

CITY COUNCIL

The City of Orange Township, New Jersey

DATE February 6, 2024

NUMBER 81-2024

TITLE: A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO SZAFERMAN LAKIND, P.C. TO PROVIDE LEGAL COUNSELING TO THE ORANGE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ORANGE TOWNSHIP IN MATTERS AS THEY RELATE TO THE HISTORIC PRESERVATION COMMISSION FOR THE CALENDAR YEAR 2024 IN AN AMOUNT NOT TO EXCEED 7,500.00.

WHEREAS, Szaferman Lakind, P.C.'s, services are required to provide legal advice and legal representation for scheduled Regular and Special Meetings of the Orange Historic Preservation Commission for a period of one year; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires a resolution authorizing the award of contracts for "Professional Services" without competitive bids and that the contract itself 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. 4-01-21-190-000-519, contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to Northeast Communications; and

WHEREAS, the Law Department has reviewed for form and legality.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, that a contract be awarded to Szaferman Lakind, P.C. in an amount not to exceed \$7,500.00;

BE IT FURTHER RESOLVED, that the Mayor of the City of Orange Township is hereby authorized to execute a contract with Szaferman Lakind, P.C., 101 Grovers Mill Road, Suite 200, Lawrenceville, New Jersey 08648 for a term of one year commencing January 1, 2024 through December 31, 2024.

Adopted: February 6, 2024

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

 AMT/2024

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 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: Szaferman, Lakind, Blumstein & Blader, PC
Address: 101 Grovers Mill Road
Suite 200

City: Lawrenceville
State: New Jersey
Zip Code: 08648

Purpose: Legal Counsel for Historic Preservation Bd.
Vendor ID: SZAFE010

Temporary Budget: \$ 1,875.00
Fund: Current Fund
Line Description HPB - Historic Preservation Bd. - Professional Services
Account Numbers(s): CY'24 4-01-21-190-000-519

The remainder of: \$ 5,625.00
will be provided in
Fund: Current Fund
Line Description HPB - Historic Preservation Bd. - Professional Services
Account Numbers(s): CY'24 4-01-21-190-000-519

Purchase Order # : 24-00275

Amount not to exceed: \$ 7,500.00

Division Head

Date

Nile Clements

1/25/2024

Chief Financial Officer

Date

CITY OF ORANGE HISTORIC PRESERVATION COMMISSION

DATE: December 20, 2023

NUMBER: 20-2023

TITLE: A RESOLUTION OF THE CITY OF ORANGE TOWNSHIP HISTORIC PRESERVATION COMMISSION RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP TO RETAIN JANINE G. BAUER, ESQUIRE TO SERVE AS COUNSEL TO THE HISTORIC PRESERVATION COMMISSION FOR CALENDAR YEAR 2024 AND RECOMMENDING THAT CITY COUNCIL APPROPRIATE FUNDS FOR COUNSEL TO ACT IN THAT CAPACITY IN AN AMOUNT NOT TO EXCEED \$7,500.00.

WHEREAS, pursuant to the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-108b, the Historic Preservation Commission may retain the services of counsel for the Commission as provided for by the governing body; and

WHEREAS, Janine G. Bauer, Esq., and the law firm of Szaferman Lakind, P.C. in which she is employed, has expertise in the administration of an historic preservation commission ordinance and in evaluating applications, and has ably represented the Historic Preservation Commission since 2017 including preparation of resolutions for each application for a Certificate of Appropriateness, and in provision of other advice and counsel during meetings; and

WHEREAS, the Historic Preservation Commissions deems these services rendered since 2017 to be satisfactory; and

WHEREAS, for the foregoing reasons, the Historic Preservation hereby recommends to the governing body that Janine G. Bauer, Esq. and the law firm of Szaferman Lakind, P.C. be continued to be retained for the calendar year 2024, and further recommends that the governing body set aside and appropriate funds for this expense at the same rate of compensation for other attorneys as set by the City of Orange Township;

NOW, THEREFORE, BE IT RESOLVED, that the City of Orange Township Historic Preservation Commission recommends, and requests, that the governing body set aside and appropriate funds for the Historic Preservation Commission's retention of Janine G. Bauer, Esq. and the law firm of Szaferman Lakind, P.C., as counsel to the Historic Preservation Commission for the calendar year 2024, at the same rate fixed by the governing body for the compensation of counsel.

Adopted:


Joyce L. Lanier
Secretary


Jody Leight
Acting Chair

Motion: Commissioner Leight

Second: Commissioner Dowd

	Yea	Nay	Absent	
Keith Carroll	X			
Kathy Dowd	X			
Jody Leight	X			
Brandon Matthews			X	
Janice Morrell	X			
Troy Simmons			X	
Abdiel Velez			X	
Karen Wells	X			

AGREEMENT FOR PROFESSIONAL LEGAL SERVICES

THIS AGREEMENT FOR PROFESSIONAL LEGAL SERVICES ("Agreement") is made as of January 1, 2024, by and between:

City of Orange Township,
a New Jersey Municipal Corporation,
with offices at 29 North Day Street, Orange, New Jersey, 07050,
("City"); and,

Szaferman Lakind Blumstein & Blader P.C.,
a New Jersey Professional Corporation,
with offices at 102 Grovers Mill Road, Suite 200, Lawrenceville, New Jersey, 08648,
("Law Firm", together with the City, "Parties").

