

CITY COUNCIL

The City of Orange Township, New Jersey

DATE March 21, 2023

NUMBER 153-2023

TITLE:

RESOLUTION AUTHORIZING THE SERVICES OF THE ANTOINE LAW FIRM, LLC., TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN THE MATTER, "KATALIN GORDON V. CITY OF ORANGE TOWNSHIP" DOCKET NO. A-001449-20T1 IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR CALENDAR YEAR 2023

WHEREAS, by Resolution No. 110-2022, 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



Tency A. Eason

**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 COUNCIL**The City of Orange Township, New Jersey**DATE February 15, 2022NUMBER 110-2022

TITLE: RESOLUTION AUTHORIZING THE SERVICES OF THE ANTOINE LAW FIRM, LLC., TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN THE MATTER, "KATALIN GORDON V. CITY OF ORANGE TOWNSHIP" DOCKET NO. A-001449-20T1 IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR CALENDAR YEAR 2022

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, "Katalin Gordon v. City of Orange Township"; and,

WHEREAS, Resolution No. 524- 2021, adopted on December 21, 2021, authorized The Antoine Law Firm, 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 Antoine Law Firm, LLC.

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 \$20,000.00, with The Antoine Law Firm, LLC 542 Morristown Road, Linden, N.J. 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.

Adopted: **March 1, 2022**


Joyce Lanier
City Clerk


Kerry J. Coley
Council President

RESOLUTION NO. 110-2022

OFF CONSENT AGENDA

REGULAR COUNCIL MEETING – February 15, 2022

MOTION TO POSTPONE: Montague, III

SECOND: Johnson, Jr.

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

NAYS: None

ABSTENTIONS: None

ABSENCES: None

REGULAR COUNCIL MEETING – March 1, 2022

MOTION TO ADOPT: Ross

SECOND: Johnson, Jr.

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

NAYS: None

ABSTENTIONS: None

ABSENCES: None

**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 2022 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 2022 Budget, there will be sufficient funds to contract with:

Vendor Name: The Antoine Law Firm, LLC.

**Address: 52 Underwood Street
Apartment 1L
City: Newark
State: New Jersey
Zip Code: 07106**

**Purpose: Represent the City in the matter of
Katalin Gordon v. The City of Orange**

Vendor ID: THEAN005

**Fund: Current Fund
Line Description LAW - Professional Services
Account Numbers(s): CY'22 2-01-20-155-000-519 \$ 20,000.00**

Purchase Order # : 22-00430

Amount not to exceed: \$ 20,000.00

Division Head	Date
<i>Nile Clements</i>	1/31/2022
Chief Financial Officer	Date

AGREEMENT

THIS AGREEMENT, made this day of , 2022, 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, N.J. 07036 (hereinafter referred to as "Counsel");

WITNESSETH

WHEREAS, the City of Orange Township agrees to retain special counsel on behalf of the City and The Antoine Law Firm, LLC, is agreeable to perform all the necessary legal matters pursuant to Resolution No. 524-2021 adopted on December 21, 2021 and Counsel is agreeable to perform such legal services for the City, as to such matters.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, it is agreed as follows:

1. **The Antoine Law Firm, LLC, is hereby retained as Special Counsel for City of Orange Township for the following matters: Katalin Gordon v. City of Orange Township. Counsel shall carry out all responsibilities in regard to such matters. All services shall be performed under the supervision and discretion of the City Attorney.**
2. **The City of Orange Township agrees to compensate Counsel for such legal services at the hourly rate of \$150.00, not to exceed Twenty Thousand (\$20,000.00) Dollars, as follows:**
Payment for services rendered by Counsel shall be due upon presentation of an official voucher with attached, detailed itemization which shall include a description of services rendered, hours expended, as well as disbursements claimed. It is agreed that all vouchers must be accepted by the City as to form and documentation before payment will be made. All statements for services rendered will be presented to the City on a monthly basis and should be received by the City no later than the last working day of the month following the month for which the services are rendered.

3. **The total payments hereunder shall in no event exceed the lawful appropriations made therefore from time to time without further approval of the Insurance Fund Commission.**
4. **Counsel agrees to provide services to the City as an independent contractor. No services will be rendered to the City by Counsel unless authorized by the Insurance Fund Commission.**
5. **Counsel shall provide proof of professional liability insurance and shall maintain such insurance in effect during the term of this Agreement. Counsel shall indemnify and hold the City harmless against any liability, claims or costs arising out of any claim for negligence arising out of the performance of their duties hereunder.**
6. **The failure of the City at any time to insist upon a strict performance of any terms, conditions and covenants herein shall not be deemed a waiver of any subsequent breach or default in the terms, conditions and covenants herein contained.**
7. **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 not to exceed 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.**
8. **Counsel shall serve under the supervision and discretion and at the pleasure of the City Attorney.**
9. **This Agreement contains all the terms and conditions agreed upon by the parties hereto, and there are no other agreements, oral or otherwise, between the parties regarding the subject matter of this Agreement.**
10. **No alterations, changes, modifications or variations of this Agreement or the terms thereof shall be valid unless in writing and signed by both of the parties hereto or their duly authorized representative.**
11. **This Agreement is made subject to and shall be construed and governed by the laws of the State of New Jersey.**
12. **During the performance of this Contract, Counsel agrees as follows:**

