

CITY COUNCIL**The City of Orange Township, New Jersey**DATE February 6, 2024NUMBER 82-2024

TITLE: RESOLUTION AUTHORIZING THE RETENTION OF JEANETTE CALDERON-ARNOLD, ESQ. TO SERVE AS TAX COUNSEL FOR THE CITY OF ORANGE TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR CALENDAR YEAR 2024

WHEREAS, the City of Orange Township is in need of legal counsel specializing in tax appeal cases and other related matters; and

WHEREAS, Resolution 512-2023, adopted on December 19, 2023, provided a list of qualified law firms authorized to represent the City of Orange Township, its officers and employees with regards to Tax Appeal matters; and

WHEREAS, the City of Orange desires to retain attorney Calderon-Arnold to handle various Tax Appeals matters; and

WHEREAS, the City awarded the contract to Jeanette Calderon-Arnold, Esq. under the "fair and open process" of the Pay-to-Play Law, N.J.S.A. 19-44A-20.4 et seq; 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 with Jeanette Calderon-Arnold.

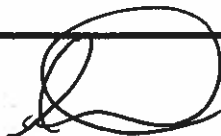
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Township, New Jersey, as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute the attached Agreement, in an amount not to exceed \$20,000.00, with The Law Offices of Jeanette Calderon-Arnold, Esq.
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.
3. That the Agreement herein and this resolution is contingent upon certification of funds and appropriate funding to render payment for the services provided herein.

Adopted: February 6, 2024

Joyce Lanier, Municipal Clerk

Tency A. Eason, Council President


Tency A. Eason

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: Jeanette Calderon-Arnold

Address: 165 Clairmont Terr.

City: Orange

State: New Jersey

Zip Code: 07050

Purpose: Tax Appeal Counsel

Vendor ID: CALDE010

Temporary Budget: \$ 5,000.00

Fund: Current Fund

Line Description LAW - Professional Services

Account Numbers(s): CY'24 4-01-20-155-000-519

The remainder of: \$ 15,000.00

will be provided in

Fund: Current Fund

Line Description LAW - Professional Services

Account Numbers(s): CY'24 4-01-20-155-000-519

Purchase Order # : 24-00305

Amount not to exceed: \$ 20,000.00

Division Head

Date

Nile Clements

1/25/2024

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.

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. Jeanette Calderon - Arnold	
2 Business name/disregarded entity name, if different from above Law Offices of Jeanette Calderon - Arnold	
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 checked="" 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 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. 165 Clairmont Terrace	Requester's name and address (optional)
6 City, state, and ZIP code Orange, New Jersey 07050	
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										
1	4	7	-	7	0	-	4	5	3	9
or										
Employer identification number										
			-							

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 <i>Jeanette Calderon - Arnold</i>	Date ▶ <i>02 Nov 2022</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.



**STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE**

Taxpayer Name: CALDERON-ARNOLD.JEANETTE ESQ

Trade Name:

Address: 165 CLAIRMONT TERRACE
ORANGE, NJ 07050-3106

Certificate Number: 1403270

Effective Date: April 15, 2008

Date of Issuance: December 02, 2019

For Office Use Only:

20191202213037867

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To Ordinance §4-70, et seq.
CITY OF ORANGE TOWNSHIP, NEW JERSEY**

Part I - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

Jeanette Calderon - Arnold, Esq.

(Contractor)

has not made and will not make any reportable contributions pursuant to Ordinance 4-70 et seq. that would bar the award of this contract in the one year period preceding the date of reorganization to any of the following named candidate committee, joint candidates committee, or political party committee representing the elected officials of the **CITY OF ORANGE TOWNSHIP** as defined pursuant to N.J.S.A. 19-44A-3(d), (g) and (f).

Dwayne D. Warren, Esq., Mayor	
Hon. Kerry J. Coley	
Hon. Adrienne K. Weston	
Hon. Tracy A. Egan	
Hon. Clifford R. Ross	
Hon. Quataria L. Hilbert	
Hon. Jamie Summers-Johnson	
Hon. Weldon M. Montague	

Part II - Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership
 Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address
Jeanette Calderon - Arnold	165 Clairmont Terrace, Orange, NJ

Part III - Signature and Attestation

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Law Offices of Jeanette Calderon - Arnold

Signed: Jeanette Calderon - Arnold Esq. Title: Sole proprietor

Print Name: Jeanette Calderon - Arnold Date: 11/04/2023

Subscribed and sworn before me the <u>4</u> day of <u>November</u> , 20 <u>23</u> .	<u>Nancy Tirado</u> (Affiant)
My Commission expires: <u>2024</u>	<u>Nancy Tirado</u> (Print name & title of affiant) (Corporate Seal)

**NANCY TIRADO
NOTARY PUBLIC OF NEW JERSEY
50106815
My Commission Expires June 12, 2024**

AGREEMENT

THIS AGREEMENT made the day of _____, 2024, by and between the City of Orange Township, herein referred to as the “City” and Jeanette Calderon-Arnold, Esq. herein referred to as “Counsel”;

WITNESS, that in consideration of the mutual covenants and conditions herein contained, the parties hereto agree as follows:

