

**CITY COUNCIL**

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

DATE February 21, 2023

NUMBER 100-2023

**TITLE: RESOLUTION RENEWING A PROFESSIONAL SERVICE AGREEMENT WITH THE LAW OFFICES OF LAMB KRETZER, LLC, TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN THE MATTER, "51 SOUTH DAY STREET, LLC; EXIT 11 GENTLEMEN'S CLUB, LLC V. PEEK REOCK II OWNER URBAN RENEWAL, LLC, ET AL." DOCKET NO. ESX-L-9682-21 IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR CALENDAR YEAR 2023**

**WHEREAS**, by Resolution Nos. 445-2022, Lamb Kretzer, LLC, was, and remains a law firm authorized to represent the City of Orange Township, its officers and employees; and

**WHEREAS**, the lawsuit is still ongoing and it is necessary to renew the contract for an additional twelve (12) month and to increase the contract amount by an additional \$20,000.00; and

**WHEREAS**, Lamb Kretzer, LLC agreed to provide these services at an hourly rate of \$150.00, including expenses; and

**WHEREAS**, the City awarded the contract to Lamb Kretzer, 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**, 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. 3-01-20-155-000-519, contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2023 Budget, there will be sufficient funds to contract with Lamb Kretzer, LLC.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the City of Orange Township, authorizes extending the contract with Lamb Kretzer, LLC, 110B Meadowlands Parkway Ste. 201, Secaucus, N.J. 07094 until December 31, 2023, in an amount not to exceed \$20,000.00.

**Adopted: February 21, 2023**

\_\_\_\_\_  
**Joyce Lanier**  
City Clerk

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

  
\_\_\_\_\_  
**A. Mizrahi**  
CITY ATTORNEY



**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 Lamb Kretzer, LLC, 110B Meadowlands Parkway Ste. 201, Secaucus, N.J. 07094 (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 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.

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

**CITY OF ORANGE TOWNSHIP**

By: \_\_\_\_\_  
**Dwayne D. Warren, Esq., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Joyce Lanier, City Clerk**

**LAMB KRETZER, LLC**

By: \_\_\_\_\_  
**George C. Roselle, Esq.**

**Approved as to form and sufficiency:**

\_\_\_\_\_  
**Gracia Robert Montilus  
City Attorney**

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 2023 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 2023 Budget, there will be sufficient funds to contract with:

Vendor Name: Lamb Kretzer  
c/o Aldo Russo Esq.

Address: 110B Meadowlands Pkwy

City: Secaucus  
State: New Jersey  
Zip Code: 07094

Purpose: Legal representation City v. 51 S. Day St. "(Exit 11)  
Docket No. ESX-L-9682-21

Vendor ID: LAMB0010

Temporary Budget: \$ 5,000.00  
Fund: Current Fund  
Line Description LAW - Professional Services  
Account Numbers(s): CY'23 3-01-20-155-000-519

The remainder of: \$ 15,000.00  
will be provided in  
Fund: Current Fund  
Line Description LAW - Professional Services  
Account Numbers(s): CY'23 3-01-20-155-000-519

Purchase Order # : 23-00486

Amount not to exceed: \$ 20,000.00

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Division Head	Date
<i>Nile Clements</i>	2/9/2023

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Chief Financial Officer Date

**CITY COUNCIL**

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

**DATE** November 14, 2022

**NUMBER** 445-2022

**TITLE:** **A RESOLUTION AUTHORIZING THE SERVICES OF LAMB KRETZER, LLC, TO REPRESENT CITY OF ORANGE TOWNSHIP IN THE MATTER, "51 SOUTH DAY STREET, LLC; EXIT 11 GENTLEMEN'S CLUB, LLC V. PEAK ROCK II OWNER URBAN RENEWAL, LLC, ET AL" DOCKET NO. ESX-L-9682-21 IN AN AMOUNT NOT TO EXCEED \$1,500.00 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 in connection with litigation, "51 South Day Street, LLC and Exit 11 Gentlemen's Club, LLC v. Peak Rock II Owner Urban Renewal, 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, 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 the Lamb Kretzer, LLC.

**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 \$1,500.00, 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:**

Joyce Lanier, Municipal Clerk

Tency A. Eason, Council President

APPROVED AS TO FORM, SUFFICIENCY AND LEGALITY

  
Gretia Richard Martin

11/15/13

Taxpayer Identification# 403-235-0340000

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 82 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)232-8282.

I wish you continued success in your business endeavors.

Sincerely,

James J. Fruscione  
Director  
New Jersey Division of Revenue

**STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE**

DEPARTMENT OF TREASURY  
DIVISION OF REVENUE  
PO BOX 287  
TREASURY BUILDING

**TAXPAYER NAME:**  
LANE WETZER LIMITED LIABILITY COMPANY

**TRADE NAME:**

**ADDRESS:**  
1168 MEADOWLANDS PARKWAY STE 2  
SECAUCUS NJ 07094

**SEQUENCE NUMBER:**  
000102

**EFFECTIVE DATE:**  
11/15/13

**ISSUANCE DATE:**  
11/15/13

Director  
New Jersey Division of Revenue

**FORM BRC**

# Request for Taxpayer Identification Number and Certification

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

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print to 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.  
**Lamb Kretzer LLC**

**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.

Individual/sole proprietor or single-member LLC     C Corporation     S Corporation     Partnership     Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ \_\_\_\_\_  
 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.

Other (see instructions) ▶ \_\_\_\_\_

**4** Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  
 Exempt payee code (if any) \_\_\_\_\_  
 Exemption from FATCA reporting code (if any) \_\_\_\_\_  
(Apply to accounts maintained outside the U.S.)

**5** Address (number, street, and apt. or suite no.) See instructions.  
**110 B Meadowslands Parkway Suite 201**

**6** City, state, and ZIP code  
**Secaucus, NJ 07094**

**7** List account number(s) here (optional)

**8** Requester's name and address (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 *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
OR									
Employer identification number									
4	6	-	3	3	9	6	0	3	4

**Part II Certification**

Under penalties of perjury, I certify that:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- 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 ▶ *George Woodson*    Date ▶ *01/06/2023*

## 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](http://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-INT (interest earned or paid)

- 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 1099 (home mortgage interest), 1099-E (student loan interest), 1099-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.*

**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 I – Vendor Affirmation**

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

(Contractor) has not made and will not make any reportable contributions pursuant to Ordinance 4-70 et seq. that 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, Esq., Mayor	
Hon. Kerry J. Coley	
Hon. Adrienne K. Wooten	
Hon. Tency A. Eason	
Hon. Clifford R. Ross	
Hon. Quantavia L. Hilbert	
Hon. Jamie Summers-Johnson	
Hon. Weldon M. Montague	

**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
George C. Roselle III	1039 John Glenn Drive, Hillside, N.J. 07205

**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: Lamb Kratzer, LLC

Signed: *George C. Roselle III* Title: Partner

Print Name: George C. Roselle III Date: 10/14/2022

Subscribed and sworn before me the 14<sup>th</sup> day of October, 2022  
*Donna McMahon* (Affiant)  
 My Commission expires: Donna McMahon  
George C. Roselle III / Partner  
 (Print name & title of affiant) (Corporate Seal)

**DONNA MCMAHON  
A Notary Public of New Jersey  
My Commission Expires May 24, 2026**