE ADDITIONAL ATTORNEY FEES TO BE PAID TO SCARINCI & HOLLENBECK, LLP AS SPECIAL COUNSEL WITH REGARD TO VARIOUS LEGAL MATTERS AND LITIGATION REGARDING THE CITY OF ORANGE TOWNSHIP**

**WHEREAS**, pursuant to Resolution No. 105-2022, adopted on February 15, 2022, Scarinci & Hollenbeck, LLP was, and remains, a law firm authorized to represent the City of Orange Township, in connection with labor, employment, personnel, contract matters and/or challengers to governmental action, and such other areas of municipal law as may be required; and

**WHEREAS**, Resolution No. 105-2022 limited the amount to be paid under the agreement between the City of Orange Township and Scarinci and Hollenbeck, LLP not to exceed \$100,000.00; and

**WHEREAS**, it has become apparent that the aggregate amount due under invoices submitted and/or anticipated to be submitted for the legal services to be provided under the aforesaid agreement will exceed the prior limit imposed by approximately Fifty Thousand Dollars (\$50,000.00); and

**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds which certifies that funds are available in the Department of Law – Account No. 2-01-20-155-000-519.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP** does hereby authorize and approve payment to the law firm of Scarinci & Hollenbeck, LLP in the amount not to exceed \$50,000.00 for legal services rendered in various cases

**Adopted: December 20, 2022**

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

\_\_\_\_\_  
**Tency A. Eason**  
Council President

CITY OF ORANGE  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
2022 ADOPTED BUDGET

I, Nile Clements, Chief Financial Officer for the City of Orange, do hereby certify to the best of my knowledge and belief that there are sufficient funds to Contract with:

Vendor Name: Scarinci & Hollenbeck, LLC.  
Address: 150 Clove Road 9th Floor

City: Little Falls  
State: New Jersey  
Zip Code: 07424

Purpose: Special Counsel for various Legal Matters

Vendor ID: SCARI015

Fund: Current Fund  
Account Name: LAW - Professional Services  
Account Numbers(s): 2-01-20-155-000-519

PO Number: 22-00859

Additional Amount: \$ 50,000.00

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Division Head

Date

*Nile Clements*

12/14/2022

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Chief Financial Officer

Date

**CITY COUNCIL****The City of Orange Township, New Jersey**DATE February 15, 2022NUMBER 105-2022

**TITLE: A RESOLUTION RETAINING SCARINCI & HOLLENBECK, LLC. AS SPECIAL COUNSEL WITH REGARD TO VARIOUS LEGAL MATTERS AND LITIGATION REGARDING THE CITY OF ORANGE TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR CALENDAR YEAR 2022**

**WHEREAS**, various items of litigation and legal issues have been brought up from time to time for the City of Orange to address including but not limited to issues of public sector labor law, personnel matters, local governance inquiries, and other municipal law matters; and

**WHEREAS**, In Resolution No. 521-2021, adopted on December 21, 2021, Scarinci & Hollenbeck, LLC is a law firm authorized to represent the City, its officers and employees; and

**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto certifying that funds will be available for this purpose in Account No. 2-01-20-155-000-519, contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2022 Budget, there will be sufficient funds to contract with Scarinci & Hollenbeck, LLC.; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. requires that the resolution authorizing 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.

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

1. The Mayor is hereby authorized and directed to execute the attached Agreement, in an amount not to exceed one hundred thousand dollars \$100,000.00, with Scarinci & Hollenbeck, LLP, 1100 Valley Brook Avenue, Lyndhurst, New Jersey 07071.
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.

Adopted: March 1, 2022  
Joyce L. Lanter, City Clerk  
Kerry J. Coley, Council President

**RESOLUTION NO. 105-2022**

**OFF CONSENT AGENDA**

**REGULAR COUNCIL MEETING – February 15, 2022**

**MOTION TO ADOPT: Ross**

**SECOND: Montague, III**

**YEAS: Wooten**

**NAYS: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson & Council President Coley**

**ABSTENTIONS: None**

**ABSENCES: None**

**MOTION TO ADOPT: Ross**

**SECOND: Montague, III (RESCINDED)**

**MOTION TO POSTPONE: Johnson, Jr.**

**SECOND: Ross**

**YEAS: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson & Council President Coley**

**NAYS: None**

**ABSTENTIONS: Wooten**

**ABSENCES: None**

**REGULAR COUNCIL MEETING – March 1, 2022**

**MOTION TO ADOPT: Ross**

**SECOND: Johnson, Jr.**

**YEAS: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten & Council President Coley**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: None**

## ***The City of Orange Township***

### ***Agreement for Legal Services***

This Agreement entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2022, and is effective as of January 1, 2022, between:

City of Orange Township,  
29 North Day Street, Orange New Jersey 07050 ("City")

and

Scarinci & Hollenbeck, LLC,  
One Riverfront Plaza, 4<sup>th</sup> Floor  
Newark, New Jersey 07102, ("Ramon E. Rivera, Esq.")

Under the terms and conditions as follows:

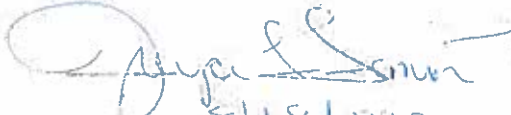
- 1) The City desires to engage the services of Ramon Rivera, Esq. and his firm Scarinci & Hollenbeck as it pertains to legal needs of the City from time to time.
- 2) Ramon E. Rivera, Esq. and his approve designees shall perform all services as requested by the City including but not limited to labor, employment, personnel and like matters. The City Attorney retains the sole discretion as to the assignment of work to Ramon E. Rivera, Esq.
- 3) Scarinci & Hollenbeck, LLC. shall be compensated by the City for all services rendered at a rate of \$150.00 per hour. Ramon E. Rivera, Esq. shall submit monthly invoices for services rendered. The monthly invoice shall be accompanied by a cover letter setting forth year to date billing.
- 4) Ramon E. Rivera, Esq. shall not be entitled to any other form of remuneration or benefit other than that identified herein.
- 5) Ramon E. Rivera, Esq. shall be required to provide monthly updates. Additional information may be requested by the City Attorney.
- 6) The performance of work under this contract may be terminated by the City whenever the City through its administration determines that the termination is necessary in the best interests of the City. Any such termination shall be effected by delivery to Ramon E. Rivera, Esq. a Notice of Termination which specifies the date upon which the contract is terminated.

- 7) In the event the City does terminate this Agreement, Scarinci & Hollenbeck, LLC. shall be entitled to compensation to the date of the termination.
- 8) Scarinci & Hollenbeck, LLC. shall commence work upon the execution of this Agreement.
- 9) Ramon E. Rivera, Esq. shall maintain private malpractice insurance in the amount of at least \$1,000,000 and provide a copy of same to City.
- 10) This Agreement has an expiration date of December 31, 2022. Any extension of this Agreement must be done in writing and agreed to by the City and Scarinci & Hollenbeck, LLC.

In Witness Hereof, the City and Ramon E. Rivera, Esq. have executed this agreement the day and year first written above.

Attest:

SCARINCI & HOLLENBECK, LLC

  
5/18/2022

By:

  
Ramon E. Rivera, Esq.  
A Member of the Firm

Attest:

THE CITY OF ORANGE TOWNSHIP

Joyce L. Lanier  
Municipal Clerk

By:

  
Dwayne D. Warren, Mayor

Approved as to Form and Sufficiency

  
Gracia Robert Montilus, City Attorney