

CITY COUNCIL

The City of Orange Township, New Jersey

DATE November 8, 2023

NUMBER 450-2023

TITLE: **A RESOLUTION AUTHORIZING AND RATIFYING AN AGREEMENT WITH J. FLETCHER CREAMER & SON INC., 101 EAST BROADWAY, HACKENSACK, NEW JERSEY 07601 FOR WATER/SEWER CONNECTIONS AND/OR DISCONNECTIONS COMMENCING JANUARY 1, 2023 THROUGH DECEMBER 31, 2023 WITH ALL FEES PAID EXCLUSIVELY THROUGH ESCROWED FUNDS.**

WHEREAS, the City of Orange Township has a need to acquire a contractor to provide water/sewer connections and/or disconnections on an "as needed" basis; and

WHEREAS, the fees for said services will be paid separately from the budget and received through an escrow account that will be solely funded by developers pertaining to their specific projects; and

WHEREAS, a Certification of Availability of Funds is not necessary since the fees for the water/sewer connections and/or disconnections will be paid exclusively by applicants, as appropriated.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Orange Township that an agreement be awarded to J. Fletcher Creamer & Son, Inc., with all fees paid separately from the budget and received from establishing an escrow account that will be solely funded by developers pertaining to their specific projects; and

BE IT FURTHER RESOLVED, that the proper officers of the City of Orange Township are hereby authorized to enter into said agreement with J. Fletcher Creamer & Son, Inc.; and

BE IT FURTHER RESOLVED that notice of this action shall be published as required by law within 10 days of its passage.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President



A. McZrafi

AGREEMENT

This Agreement, made and entered into this ____ day of ____ 2023, between the City of Orange Township and **J. Fletcher Creamer & Son, Inc., 101 East Broadway Hackensack, New Jersey 07601.**

WHEREAS, the City of Orange Township wishes to retain a firm for water/sewer connections and/or disconnections with all fees paid exclusively through escrowed funds for the City of Orange Township on an “as needed” basis for the period of January 1, 2023 through December 31, 2023.

WHEREAS, the City of Orange Township wishes to retain **J. Fletcher Creamer & Son, Inc., 101 East Broadway, Hackensack, New Jersey 07601.**

WHEREAS, this firm and the individuals of the firm are to be retained pursuant to the Agreement as specified; and

WHEREAS, the City Council of the City of Orange Township has, by **Resolution No. ____-2023** dated ____, 2023, authorizes **J. Fletcher Creamer & Son, Inc.** for the purpose of **water/sewer connections and/or disconnections with all fees paid exclusively through escrowed funds.**

NOW, THEREFORE, BE IT AGREED by and between the parties, for the mutual convenient set forth herein below:

1. **J. Fletcher Creamer and Son, Inc.** is hereby contracted by the City of Orange Township to provide services as specified.
2. This agreement shall be effective commencing on **January 1, 2023** and terminating on **December 31, 2023.**

3. This agreement shall not be assigned nor shall any duties under this agreement be delegated by **J. Fletcher Creamer & Son, Inc.** without prior written consent of the City.
4. The validity of this agreement and its terms or provisions, as well as the rights and duties of the contracting parties, shall be governed by and construed in accordance with the laws of the State of New Jersey.
5. This agreement shall be binding on and inure to the benefit of the contracting parties and their respective heirs, executors, administrators, legal representatives, successors, and assigns when not expressly prohibited by this agreement.
6. In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision of it this agreement shall for any reason be held to be invalid, illegal, or unenforceable provision had never been contained in it.
7. This agreement constitutes the sole agreement of the contracting parties and supersedes any prior understandings or written or oral agreements between the parties respecting its subject matter.
8. All notices and other communications shall be sent by certified mail, return receipt requested, and shall be deemed to have been given when sent to the parties at their respective addresses as set forth above, unless a different address has been selected after the execution of this agreement and has been duly communicated to the party giving notice.

9. The City may terminate this Agreement upon three days notice with **J. Fletcher Creamer and Son, Inc.** In the event that this agreement is deemed to be terminated, the City shall pay **J. Fletcher Creamer & Son, Inc.** for those services provided as of the effective date of termination. This agreement is final and cannot be amended, supplemented, changed or modified without said being in writing.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

CITY OF ORANGE TOWNSHIP:

Joyce L. Lanier Date
City Clerk

Dwayne D. Warren, Esq. Date
Mayor

ATTEST:

J. Fletcher Creamer & Son, Inc.
101 East Broadway
Hackensack, New Jersey 07601

Print Name

Print Name

Signature Date

Signature Date

Approved as to Form and Sufficiency

Gracia R. Montilus Date
City Attorney

Request for Taxpayer Identification Number and Certification

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

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) J. Fletcher Creamer & Son, Inc.	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual sole proprietor <input type="checkbox"/> C Corporation <input checked="" 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) > _____ <input type="checkbox"/> Other (see instructions) > _____	
	Exemptions (see instructions): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____	
Address (number, street, and apt. or suite no.) 101 East Broadway		Requester's name and address (optional)
City, state, and ZIP code Hackensack, NJ 07601		
List account number(s) here (optional)		

Taxpayer Identification Number (TIN)											
Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 8.	Social security number <table style="width: 100%; text-align: center;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> <td style="border: 1px solid black; width: 20px; height: 20px;"> </td> </tr> </table>										
Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.	Employer identification number <table style="width: 100%; text-align: center;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;">2</td> <td style="border: 1px solid black; width: 20px; height: 20px;">1</td> <td style="border: 1px solid black; width: 20px; height: 20px;">-</td> <td style="border: 1px solid black; width: 20px; height: 20px;">0</td> <td style="border: 1px solid black; width: 20px; height: 20px;">6</td> <td style="border: 1px solid black; width: 20px; height: 20px;">6</td> <td style="border: 1px solid black; width: 20px; height: 20px;">5</td> <td style="border: 1px solid black; width: 20px; height: 20px;">(</td> <td style="border: 1px solid black; width: 20px; height: 20px;">2</td> <td style="border: 1px solid black; width: 20px; height: 20px;">9</td> </tr> </table>	2	1	-	0	6	6	5	(2	9
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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 on page 8.

Sign Here	Signature of U.S. person > <i>Ray Bellini, Contracts Manager</i>	Date > <i>11/01/2013</i>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.
 Future developments. The IRS has created a page on irs.gov for information about Form W-9, at www.irs.gov/w9. Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the

withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign persons' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

08/07/08

Taxpayer Identification# 210-885-029/000

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 92 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)292-1730.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fuscone
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 882
TRENTON, N J 08648-0882

TAXPAYER NAME:
J. FLETCHER CREAMER & SON, INC.

TRADE NAME:

ADDRESS:
101 EAST BROADWAY
HACKENSACK NJ 07801
EFFECTIVE DATE:

SEQUENCE NUMBER:

0097009

ISSUANCE DATE:

08/07/08

08/18/04



Director
New Jersey Division of Revenue

FORM-BRC(08-01)

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.