

CITY COUNCIL**The City of Orange Township, New Jersey**DATE January 17, 2023NUMBER 21-2023

TITLE: A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO SZAFERMAN LAKIND, P.C. TO PROVIDE LEGAL COUNSELING TO THE ORANGE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ORANGE TOWNSHIP IN MATTERS AS THEY RELATE TO THE HISTORIC PRESERVATION COMMISSION IN AN AMOUNT NOT TO EXCEED \$7,500.00 FOR THE CALENDAR YEAR 2023.

WHEREAS, Szaferman Lakind, P.C.'s, services are required to provide legal advice and legal representation for scheduled Regular and Special Meetings of the Orange Historic Preservation Commission for a period of one year; 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, a copy of which is attached hereto, certifying that funds will be available for this purpose in Account 3-01-21-190-000-519 contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2023 Budget, there will be sufficient funds to contract Szaferman Lakind, P.C; and

WHEREAS, the Law Department has reviewed for form and legality.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, that a contract be awarded to Szaferman Lakind, P.C. in an amount not to exceed \$7,500.00.

BE IT FURTHER RESOLVED, that the Mayor of the City of Orange Township is hereby authorized to execute a contract with Szaferman Lakind, P.C., 101 Grovers Mill Road, Suite 200, Lawrenceville, New Jersey 08648 for a term of one year commencing January 1, 2023 through December 31, 2023.

Adopted: January 17, 2023

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Request for Taxpayer Identification Number and Certification

Give Form to the
 requester. Do not
 send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Szaferman, Lakine, Blumstein & Blader, PC	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
<input type="checkbox"/> Individual/sole proprietor or single-member LLC	Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
<input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small>	
<input type="checkbox"/> Other (see instructions) ▶ _____	
5 Address (number, street, and apt. or suite no.) See instructions. 101 Grovers Mill Road, Suite 200	Requester's name and address (optional)
6 City, state, and ZIP code Lawrenceville, NJ 08648	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)																																														
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="9" style="text-align: center;">Social security number</td> </tr> <tr> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> </tr> <tr> <td colspan="9" style="text-align: center;">or</td> </tr> <tr> <td colspan="9" style="text-align: center;">Employer identification number</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">2</td> <td style="text-align: center;">-</td> <td style="text-align: center;">3</td> <td style="text-align: center;">0</td> <td style="text-align: center;">8</td> <td style="text-align: center;">7</td> <td style="text-align: center;">4</td> <td style="text-align: center;">1 8</td> </tr> </table>	Social security number																		or									Employer identification number									2	2	-	3	0	8	7	4	1 8
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2	2	-	3	0	8	7	4	1 8																																						
Note: If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.																																														

Part II Certification	
Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and	
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and	
3. I am a U.S. citizen or other U.S. person (defined below); and	
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.	
Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.	

Sign Here	Signature of U.S. person ▶ <i>Clair D. Fisher</i>	Date ▶ 01-03-2023
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What Is backup withholding, later.

James J. Fruscione

James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 352
TRENTON NJ 08646-0352

TAXPAYER NAME:

SZAFERMAN, LAKIND, BLUMSTEIN, BLADER, :

TRADE NAME:

ADDRESS:

**101 GROVERS MILL RD STE #200
LAWRENCEVILLE NJ 08648-4706**

SEQUENCE NUMBER:

0079223

EFFECTIVE DATE:

01/01/91

ISSUANCE DATE:

07/19/13

James J. Fruscione

Director
New Jersey Division of Revenue

FORM BRC

(04-88) D205846V

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

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
CITY OF ORANGE TOWNSHIP, NEW JERSEY**

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

SZAFERMAN, LAKIND, BLUMSTEIN AND BLADER
(Contractor)

has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one-year period preceding the date of reorganization to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the **CITY OF ORANGE TOWNSHIP** as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Dwayne D. Warren	
Tency A. Eason	
<u>QUANTAVIA Milbent</u>	
Weldon M. Montague, III	
Clifford R. Ross	
Jamie Summers-Johnson	
Adrienne Wooten	
Kerry J. Coley	

