

CITY COUNCIL

The City of Orange Township, New Jersey

DATE February 21, 2023

NUMBER 95-2023

TITLE: RESOLUTION RENEWING A PROFESSIONAL SERVICE AGREEMENT WITH THE LAW OFFICES OF DAVID C. STANZIALE, LLC TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN THE MATTER, “DEBORAH UPCHURCH V. INSERVCO INSURANCE COMPANY, ET AL., DOCKET NO. ESX-L-6471-22, IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR CALENDAR YEAR 2023

WHEREAS, Resolution No. 414-2022, adopted on October 18, 2022, authorized the law firm of David C. Stanziale, LLC, to represent the City of Orange Township, its officers and employees in the case Deborah Upchurch v. Inservco Insurance Company under Docket No. SOM-L-001034-22; and

WHEREAS, a motion was filed to transfer the matter to Essex County under Docket No. ESX-L-6471-22; and

WHEREAS, the lawsuit is still ongoing and it is necessary for the City to renew its professional service contract with David C. Stanziale, LLC for an additional twelve (12) months period; and

WHEREAS, David C. Stanziale, LLC, has agreed to extend the current Contract with the City of Orange Township until December 31, 2023, under the same terms and conditions previously awarded; 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: February 21, 2023

Joyce Lanier
City Clerk

Tency A. Eason
Council President



DA MIZIAH

**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 07508 (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

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

ATTEST:

Joyce Lanier, City Clerk

DAVID C. STANZIALE, LLC

By: _____
David C. Stanziale, Esq.

Approved as to form and sufficiency:

Gracia Robert Montilus
City Attorney

CITY COUNCIL**The City of Orange Township, New Jersey**DATE October 18, 2022NUMBER 414-2022

TITLE: RESOLUTION AUTHORIZING THE SERVICES OF THE DAVID C. STANZIALE, LLC, TO REPRESENT THE CITY OF ORANGE TOWNSHIP AND ORANGE POLICE DEPARTMENT IN THE MATTER, "DEBORAH UPCHURCH V. INSERVCO INSURANCE COMPANY, ET AL" DOCKET NO. SOM-L-001034-22 IN AN AMOUNT NOT TO EXCEED \$3,500.00 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 Orange Police Department in connection with litigation, "Deborah Upchurch v. Inservco Insurance Company, et al."; and,

WHEREAS, Resolution No. 524-2021, adopted on December 21, 2021, authorized The David C. Stanziale, 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.

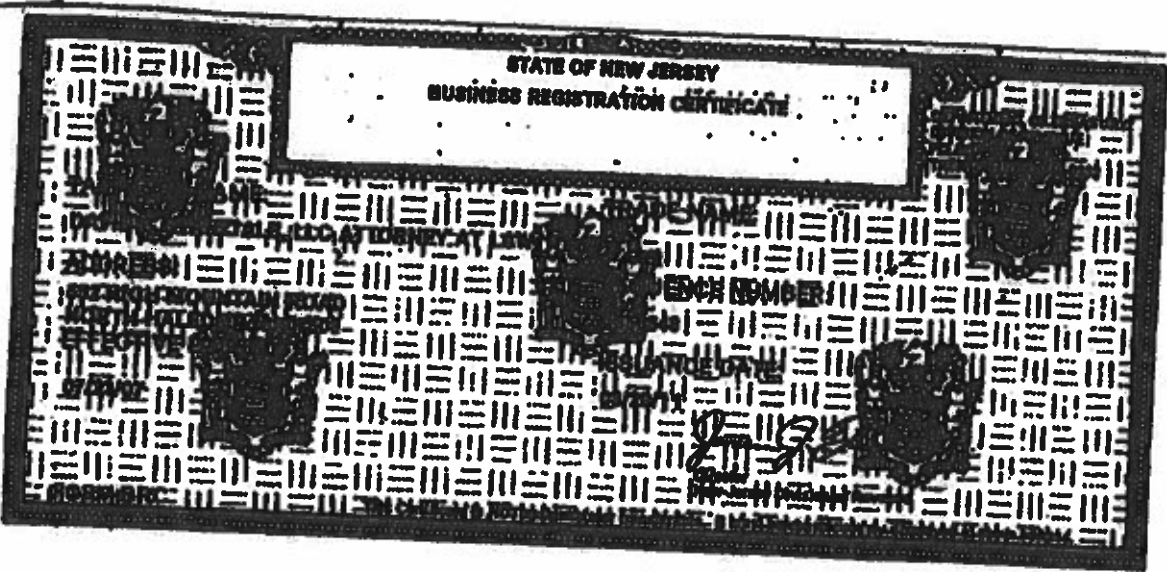
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Township, New Jersey, as follows:

1. The Mayor be and is hereby authorized and directed to execute the attached Agreement, in an amount not to exceed \$3,500.00, 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.

Adopted: October 18, 2022


Joyce Linales
City Clerk


Tency A. Eason
Council President



02

0700

03

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.
DAVID C. STANKALE, 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=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 (code(s) 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 established outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
552 High Mountain Road, Suite 3

6 City, state, and ZIP code
North Haledon, NJ 07608

7 List account number(s) here (optional)

8 Requester's name and address (optional)

9 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									
2	6	-	0	5	9	5	7	4	4

10 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 this certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ *David C. Stankale* Date ▶ 1/30/2013

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-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 (dividend)
- 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 44-70, 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

David C. Stanziale, LLC

(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 recognition to any of the following named candidates 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(b), (d) and (f).

Mayor	
Mayor	
Mayor	
Mayor	
Mayor	
Mayor	
Mayor	
Mayor	
Mayor	
Mayor	

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
David C. Stanziale	130 Tamboer Drive, North Haledon, NJ 07508

Part III. - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: **David C. Stanziale, LLC**

David C. Stanziale
9/26/2022