

CITY COUNCIL**The City of Orange Township, New Jersey**DATE September 19, 2023

AMENDED

NUMBER 375-2023

TITLE: A RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, ESSEX COUNTY, NEW JERSEY, APPROVING AND AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN THE CITY OF ORANGE TOWNSHIP AND MAZZANTI INC. REGARDING VARIOUS CLAIMS ALLEGED BETWEEN THE PARTIES.

WHEREAS, on or about January 23, 2023, Mazzanti filed a Demand for Arbitration under Commercial Arbitration Rules of the American Arbitration Association under Case No. 02-23-0000-2943 ("Arbitration"), seeking approximately \$425,000.00 from the City for information technology consulting services allegedly provided by Mazzanti ("Dispute"); and,

WHEREAS, the City denied all liability to Mazzanti for all claims alleged in the Arbitration and/or in connection with the Dispute; and,

WHEREAS, under all of the circumstances, as a matter of business judgment, the Parties now wish to resolve all open issues between them ("Open Matters"), including without limitation the Arbitration and the Dispute; and,

WHEREAS, after extensive arms-length negotiation and consultation with their respective legal counsel, the Parties reached an agreement to amicably resolve the Open Matters in good faith, without admitting or further alleging any wrongdoing or liability, in exchange for payment of \$60,000.00 by the City to Mazzanti; and,

WHEREAS, the Parties have further documented their mutual promises and covenants regarding the Open Matters in a comprehensive Settlement Agreement, a copy of which is appended hereto.

NOW, WHEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, ESSEX COUNTY, NEW JERSEY, that the Settlement Agreement appended hereto and incorporated herein by reference, shall be and hereby are approved; and,

BE IT FURTHER RESOLVED that the Mayor and all other appropriate City officials are hereby authorized to execute the Agreement and take all such other actions as necessary to carry out the terms thereof.

Adopted: September 19, 2023

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
NEXT BUDGET - CURRENT FUND

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: eMazzanti Technologies

Address: 701 Grand Street

City: Hoboken

State: New Jersey

Zip Code: 07030

Purpose: Settlement Agreement with eMazzanti Technologies

Vendor ID: EMAZZ010

Fund: Current Fund

Line Description LAW - Settlements

Account Numbers(s): CY'23 3-01-20-155-000-366 \$ 60,000.00

Purchase Order # : 23-01834

Amount not to exceed: \$ 60,000.00

Division Head

Date

Nile Clements

9/19/2023

Chief Financial Officer

Date