

CITY COUNCIL

The City of Orange Township, New Jersey

DATE January 17, 2023

NUMBER 40-2023

AMENDED

TITLE: RESOLUTION RENEWING A PROFESSIONAL SERVICE AGREEMENT WITH DAVID C. STANZIALE, LLC, AS SPECIAL COUNSEL TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN THE MATTER, “TYSHAMMIE L. COOPER V. CITY OF ORANGE TOWNSHIP, MAYOR DWAYNE D. WARREN, ET AL. DOCKET NO. ESX-L-006733-21 IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR CALENDAR YEAR 2023

WHEREAS, The Municipal Counsel of the City of Orange approved Resolution No. 463-2021, adopted on October 19, 2021 authorizing a (1) year professional service agreement for total contract amount of \$20,000.00 with the Law Offices of David C. Stanziale, LLC to represent the City, its officers and employees; and

WHEREAS, Resolution No. 339-2022, adopted on August 3, 2022, the contract with David Stanziale, LLC was executed under the same terms and conditions previously awarded; and;

WHEREAS, the lawsuit is still ongoing and it is necessary to renew the contract and to increase the contract amount by an additional \$25,000.00; and

WHEREAS, the City awarded the contract to David C. Stanziale, LLC under the “fair and open process” of the Pay-to-Play Law, N.J.S.A. 19-44A-20.4 et seq; 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, that the Addendum to the Agreement between the City of Orange Township and David C. Stanziale, LLC, is hereby approved in an amount not to exceed \$20,000.00.

BE IT FURTHER RESOLVED that the Mayor Dwayne D. Warren, is hereby authorized and directed to execute the Addendum to the Agreement.

Adopted: January 17, 2023

Joyce Lanier, Municipal Clerk

Tency A. Eason, Council President



A-MUZZA
CITY ATTORNEY

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO. BOX 280
TRENTON, NJ 08646-0282

TAXPAYER NAME:

DAVID S. STANZIALE, LLC ATTORNEY AT LAW

TRADE NAME:

ADDRESS:

552 HIGH MOUNTAIN ROAD
NORTH HALENDON NJ 07508

SEQUENCE NUMBER:

358648

EFFECTIVE DATE:

07/23/07

ISSUANCE DATE:

08/29/11

James J. Di...
Director
New Jersey Division of Revenue

FORM-BRC

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

**AMENDMENT TO CONTRACT
EXTENSION AGREEMENT**

THIS EXTENSION AGREEMENT is made this _____ day of _____, 2023 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 David C. Stanziale, LLC, 552 High Mountain Road, Ste. 3, North Halendon, New Jersey (hereinafter referred to as "Counsel");

It is mutually understood and agreed by and between the undersigned contracting parties to amend the previously executed Agreement as follows:

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 of one (1) year from the date of this Agreement and David C. Stanziale, 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.

All other terms and conditions that are not hereby amended are to remain in full force and effect.

CITY OF ORANGE TOWNSHIP

ATTEST:

By: _____
**Dwayne D. Warren, Esq.,
Mayor**

Joyce Lanier, Municipal Clerk

DAVID C. STANZIALE, LLC

ATTEST:

By: _____

Approved as to form and sufficiency

**Gracia Robert Montilus
City Attorney**

CITY COUNCIL

The City of Orange Township, New Jersey

DATE October 19, 2021

NUMBER 463-2021

TITLE: RESOLUTION AUTHORIZING THE SERVICES OF DAVID C. STANZIALE, LLC, TO REPRESENT CITY OF ORANGE TOWNSHIP AND MAYOR DWAYNE D. WARREN, ESQ. IN THE MATTER OF "TYSHAMMIE L. COOPER V. CITY OF ORANGE TOWNSHIP, MAYOR DWAYNE D. WARREN AND LOUIS COPELAND" DOCKET NO. ESX-L-006733-21 IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR CALENDAR YEAR 2021

WHEREAS, there exists a need for the City of Orange Township to retain legal representation on behalf of City of Orange Township in connection with litigation, "Tyshammie L. Cooper v. City of Orange Township, Mayor Dwayne D. Warren and Louis Copeland"; and,

WHEREAS, Resolution No. 61- 2021, adopted on February 2, 2021, authorized David C. Stanziale, LLC, to represent the City of Orange Township, 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 \$20,000.00, with David C. Stanziale, LLC, 552 High Mountain Road, Ste. 3, North Haledon, New Jersey.
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 19, 2021


Joyce Lambert
City Clerk


Kerry J. Cole
Council President

CITY COUNCIL**The City of Orange Township, New Jersey**DATE February 2, 2021NUMBER 61-2021

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 RETROACTIVE FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

WHEREAS, on October 29, 2020, 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, ten (10) 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, the City Attorney recommends the law firms:

1. David C. Stanziale, LLC
552 High Mountain Road
North Halendon, New Jersey 07508
2. Lamb Kretzer, LLC
110B Meadowlands Parkway, Ste. 201
Secaucus, New Jersey 07094
3. Michael A. Armstrong & Associates, LLC
79 Mainbridge Lane
Willingboro, New Jersey 08046
4. Childress & Jackson, LLC
280 South Harrison Street, Ste. 303
East Orange, New Jersey 07018
5. Florio, Kenny & Raval, LLP
125 Chubb Avenue
Lyndhurst, New Jersey 07071
6. Ruderman & Roth, LLC
150 Morris Avenue, Ste. 303
Springfield, New Jersey 07081
7. The Antoine Law Firm, LLC
52 Underwood Street, Apt. 1L
Newark, New Jersey 07106

CITY COUNCIL

The City of Orange Township, New Jersey

DATE August 3, 2022

NUMBER 339-2022

TITLE: **RESOLUTION AMENDING RESOLUTION NO. 463-2021 TO AUTHORIZE ADDITIONAL ATTORNEY FEES FOR DAVID C. STANZIALE, LLC, AS SPECIAL COUNSEL IN CALENDAR YEAR 2022 WITH REGARD TO "TYSHAMMIE L. COOPER V. CITY OF ORANGE TOWNSHIP, MAYOR DWAYNE D. WARREN AND LOUIS COPELAND" DOCKET NO. ESX-L-006733-21 IN AN AMOUNT NOT TO EXCEED \$50,000.00**

WHEREAS, pursuant to Resolution 463-2021, adopted on October 19, 2021 David C. Stanziale, LLC was, and remains a law firm authorized to represent the City, its officers and employees; and

WHEREAS, the agreement referenced and authorized by Resolution No. 463-2021 was limited to an amount not to exceed \$20,000.00 as a condition of said authorization; 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 agreement will exceed the Twenty Thousand Dollar (\$20,000.00) limit imposed by Resolution No. 463-2021; and

WHEREAS, the City of Orange Township has a continuing need for representation with regard to the matters and issues already set forth in Resolution No. 463-2021; 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, that the Addendum to the Agreement between the City of Orange Township and David C. Stanziale, LLC, is hereby approved in an amount not to exceed \$50,000.00.

BE IT FURTHER RESOLVED that the Mayor Dwayne D. Warren, is hereby authorized and directed to execute the Addendum to the Agreement.

Adopted: August 3, 2022


Joyce L. Lanier
City Clerk


Tency A. Eason
Council President

RESOLUTION NO. 339-2022

OFF CONSENT AGENDA

REGULAR COUNCIL MEETING – August 3, 2022

MOTION TO ADOPT: Ross

SECOND: Montague, III

YEAS: Hilbert, Montague, III, Ross, Wooten & Council President Eason

NAYS: Coley

ABSTENTIONS: None

ABSENCES: Summers-Johnson