1. The City of Orange Township “City”, hereby retains and employs the services of Jeanette Calderon-Arnold, Esq., as “Counsel” to represent the City in connection with real estate tax appeals filed with the Essex County Board of Taxation and Tax Court by either the City of Orange Township or any of its taxpayers.
2. The services to be provided by Counsel shall include but not be limited to the preparations of all pleadings and filings and the filings of reports with the appropriate City Officials as to the status of these proceedings or litigation.
3. Counsel accepts such employment and agrees to render and perform all legal services as necessary and proper and to the extent by the City.
4. It is understood and agreed that Counsel accepts such employment as an independent contractor and that attorneys and staff shall give personal attention to the matters for which Counsel has been retained; and shall, in the performance of such services, use their best skill and ability to protect the rights of the City in said matters, in accordance with Law.
5. The City shall, upon thirty (30) days prior written notice, and based upon good cause related to the performance of Counsel, terminate this Agreement.

In the event that this Agreement is deemed to be terminated, the City shall pay Counsel or those legal services provided or being performed, as of the effective date of termination; which date shall be no less than thirty (30) days from Counsel’s receipt of said Notice, unless otherwise extended by the governing body. Counsel shall submit a voucher conforming the services rendered for which payment is sought. It is understood by and between the parties that Counsel may during the term of this Agreement, withdraw and terminate as attorney for the City from any matter(s) or proceeding(s) which form the subject matter of this contract. In such event, Counsel shall serve written notice upon the City addressed to the City Attorney. Prior to the effective date of said withdrawal Counsel shall take all necessary steps to protect the interest of the City in any negotiations or litigation, until the City has been able to secure

the file of any pending matter or other proceeding upon which Counsel has been delegated to act. Upon such withdrawal, the City shall pay Counsel for any outstanding legal services, in addition to those reasonable expenses and disbursements not having heretofore been paid, prior to the date of termination.

6. Counsel agrees to indemnify and hold the City of Orange harmless for any errors, omissions or negligence on its part. Counsel further agrees to maintain malpractice insurance in an aggregate amount of not less than \$1,000,000.00.

7. For and in consideration of the services to be rendered, the City shall pay Counsel an hourly rate of One Hundred-Fifty (\$150.00) Dollars for in court trials for Tax Court and One Hundred-Ten (\$110.00) Dollars for Tax Appeals in an amount not to exceed Twenty Thousand (\$20,000.00) Dollars. Said bills shall be paid within thirty (30) days of submission to the City.

8. The billing for and the payment of legal services shall be exclusive of Counsel's disbursements and reasonable expenses, including but not limited to photocopying, postage, secretarial and clerical/paralegal assistant and messenger services, which Counsel may deem expedient and necessary in order to fulfill its legal services on behalf of the City. The City shall reimburse Counsel for the expenses associated and related to the filing of pleadings or recordings of documents, and the above related services in accordance with the terms of this Agreement.

9. In accordance with N.J.S.A. 40A:11-15, this Agreement is effective as of adoption By Resolution of the governing body and will terminate, unless otherwise provided hereinabove, or until such time as the governing body appoints or delegates these legal services to other Counsel; twelve months January 1, 2024 to December 31, 2024.

CITY OF ORANGE TOWNSHIP

ATTEST:

By: _____
Dwayne D. Warren, Mayor

Joyce L. Lanier
City Clerk

The Law Offices
of Jeanette Calderon-Arnold

Jeanette Calderon-Arnold, Esq.

Approved as to form and sufficiency:

City Attorney

Contract agreement for the Tax Assessor's Office; Resolution #

CITY COUNCIL**The City of Orange Township, New Jersey**DATE December 19, 2023NUMBER 512-2023**TITLE:**

A RESOLUTION AUTHORIZING A LIST OF LAW FIRMS TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN REGARDS TO TAX APPEAL MATTERS ON AN AS NEEDED BASIS FOR A PERIOD OF ONE (1) YEAR FROM JANUARY 1, 2024 THROUGH DECEMBER 31, 2024

WHEREAS, on October 12, 2023 and October 13, 2023, the City of Orange Township published Request for Qualifications seeking legal advice and counsels with reference to tax appeal matters before the Essex County Board of Taxation and the State Tax Court arising from assessments of the City of Orange Township; (the "City") and,

WHEREAS, five (5) law firms submitted resumes in response to the Request for Qualifications; and

WHEREAS, the Qualified Purchasing Agent evaluated the background and experience of each law firm submitting responses to the City's Request for Qualifications; and

WHEREAS, the City Attorney approves the law firms:

1. The Law Offices of Jeanette Calderon-Arnold
165 Clairmont Terrace
Orange, New Jersey 07050
1. Eric M. Bernstein & Associates, LLC
34 Mountain Blvd., Building A
P.O. Box 4922
Warren, New Jersey 07059
2. Blau & Blau,
223 Mountain Avenue
Springfield, New Jersey 07081
3. Law Office of Marco DiStefano, LLC
Marco DiStefano, Esq.
2050 Emerson Avenue
Union, N.J. 07083
4. Renaud Colicchio, LLC
190 North Avenue E.
Cranford, New Jersey 07016

WHEREAS, all approved firms have agreed to provide legal services at an hourly rate of \$150.00 per hour; and


A. M. BERNETTI

WHEREAS, the City Attorney has determined that the above recommended 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 firms as required.

Adopted: December 19, 2023

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President