

CITY COUNCIL

The City of Orange Township, New Jersey

DATE February 6, 2024

NUMBER 101-2024

TITLE: RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CRITCHLEY, KINUM & DENOIA, LLC IN CONNECTION WITH MATTERS PERTAINING TO GOVERNMENTAL INQUIRIES AND INVESTIGATIONS REGARDING THE CITY OF ORANGE TOWNSHIP AND ITS EMPLOYEES IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND \$15,000.00 DOLLARS FOR CALENDAR YEAR 2024

WHEREAS, by Resolution No. 21-2017, as amended by Resolutions 203-2020, 112-2021, 192-2022 and 46-2023, Critchley, Kinum & Denoia, LLC, was, and remains a law firm authorized to represent the City of Orange Township (“the City”) in connection with matters pertaining to governmental inquires and investigations regarding the City of Orange Township; and

WHEREAS, the City awarded the contract to Critchley, Kinum & Denoia, 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 matter is still ongoing and it is necessary for the City to renew its professional services agreement with the Law Firm of Critchley, Kinum & Denoia, LLC for an additional twelve month period; 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. 4-01-20-155-000-519, contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to contract Critchley, Kinum & Denoia, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, that additional attorney’s fees to Critchley, Kinum & Denoia, LLC, 75 Livingston Avenue, Roseland, N.J. 07068, is hereby approved in an amount not to exceed Fifteen Thousand (\$15,000.00) Dollars.

Adopted: February 6, 2024

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President



A.M. BENTLEY

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 unspcifiable services" without competitive bids for 2024 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 2024 Budget, there will be sufficient funds to contract with:

Vendor Name: Critchley, Kinum & Denoia, LLC.

Address: 75 Livingston Ave.

City: Roseland

State: New Jersey

Zip Code: 07068

Purpose: Counsel for Governmental Inquiries and investigations

Vendor ID: CRITC010

Fund: Current Fund

Line Description LAW - Professional Services

Account Numbers(s): CY'24 4-01-20-155-000-519 \$ 15,000.00

Purchase Order # : 24-00310

Amount not to exceed: \$ 15,000.00

Division Head

Date

Nile Clements

1/29/2024

Chief Financial Officer

Date

CITY COUNCIL**The City of Orange Township, New Jersey**DATE January 18, 2023NUMBER 46-2023**TITLE:**

RESOLUTION RENEWING A PROFESSIONAL SERVICES AGREEMENT WITH THE LAW FIRM OF CRITCHLEY, KINUM & DENOIA, LLC IN CONNECTION WITH MATTERS PERTAINING TO GOVERNMENTAL INQUIRIES AND INVESTIGATIONS REGARDING THE CITY OF ORANGE TOWNSHIP AND ITS EMPLOYEES IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND \$15,000.00 DOLLARS FOR CALENDAR YEAR 2023

WHEREAS, by Resolution Nos. 21-2017, 203-2020, 112-2021 and 192-2022, Critchley, Kinum & Denoia, LLC, was, and remains a law firm authorized to represent the City of Orange Township ("the City") in connection with matters pertaining to governmental inquires and investigations regarding the City of Orange Township; and

WHEREAS, the matter is still ongoing and it is necessary for the City to renew its professional services agreement with the Law Firm of Critchley, Kinum & Denoia, LLC for an additional twelve month period; 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 2022 Budget, there will be sufficient funds to contract Critchley, Kinum & Denoia, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, that additional attorney's fees to Critchley, Kinum & Denoia, LLC, 75 Livingston Avenue, Roseland, N.J. 07068, is hereby approved in an amount not to exceed Fifteen Thousand (\$15,000.00) Dollars.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President



A. M. Eason



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: CRITCHLEY, MICHAEL ESQ

Trade Name:

Address: 75 LIVINGSTON AVE
ROSELAND, NJ 07068-3737

Certificate Number: 0544857

Effective Date: October 22, 2001

Date of Issuance: October 18, 2013

For Office Use Only:

20131018145638727

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. Critchley, Kinum & Luria, LLC	
2 Business name/disregarded entity name, if different from above (blank)	
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 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 checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ <u>P</u> <small>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.</small> <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) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions 75 Livingston Avenue, Suite 303	Requester's name and address (optional) (blank)
6 City, state, and ZIP code Roseland, NJ 07068	
7 List account number(s) here (optional) (blank)	

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													
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Employer identification number													
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">2</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">2</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">-</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">2</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">9</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">4</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">3</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">2</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">8</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">7</td> </tr> </table>	2	2	-	2	9	4	3	2	8	7			
2	2	-	2	9	4	3	2	8	7				

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 ▶ 1/11/23
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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 January 17, 2017

NUMBER 21-2017

TITLE: A RESOLUTION RETAINING CRITCHLEY, KINUM & DENOIA, LLC, AS SPECIAL COUNSEL TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN CONNECTION WITH MATTERS PERTAINING TO GOVERNMENTAL INQUIRIES AND INVESTIGATIONS REGARDING THE CITY OF ORANGE TOWNSHIP AND ITS EMPLOYEES

WHEREAS, the City of Orange Township (the "City") has been served with subpoenas and warrants seeking information related to ongoing governmental investigations; and

WHEREAS, the City, and its employees, may be subject to future inquiries related to such governmental investigations; and

WHEREAS, it is in the interest of the City to have competent legal counsel with the specialized expertise to advise the City and to protect its legal interests in connection with the ongoing governmental investigation and related inquiries; and

WHEREAS, Critchley, Kinum & Denoia, LLC (the "Critchley Firm") has the requisite expertise and standing in the legal community to effectively and professionally represent the interests of the City; and

WHEREAS, the Critchley Firm has agreed to reduce its normal hourly rate to serve the interests of the City as special counsel during the term of this representation.