Part II – Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership Corporation Sole Proprietorship Subchapter S Corporation
 Limited Partnership Limited Liability Corporation Limited Liability Partnership

Name of Stock or Shareholder	Home Address
<u>Barry SZAFERMAN</u>	<u>373 Riverside Dr. Princeton NJ 08540</u>
<u>ARNOLD LAKIND</u>	<u>33 Overhill Dr. N.J. Brownsick NJ 08702</u>
<u>BRIAN PAUL</u>	<u>1680 Powderhill Dr. Newtown PA 18940</u>
<u>Craig Hubert</u>	<u>101 Mountain Rd. Ringoes, NJ 08551</u>
<u>Michael Pagione</u>	<u>11 Hickory Rd, Columbus, NJ 08022</u>

Part 3 – Signature and Attestation:

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 Entity: SZAFERMAN, LAKIND, BLUMSTEIN AND BLADER, P.C.

Signed: [Signature] Title: MANAGING PARTNER

Print Name: Barry SZAFERMAN Date: _____

Subscribed and sworn before me the <u>12th</u> day of <u>January</u> , 20 <u>23</u>	<u>[Signature]</u> (Affiant)
My Commission expires: <u>LAUREN BREESE</u> A Notary Public of New Jersey	<u>Lauren Breeze</u> (Print name & title of affiant) (Corporate Seal)

My Commission Expires August 16, 2027

CONTRACT FOR LEGAL SERVICES TO THE CITY OF ORANGE TOWNSHIP HISTORIC PRESERVATION COMMISSION

THIS AGREEMENT is made on _____, 2023 between the City of Orange Township ("the City") with its principal place of business located at 29 North Day Street, Orange, New Jersey, and Szaferman Lakind, P.C, 101 Grovers Mill Road, Suite 200, Lawrenceville, New Jersey 08648.

Recitals

WHEREAS, Szaferman Lakind, P.C., has established themselves as a competent, knowledgeable attorney, with a working understanding of the status and case law governing Historic Preservation matters; and

WHEREAS, the City of Orange Township is in need of a law firm of Szaferman Lakind, P.C.'s, caliber and capability to serve in a legal capacity to the Historic Preservation Commission of the City; and

WHEREAS, the City desires to retain the services of counsel and more specifically those of Szaferman Lakind, P.C, to provide such services.

WHEREAS, this contract is authorized by the City Council pursuant to Resolution: 21-2023

NOW, THEREFORE, in consideration of the recitals and mutual covenants contained in this Agreement, the contracting parties agree as follows:

Scope of Services

Szaferman Lakind, P.C. will be required to serve as the legal advisor and representative to the Historic Preservation Commission to perform the following services.

1. All legal services performed in connection with the Orange Historic Preservation Commission matters, including but not limited to conferences, Historic Preservation Commission meetings, Commission meetings, telephone conferences and consultations, legal research and advisory opinions, litigation, correspondence, negotiations, application review and other matters related to Historic Preservation Commission business and the Historic Preservation Law and local Historic Preservation Ordinance.
2. Representing the Orange Historic Preservation Commission in litigation in the State of New Jersey and in any and all other proceedings wherein the attorney's professional services may be required and wherein the Historic Preservation Commission is a party or its rights or interests are involved.

Authority to Award Contract

This Contract is awarded without competitive bidding as a "Professional Service" Contract pursuant to N.J.S.A. 40 A: 11-5(1) (a) (i) of the Local Public Contracts Law.

Dwayne D. Warren, Esq.
Mayor

Szaferman Lakind, P.C.
Janine G. Bauer, Esq., Partner

Orange Historic Preservation Commission

Attest:

Joyce L. Lanier
City Clerk/Orange Historic Commission Secretary