

CITY COUNCIL

The City of Orange Township, New Jersey

DATE March 21, 2023

NUMBER 152-203

TITLE:

RESOLUTION RENEWING A PROFESSIONAL SERVICE AGREEMENT WITH THE ANTOINE LAW FIRM, LLC AS SPECIAL COUNSEL TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN THE MATTER, "ANTHONY ANTONUCCI, ET AL. V. CITY OF ORANGE TOWNSHIP, DOCKET NO. ESX-L-005093-21, IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR CALENDAR YEAR 2023

WHEREAS, by Resolution Nos. 433-2021 and 248-2022, The Antoine Law Firm, LLC, was, and remains a law firm authorized to represent the City of Orange Township ("the City"), its officers and employees; and

WHEREAS, the City awarded the contract to The Antoine Law Firm, 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, N.J.S.A. 40A:11-15 limits the term of professional services contract to twelve (12) months; and

WHEREAS, the lawsuit is still ongoing and it is necessary for the City to renew its professional service contract with The Antoine Law Firm, LLC for an additional twelve (12) months period; and

WHEREAS, The Antoine Law Firm, LLC agreed to provide these services at an hourly rate of \$150.00, including expenses; 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 The Antoine Law Firm, LLC.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Orange Township, authorizes extending the contract with The Antoine Law Firm, LLC, 542 Morristown Road, Linden, New Jersey 07036 until December 31, 2023, in an amount not exceed \$20,000.00.

Adopted: March 21, 2023

Joyce Lanier
City Clerk

Tency A. Eason
Council President



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 The Antoine Law Firm, LLC, 542 Morristown Road, Linden, New Jersey 07036 (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 The Antoine Law Firm, 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

THE ANTOINE LAW FIRM, LLC

ATTEST:

By: _____

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: The Anotine Law Firm, LLC.
Address: 52 Underwood St.
Apartment 1L

City: Newark
State: New Jersey
Zip Code: 07106

Purpose: Special Counsel to represent the City v. A. Antonucci
Docket No. ESX-L-005093-21

Vendor ID: THEAN005

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 #: 23-00821

Amount not to exceed: \$ 20,000.00

Division Head

Date

Nile Clements

3/10/2023

Chief Financial Officer

Date

CITY COUNCIL**The City of Orange Township, New Jersey**DATE September 21, 2021NUMBER 433-2021

TITLE: RESOLUTION AUTHORIZING THE SERVICES OF THE ANTOINE LAW FIRM, LLC, TO REPRESENT CITY OF ORANGE TOWNSHIP IN THE MATTER OF "ANTHONY ANTONUCCI, ET AL. V. CITY OF ORANGE TOWNSHIP" DOCKET NO. ESX-L-005093-21 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 the City of Orange Township in connection with litigation, "Anthony Antonucci v. City of Orange Township,"; and

WHEREAS, Resolution No. 61- 2021, adopted on February 2, 2021, authorized The Antoine Law Firm, 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, 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. 1-01-20-155-000-519.

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 The Antoine Law Firm, LLC, 542 Morristown Road, Linden, New Jersey 07036.
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: September 21, 2021


Joyce Lahier
City Clerk
Kerry J. Coley
Council President

RESOLUTION NO. 433-2021

ON CONSENT AGENDA

REGULAR COUNCIL MEETING – September 21, 2021

MOTION TO ADOPT: Ross

SECOND: Johnson, Jr.

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

NAYS: None

ABSTENTIONS: None

ABSENCES: Montague, III

CITY COUNCIL**The City of Orange Township, New Jersey**DATE May 17, 2022NUMBER 248-2022

TITLE: A RESOLUTION AMENDING RESOLUTION NO. 433-2021 TO AUTHORIZING ADDITIONAL ATTORNEY FEES FOR THE ANTOINE LAW FIRM, LLC, AS SPECIAL COUNSEL IN CALENDAR YEAR 2022 WITH REGARD TO "ANTHONY ANTONUCCL ET AL. V. CITY OF ORANGE TOWNSHIP" DOCKET NO. ESX-L-005093-21 IN AN AMOUNT NOT TO EXCEED \$20,000.00

WHEREAS, pursuant to Resolution No. 433-2021, adopted on September 21, 2021, The Antoine Law Firm, 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 433-2021 was limited to an amount not to exceed \$20,000.00 as a condition of said authorization; and

WHEREAS, the contract with The Antoine Law Firm, LLC to provide legal services expired; 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. 433-2021; 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 The Antoine Law Firm, LLC.

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 The Antoine Law Firm, 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: May 17, 2022
Joyce Lahier
City Clerk
Kerry J. Coley
Council President

RESOLUTION NO. 248-2022

ON CONSENT AGENDA

REGULAR COUNCIL MEETING – May 17, 2022

MOTION TO ADOPT: Montague, III

SECOND: Ross

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

NAYS: None

ABSTENTIONS: None

ABSENCES: None

ST. ~~COPY~~ JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 282
TRENTON, N J 08646-0282

TAXPAYER NAME:

THE ANTOINE LAW FIRM LLC

ADDRESS:

**52 UNDERWOOD STREET APT. 1L
NEWARK NJ 07036-0703**

EFFECTIVE DATE:

03/19/18

TRADE NAME:

SEQUENCE NUMBER:

2217682

ISSUANCE DATE:

03/19/18

Jane J. Quinone

Director
New Jersey Division of Revenue

FORM 229
(04-08), D205846V

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. Wilson David Antoine	
2 Business name/disregarded entity name, if different from above The Antoine Law Firm, LLC	
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. <input checked="" type="checkbox"/> Individual/sole proprietor or single-member LLC <input 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) ▶ _____ 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. <input type="checkbox"/> 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) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) See instructions. 52 Underwood Street, #1L	Requester's name and address (optional)
6 City, state, and ZIP code Newark, NJ 07106	
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 *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										
8	2		-	4	6	9	4	1	1	7

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 ▶	Date ▶ February 22, 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-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 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.

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

8. Chasan Lamperello, Mallon & Cappuzzo
300 Lighting Way, Ste. 200
Secaucus, New Jersey 07094
9. Antonelli Kantor, P.C.
354 Eisenhower Pkwy, Ste. 1000
Livingston, New Jersey 07039
10. Purcell, Mulcahy & Flanagan, LLC
4 Essex Avenue, Ste. 200
Bernardsville, New Jersey 07924

WHEREAS, said firms will only be selected to provide legal services on an as needed basis; and

WHEREAS, all recommended firms have agreed to provide legal services at an hourly rate of \$150.00 per hour; and


WHEREAS, the City Attorney has determined that the above referenced law firms are qualified to provide the legal services as set forth above.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Orange Township, that the Mayor be and is hereby authorized to enter into Agreements with said law firms for a one (1) year period retroactively dating back to January 1, 2021 through December 31, 2021.

Adopted: February 2, 2021



Joyce L. Lanier
City Clerk



Tency A. Eason
Council Vice President

RESOLUTION NO. 61-2021

ON CONSENT AGENDA

REGULAR MEETING – February 2, 2021

MOTION TO ADOPT: Montague, III

SECOND: Ross

YEAS: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson and Wooten

NAYS: None

ABSTENTIONS: None

ABSENCES: Council President Coley