

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

**DATE** April 2, 2024

**NUMBER** 213-2024

**TITLE:** A RESOLUTION AUTHORIZING THE EXECUTION AND AWARD OF A NON-FAIR AND OPEN CONTRACT TO HATFIELD & SCHWARTZ, LLC. FOR SPECIAL COUNSEL IN AN AMOUNT NOT TO EXCEED \$17,500.00 FOR CALENDAR YEAR 2024

**WHEREAS**, the City of Orange Township has a need to retain Special Counsel to advise the City on labor and employment matters as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44-20.5; and

**WHEREAS**, such legal services are to be performed and rendered by a person or person licensed and authorized by law to practice such services, which constitute professional services exempt from public bidding by the Local Public Contracts Law; and

**WHEREAS**, the City of Orange Township has fully complied with the “non-fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

**WHEREAS**, Hatfield & Schwartz, LLC has completed and submitted a “Contribution Statement by Professional Business Entity” as required by City of Orange Township; and

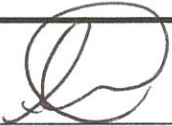
**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto certifying that funds will be available for this purpose in Account No. 4-01-20-155-000-519, contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to contract Hatfield Schwartz, LLC.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP** does hereby authorizes the Mayor and City Clerk to award a contract to Hatfield & Schwartz, LLC as Special Counsel through December 31, 2024 or until a successor is qualified and appointed.

**Adopted: April 2, 2024**

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Tency A. Eason  
Council President

  
AMIRAH  
CITY ATTORNEY

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: Hatfield Schwartz Law Group LLC  
Address: 240 Cedar Knolls Road  
Suite 303

City: Cedar Knolls  
State: New Jersey  
Zip Code: 07927

Purpose: Special Counsel for Labor Matters  
Vendor ID: HATFI005

Temporary Budget: \$ 4,375.00  
Fund: Current Fund  
Line Description LAW - Professional Services  
Account Numbers(s): CY'24 4-01-20-155-000-519

The remainder of: \$ 13,125.00  
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 # : 24-00317

Amount not to exceed: \$ 17,500.00

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Division Head

Date

*Nile Clements*

3/27/2024

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Chief Financial Officer

Date

**CONTRACT AWARD**

**PLEASE TAKE NOTICE** that the City of Orange Township, County of Essex, State of New Jersey, has awarded a contract without competitive bidding for professional services pursuant to N.J.S.A. 40A:11-5(1)(a)(i). The City of Orange Township retained the services of Stefani Schwartz, Esq. of the firm Hatfield & Schwartz, LLC. 240 Cedar Knolls Road, Suite 303, Cedar Knolls, New Jersey 07927 to provide legal services. This Contract will be in effect until December 31, 2024 or until such time as either party gives written notice to the other termination.

This Contract and the Resolution authorizing it are available for public inspection.

ATTEST:

CITY OF ORANGE TOWNSHIP

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Dwayne D. Warren, Esq.  
Mayor

ATTEST:

Hatfield & Schwartz, LLC

\_\_\_\_\_

\_\_\_\_\_  
Stefani Schwartz, Esq.

Approved as to Form and Sufficiency

\_\_\_\_\_  
Gracia R. Montilus, City Attorney



**STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE**

**Taxpayer Name:** HATFIELD SCHWARTZ LLC  
**Trade Name:**  
**Address:** 9 KINZEL LANE  
WEST ORANGE, NJ 07052-0705  
**Certificate Number:** 2460536  
**Effective Date:** June 24, 2020  
**Date of Issuance:** August 20, 2020

**For Office Use Only:**  
20200820114922425

# Request for Taxpayer Identification Number and Certification

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

▶ Go to [www.irs.gov/FormW9](http://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. <b>Hatfield Schwartz LLC</b>		
	2 Business name/disregarded entity name, if different from above <b>Hatfield Schwartz Law Group LLC</b>		
	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.		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>
	<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) ▶ _____		
	5 Address (number, street, and apt. or suite no.) See instructions. <b>240 Cedar Knolls Road, Suite 303</b>		Requester's name and address (optional)
	6 City, state, and ZIP code <b>Cedar Knolls, NJ 07927</b>		
	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								
8	5	-	1	5	5	1	1	07

**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 ▶ *Katherine W. [Signature]*     Date ▶   1/3/23  

**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](http://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-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.*

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**

*N.J.S.A. 10:5-31 et seq. (P.L.1975, c.127); N.J.A.C. 17:27*

Goods, Professional Service and General Service Contracts

During the performance of this contract, Hatfield Schwartz Law Group, LLC, ("contractor" or "subcontractor", as appropriate), agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable, will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to *N.J.S.A. 10:5-31 et seq.*, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with *N.J.A.C. 17:27-5.2*.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor or subcontractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, 1 of the following 3 documents:

1. Federal Letter of Approval of Equal Employment Opportunity Policies;
2. Certificate of Employee Information Report; or,
3. Completed Employee Information Report Form AA302.