NOW, THEREFORE, BE IT RESOLVED that Critchley, Kinum & DeNoia, LLC, of 75 Livingston Ave, Roseland, New Jersey 07068, be and hereby is retained as special counsel to represent the interests of the City of Orange Township at the reduced hourly rate of \$350.00, in an amount not to exceed \$20,000.00 for a period commencing January 11, 2017.

Adopted: January 17, 2017



**Joyce J. Linder
Municipal Clerk**



**Donna K. Williams
Council President**

Eric S. Flannigan
R. J. ...

CITY COUNCIL

The City of Orange Township, New Jersey

DATE May 19, 2020

NUMBER 203-2020

TITLE: RESOLUTION AUTHORIZING ADDITIONAL ATTORNEY'S FEES TO CRITCHLEY, KINUM & DENOIA, LLC IN CONNECTION WITH MATTERS PERTAINING TO GOVERNMENTAL INQUIRIES AND INVESTIGATIONS REGARDING THE CITY OF ORANGE TOWNSHIP AND ITS EMPLOYEES IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000.00) FOR CALENDAR YEAR 2020.


WHEREAS, by Resolution No. 21-2017, Critchley, Kinum & Denoia, LLC, was appointed as special counsel to represent the City of Orange Township ("the City") in connection with matters pertaining to governmental inquires and investigations regarding the City of Orange Township; and

WHEREAS, additional funds are required for attorney's fees for the continued litigation.

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. 0-01-20-155-000-519.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, that additional attorney's fees to Critchley, Kinum & Denoia, LLC, 75 Livingston Avenue, Roseland, N.J. 07068, is hereby approved in an amount not to exceed sixty thousand dollars (\$60,000.00).

Adopted: **MAY 19 2020**


Joyce A. Lapier
City Clerk


Nancy A. Eisen
Council President

Verification on behalf of the City Attorney


RESOLUTION NO. 203-2020

ON CONSENT AGENDA

REGULAR MEETING- MAY 19, 2020

MOTION TO ADOPT: Williams

SECOND: Johnson, Jr.

YEAS: Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten and Council President Eason

NAYS: None

ABSTENTIONS: None

ABSENCES: Coley

CITY COUNCIL**The City of Orange Township, New Jersey**DATE March 2, 2021NUMBER 112-2021

TITLE: A RESOLUTION AUTHORIZING ADDITIONAL ATTORNEY'S FEES TO BE PAID TO CRITCHLEY, KINUM & DENOIA, LLC IN CONNECTION WITH MATTERS PERTAINING TO GOVERNMENTAL INQUIRIES AND INVESTIGATIONS REGARDING THE CITY OF ORANGE TOWNSHIP AND ITS EMPLOYEES IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND \$60,000.00 DOLLAR FOR CALENDAR YEAR 2021.

WHEREAS, by Resolution No. 21-2017, Critchley, Kinum & Denoia, LLC, was appointed as special counsel to represent the City of Orange Township ("the City") in connection with matters pertaining to governmental inquires and investigations regarding the City of Orange Township; and

WHEREAS, additional funds are required for attorney's fees for the continued litigation.

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 Municipal Council of the City of Orange Township, that additional attorney's fees to Critchley, Kinum & Denoia, LLC, 75 Livingston Avenue, Roseland, N.J. 07068, is hereby approved in an amount not to exceed Sixty Thousand (\$60,000.00) Dollar.

Adopted: March 2, 2021

Joyce L. Lanier
City Clerk

Kerry J. Coley
Council President

Joyce Lanier

CITY COUNCIL

The City of Orange Township, New Jersey

DATE April 5, 2022

NUMBER 192-2022

TITLERESOLUTION AUTHORIZING ADDITIONAL ATTORNEY'S FEES TO BE PAID TO CRITCHLEY, KINUM & DENOIA, LLC IN CONNECTION WITH MATTERS PERTAINING TO GOVERMENTAL INQUIRIES AND INVESTIGATIONS REGARDING THE CITY OF ORANGE TOWNSHIP AND ITS EMPLOYEES IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND \$15,000.00 DOLLAR FOR CALENDAR YEAR 2022.

WHEREAS, by Resolution No. 21-2017, Critchley, Kinum & Denoia, LLC, was appointed as special counsel to represent the City of Orange Township ("the City") in connection with matters pertaining to governmental inquires and investigations regarding the City of Orange Township; and

WHEREAS, additional funds are required for attorney's fees for the continued litigation.

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 Critchley, Kinum & Denoia, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, that additional attorney's fees to Critchley, Kinum & Denoia, LLC, 75 Livingston Avenue, Roseland, N.J. 07068, is hereby approved in an amount not to exceed Fifteen Thousand (\$15,000.00) Dollar.

Adopted: April 5, 2022

Joyce L. Lanier
City Clerk

Kerry J. Coley
Council President


A. Mitrani

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.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. CRITCHLEY, KINUM & LURIA, LLC		
	2 Business name/disregarded entity name, if different from above		
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input 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 checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ P <small>Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.</small> <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) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
	5 Address (number, street, and apt. or suite no.) 75 LIVINGSTON AVENUE, SUITE 303		Requester's name and address (optional)
	6 City, state, and ZIP code ROSELAND, NJ 07068		
	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 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 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number								
or								
Employer identification number								
2	2	-	2	9	4	3	2	8 7

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 on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶ 1/11/22
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

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? on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- 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
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.