RECITALS

WHEREAS, the City's Municipal Council, by appropriation, has provided funds to retain qualified legal counsel to the City's Historic Preservation Commission ("HPC") from outside of the Department of Law; and,

WHEREAS, the Law Firm demonstrated that it is qualified for appointment as legal counsel to the HPC for the 2024 calendar year—January 1, 2024, through December 31, 2024 ("Agreement Term"); and,

WHEREAS, the Law Firm agrees to provide on-call legal services to the HPC and its staff during the Agreement Term in exchange for a flat per-meeting fee paid by the City for meeting attendance and all general legal work, plus hourly fees paid by applicant-funded escrows for all project-related work; and,

WHEREAS, on February _____, 2024, the Municipal Council voted to adopt Resolution No. ____-2024 appointing the Law Firm as legal counsel to the HPC for the Agreement Term, and authorizing the Mayor to execute this Agreement.

NOW, THEREFORE, the Parties hereby agree to the terms and conditions as set forth in further detail herein.

TERMS

- 1. Recitals.** All Recitals set forth above are hereby incorporated herein by reference.
- 2. Scope of Services.** The Law Firm agrees to provide the following on-call legal services to the HPC during the Agreement Term:
 - a.** advising the HPC and its staff on legal issues relating to pending or new applications for Certificates of Appropriateness ("Applications"), and/or other general legal issues, such as changes in relevant law, and compliance with public records and sunshine laws;
 - b.** attending pre-hearing and technical review committee meetings and/or telephone conferences as needed to resolve legal questions relating to Applications;
 - c.** advising the HPC and its staff on issues of legal compliance with Federal and State statutes and regulations applicable to the HPC;
 - d.** attending regular and special public meetings to provide the HPC with guidance during such proceeding; and,

different from those adjudicated by such court, agency or arbitrator, or the validity or enforceability of this Agreement as a whole.

The Parties' respective rights and remedies under this Agreement are cumulative and not alternative. No exercise or waiver, in whole or in part, of any right or remedy provided for in this Agreement shall operate as a waiver of any other right or remedy, except as otherwise provided in this Agreement. No delay, forbearance, or neglect on the part of any party in the exercise of any right or remedy shall operate as a waiver thereof. No waiver of any of the conditions of this Agreement by a party shall be effective unless expressly and affirmatively made and given by the party against whom enforcement of the waiver is sought.

11. Termination. This Agreement may be terminated by the Municipal Council with or without cause, and shall automatically terminate should the HPC cease to function for any reason.

12. Counterparts. To facilitate execution, this Agreement may be executed in as many counterparts as may be required; and it shall not be necessary that the signature of each party, or that the signatures of all persons required to bind any party, appear on each counterpart; but it shall be sufficient that the signature of each party, or that the signatures of the persons required to bind any party, appear on one or more of such counterparts. All counterparts shall collectively constitute a single agreement.

IN WITNESS WHEREOF, the Parties hereby execute this Agreement as of this date first written above.

For **CITY OF ORANGE TOWNSHIP**

Witness:

By: _____
Honorable Dwayne D. Warren, Esq.
Mayor

Joyce Lanier
City Clerk

For **SZAFERMAN LAKIND
BLUMSTEIN & BLADER P.C.**

Approved as to form and legality:

By: _____
Janine Bauer, Esq.
Partner

By: _____
Aaron Mizrahi, Esq.
Deputy City Attorney

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: Szaferman, Lakind, Blumstein & Blader, P.C.

Organization Address: 101 Grovers Mill Road, Suite 200 Lawrenceville, NJ 08648

Part I Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type) Limited Liability Company (LLC)
- Partnership Limited Partnership Limited Liability Partnership (LLP)
- Other (be specific): _____

Part II

- The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**
OR
- No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address
Barry Szaferman	3732 Riverside Drive, Princeton, NJ 08540
Arnold Lakind	33 Overhill Drive, No. Brunswick, NJ 08902
Brian Paul	1680 Powderhill Drive, Newtown, PA 18940
Craig Hubert	101 Mountain Road, Ringoes, NJ 08551
Michael Paglione	11 Hickory Road, Columbus, NJ 08022

James J. Fruscione

James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

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

TAXPAYER NAME:

SZAFERMAN, LAKIND, BLUMSTEIN, BLADER, \

TRADE NAME:

ADDRESS:

101 GROVERS MILL RD STE #200
LAWRENCEVILLE NJ 08648-4708

SEQUENCE NUMBER:

0079223

EFFECTIVE DATE:

01/01/91

ISSUANCE DATE:

07/19/13

James J. Fruscione

Director
New Jersey Division of Revenue

FORM-BRC

(01-99) 8-2008-167

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

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. SZAFERMAN, LAKIND, BLUMSTEIN & BLADER, PC	
2 Business name/disregarded entity name, if different from above	
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 checked="" 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) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions. 101 Grovers Mill Road, Suite 200	Requester's name and address (optional)
6 City, state, and ZIP code Lawrenceville, NJ 08648	
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									
2	2	-	3	0	8	7	4	1	8

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 ▶ <i>Elaine M. Spina</i>	Date ▶ <i>01/23/2024</i>
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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.