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE (cont'd)**

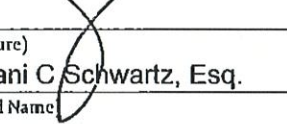
***N.J.S.A. 10:5-31 et seq. (P.L.1975, c.127); N.J.A.C. 17:27***

**Goods, Professional Service and General Service Contracts**

The contractor or subcontractor shall furnish such reports or other documents to the City as may be requested from time to time in order to carry out the purposes of these regulations, and the City may furnish such information as may be requested by the New Jersey Division of Purchase & Property, Contract Compliance Administration Unit, EEO Monitoring Program for purposes of conducting a compliance investigation pursuant to *N.J.A.C. 17:27-10 et seq.*

The undersigned hereby acknowledges the above listed requirements.

For Hatfield Schwartz Law Group, LLC  
(Individual or Firm Name)

By:   
(Signature)  
Stefani C. Schwartz, Esq.  
(Printed Name)  
Managing Partner  
(Title)

February 14, 2024  
(Date)

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY :  
COUNTY OF  Morris  : ss.

I,  Stefani C Schwartz, Esq. , on behalf of the firm of  Hatfield Schwartz Law Group, LLC , upon my oath or affirmation, hereby depose and say:

1. That I executed the documents submitted herein with full authority so to do;
2. That neither I nor the firm has directly or indirectly entered into any Agreement, participated in any collusion, or otherwise taken any action in restraint of fair and open competition in connection with this contract;
3. That all statements contained in the documents submitted herewith, and in this Affidavit are true and correct, and made with full knowledge that the City of Orange Township will rely upon the truth of the statements contained therein in making determinations regarding award of this contract; and,
4. that no person or selling agency has been employed to solicit or secure this engagement agreement or understanding for a commission, percentage, brokerage or contingent fee, except *bona fide* employees or *bona fide* established commercial selling agencies of the proposer. See N.J.S.A. 52:34-25.

The undersigned hereby acknowledges the above listed requirements.

For  Hatfield Schwartz Law Group, LLC   
(Individual or Firm Name)

By: \_\_\_\_\_  
(Signature)  
 Stefani C Schwartz, Esq.   
(Printed Name)  
 Managing Partner   
(Title)

February 14, 2024   
(Date)

Sworn before me on this  14<sup>th</sup>  day of  FEBRUARY , 2024.

James N. Barton   
Notary Public  JAMES N. BARTON   
 NOTARY PUBLIC, STATE OF NJ

JAMES N. BARTON  
Commission # 50208638  
Notary Public, State of New Jersey  
My Commission Expires  
April 04, 2028



## BUSINESS OWNERSHIP DISCLOSURE

Pursuant to N.J.S.A. 52:25-24.2, the City of Orange Township ("City") is prohibited from awarding a contract to any business entity unless, the business entity provides the City with a statement setting forth the names and addresses of all individuals with 10.00% or more ownership interest therein at the time of proposal.

### A. Business Entity Name & Organization

Legal Name of Business Entity: Hatfield Schwartz Law Group, LLC

Type of Entity:     "C" Corporation       "S" Corporation       Limited Liability Company  
                           General Partnership     Limited Partnership     Limited Liability Partnership

### B. Ownership Information

- No person or entity has 10.00% or greater ownership interest in the business entity.
- Names and addresses for all persons or entities with at least 10.00% ownership interest in the business entity, along with corresponding ownership interest percentages, are as follows (attach additional sheets as necessary):

Name	Address	Ownership %
Stefani C Schwartz, Esq.	329 Mendham Road, Bernardsville, NJ 07924	50%
Kathryn V. Hatfield, Esq.	9 Kinzel Lane, West Orange, NJ 07052	50%

- If any owner identified above is a business entity list the names and addresses of all persons and/or entities owning at least 10.00% of each such entity, repeating this process until the names and addresses of all non-businesses owning at least 10.00% of the business and all related entities are disclosed (attach additional sheets as necessary):

Name	Address	Ownership %

If the business entity has a direct or indirect parent entity which is publicly traded, and any person holds a 10.00% or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission ("SEC") or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the SEC (or foreign equivalent) that contain the name and address of each person holding a 10.00% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person (attach additional sheets if necessary):

URL of Last Annual SEC (or foreign equivalent) Filing	Page #

**BUSINESS OWNERSHIP DISCLOSURE CERTIFICATION (cont'd)**

**C. General Disclosures**

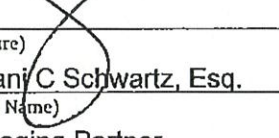
The following questions must be answered as to the business entity and all parties identified in Part B above ("owner"). To the extent the answer to any question is "yes", a separate explanation identifying the relevant party(ies) and the circumstances involved must be appended to this Disclosure.