- (a) Counsel will not discriminate against any employee or applicant for employment because of age, race, creed, national origin, ancestry, marital status or sex. Counsel will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and, selection for training, including apprenticeship.
- (b) Counsel agrees to comply with any regulations promulgated by the Treasurer of the State of New Jersey, pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties have hereunto affixed their hands and seals the day and year first written above.

CITY OF ORANGE TOWNSHIP

By: 
Dwayne D. Warren, Esq., Mayor

ATTEST:


Joyce Lanier, Municipal Clerk

THE ANTOINE LAW FIRM, LLC.

By: 
Wilson David Antoine, Esq.

ATTEST:

Approved as to form and sufficiency:


Gracia Robert Montilus
City Attorney

ST. CORY NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 232
TRENTON, N J 08646-0232

TAXPAYER NAME:

THE ANTOINE LAW FIRM LLC

TRADE NAME:

ADDRESS:

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

SEQUENCE NUMBER:

2217682

EFFECTIVE DATE:

03/19/18

ISSUANCE DATE:

03/19/18

Jane J. Quasina

Director
New Jersey Division of Revenue

FORM 222
(04-08), D205845V

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. K. Gordon
Docket No. A-001449-20T1

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 # : 23-00825

Amount not to exceed: \$ 20,000.00

Division Head

Date

Nile Clements

3/10/2023

Chief Financial Officer

Date

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.

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.

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) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
 52 Underwood Street, #1L

6 City, state, and ZIP code
 Newark, NJ 07106

7 List account number(s) here (optional)

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

8	2	-	4	6	9	4	1	1	7
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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 ▶  Date ▶ February 22, 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.

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 December 21, 2021NUMBER 524-2021

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 FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022

WHEREAS, on October 14, 2021, 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, twenty (20) 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, two law firms are rejected for failure to comply with the bid specifications; and

WHEREAS, the law firms rejected are:

1. Vaughan Baio & Partners
317 George Street, Suite 320
New Brunswick, PA 08901
2. Jalloh Jalloh, LLC
21 West Blancke Street
Linden, New Jersey 07036

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. The Antoine Law Firm, LLC
52 Underwood Street, Apt. 1L
Newark, New Jersey 07106
4. Florio, Kenny & Raval, LLP
125 Chubb Avenue
Lyndhurst, New Jersey 07071



5. Michael A. Armstrong & Associates, LLC
79 Mainbridge Lane
Willingboro, New Jersey 08046
6. Childress & Jackson, LLC
280 South Harrison Street, Ste. 303
East Orange, New Jersey 07018
7. Ruderman & Roth, LLC
150 Morris Avenue, Ste. 303
Springfield, New Jersey 07081
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. Flanagan, Barone & O'Brien, LLC
4 Essex Avenue, Ste. 200
Bernardsville, New Jersey 07924
11. Simmons Law, LLC.
28 Washington Street, Suite 104
East Orange, New Jersey 07017
12. Weiner Law Group, LLP
629 Parsippany Road
Parsippany, New Jersey 07054
13. Kaufman Semeraro & Leibman, LLP
90 East Halsey Road, Suite 385
Parsippany, New Jersey 07054
14. DeCotiis, FitzPatrick, Cole & Giblin, LLP
61 South Paramus Road
Paramus, New Jersey 07652
15. Brause, Brause & Ventrice, LLC
276 Main Street
Metuchen, New Jersey 08840
16. The Law Offices of Yvette Gibbons, LLC
4 South Orange Avenue, No. 139
South Orange, New Jersey 07079

17. Murphy Orlando, LLC
30 Montgomery Street, 1st Floor
Jersey City, New Jersey 07302

18. Renaud Deappolonio, LLC
190 North Avenue E.
Cranford, New Jersey 07016

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 is hereby authorized to enter into Agreements with said law firms as required.

Adopted: December 21, 2021



Joyce L. Lanier
City Clerk



Kerry J. Coley
Council President

RESOLUTION NO. 524-2021

OFF CONSENT AGENDA

REGULAR MEETING – December 21, 2021

MOTION TO ADOPT: Montague, III

SECOND: Wooten

YEAS: Montague, III, Summers-Johnson, Wooten & Council President Coley

NAYS: Johnson, Jr.

ABSTENTIONS: Eason

ABSENCES: Ross