Has the business or any owner been a party in litigation brought within the last 5 years involving laws governing hours of labor, minimum wage standards, discrimination in wages or child labor?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been charged with, convicted of, under indictment, on parole, on probation or a plaintiff in, any criminal or civil offense other than a minor motor vehicle violation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been subject to, or have pending, any disciplinary action by any administration, governmental or regulatory body?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been subject to any order resulting from any criminal, civil or administrative proceeding brought by any administrative governmental, or regulatory agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been denied any license on the grounds of moral turpitude by any administrative, governmental or regulatory agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner been informed that it/he/she is the target of any current investigation with respect to possible violations of state or federal securities, antitrust or criminal laws?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been denied a business-related license or had any such license suspended or revoked by any administrative, governmental or regulatory agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been debarred, suspended or disqualified from contracting with any federal, state or municipal agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been in receivership or adjudicated bankrupt?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been in default on a personal or business loan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**D. Certification**

I hereby certify that the foregoing information and any attachments hereto are true and complete. I acknowledge that: (a) I am authorized to execute this certification on behalf of the business entity and all parties listed in Parts A and B above; (b) the City will rely on the information contained herein and the business and all owners are under a continuing obligation to notify the City in writing of any changes to the information contained herein; and, (c) I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do, the City will reject this submission and I may be subject to prosecution.

For Hatfield Schwartz Law Group, LLC  
(Individual or Firm Name)

By:   
(Signature)  
Stefani C. Schwartz, Esq.  
(Printed Name)  
Managing Partner  
(Title)

February 14, 2024  
(Date)

## POLITICAL CONTRIBUTION DISCLOSURE

Pursuant to *N.J.S.A. 19:44A-20.26*, this form must be submitted not later than 10 days prior to the award of any contract with the City of Orange Township ("City") that may have an anticipated value exceeding \$17,500.00, and/or any contract awarded as a non-fair and open contract.

### A. Instructions

All persons and business entities contracting with the City must disclose contributions to:

1. any continuing political committee (*i.e.*, political action committee); and/or,
2. any candidate committee of a candidate for, or holder of, an elective office of the City, the County of Essex, another public entity within the County of Essex, and/or the legislative district where the City is located, (*see* Part B below).

The disclosure must list reportable contributions to any of the committees that exceed \$200.00 per election cycle, made during the 12 months prior to award of the contract. *See N.J.S.A. 19:44A-8; N.J.S.A. 19:44A-16*. For business entities, this requirement applies to:

- individuals with an ownership interest or control of more than 10.00% of the profits or assets of the business entity;
- all principals, partners, officers, or directors of the business entity and their respective spouses;
- any subsidiaries directly or indirectly controlled by the business entity;
- any New Jersey-based IRS Code § 527 organization, directly or indirectly controlled by the business entity and filing as a continuing political committee (*i.e.*, PAC).

When the contractor is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution [by the contractor]." *N.J.S.A. 19:44A-20.26(b)*.

Any contractor that fails to comply with these disclosure provisions shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount based upon the amount that the contractor failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act, *N.J.S.A. 47:1A-1 et seq.*

### B. List of Agencies & Elected Officials Required for Disclosure

**State:** Governor, and Legislative Leadership Committees

**Legislative Districts:** 21, 27, 28, 29, 34, 36, and 40  
*1 State Senator and 2 members of the General Assembly per district*

**County:** County Executive; Commissioners; County Clerk; Sheriff; Surrogate; Registrar of Deeds

**Municipalities (mayor and members of governing body, regardless of title):**

Belleville Township	Irvington Township	City of Orange Township
Bloomfield Township	Livingston Township	Roseland Borough
Caldwell Borough	Maplewood Township	South Orange Village
Cedar Grove Township	Millburn Township	Verona Township
City of East Orange	Montclair Township	West Caldwell Township
Essex Fells Borough	City of Newark	West Orange Township
Fairfield Township	North Caldwell Borough	
Glen Ridge Borough	Nutley Township	

[CONTINUED ON NEXT PAGE]

