

**PROPOSAL FOR OUTSIDE LEGAL COUNSEL
TO THE MILLTOWN-FORD AVENUE REDEVELOPMENT AGENCY
LUM, DRASCO & POSITAN LLC**

Lum, Drasco & Positan, LLC
103 Eisenhower Parkway, Suite 401
Roseland, NJ 07068

**LUM, DRASCO & POSITAN LLC
PROPOSAL FOR OUTSIDE LEGAL COUNSEL
TO THE MILLTOWN-FORD AVENUE REDEVELOPMENT AGENCY**

The following documents are attached hereto in response to the request for qualifications for outside legal counsel for the Milltown-Ford Avenue Redevelopment Agency

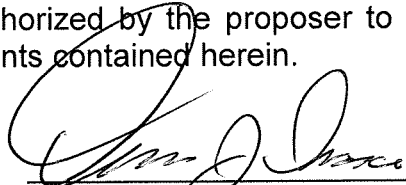
Section 1

- Exhibit A:** Qualifications.
- Exhibit B:** Profile of Eminent Domain and Condemnation Law Section of Firm.
- Exhibit C:** Environmental Law Profile of Firm.

Section 2

- Exhibit A:** Quote Sheet for Legal Services.
- Exhibit B:** EOF/Affirmative Action Compliance Form.
- Exhibit C:** Non-Collusion Affidavit.
- Exhibit D:** Statement of Ownership Disclosure.
- Exhibit E:** Disclosure of Investment Activities in Iran.
- Exhibit F:** Political Contribution Statement.
- Exhibit G:** Business Registration Certificate.
- Exhibit H:** Insurance Certificate.
- Exhibit I:** Acknowledgement.

The undersigned has been authorized by the proposer to submit this proposal and certify the accuracy of the statements contained herein.



Dennis J. Drasco

SECTION 1

**EXHIBIT A
QUALIFICATIONS**

Experience in prior eminent domain proceedings.

CONDEMNATION/EMINENT DOMAIN LAW PROFILE

The Lum Firm has wide-ranging expertise in eminent domain and condemnation law, redevelopment law, land use law, real estate and environmental law. The Firm's Litigation Group has significant experience in the representation of both condemning authorities, redevelopers, and property owners in the field of condemnation law.

The Firm has been involved in all facets of condemnation practice and redevelopment law including: designation and delineation of areas in need of redevelopment; pre-litigation negotiations as to design, scope of taking and compensation; relocation issues and benefits; disputes as to the authority to condemn and pretextual condemnations; inverse condemnation and regulatory taking litigation; condemnation commissioners' hearings; jury trials of valuation issues in the Superior Court; appeals to the Appellate Division and Petitions for Certification to the Supreme Court of New Jersey.

Recent Representative Cases and Matters:

Greenwich Township – Representing municipality in connection with taking of property for sewer connection. Firm involved in the planning and designation of the scope of taking and implementation of condemnation.

Contact: Jonathan Drill, Esq.
Stickel, Koenig, Sullivan & Drill, PC
571 Pompton Avenue
Cedar Grove, NJ 07009
jdrill@aol.com
973-239-8800

County of Hudson v. Urban Renewal Corp., HUD-L-3787-18 – Represent owner of property in Kearny port area being acquired by County of Hudson. Matter involved issues as to the right to take, federal preemption, and compliance with McKinney-Vento Act. Successfully negotiated a settlement with the taking authority. Currently engaged in historic preservation review issues with U.S. HHS, New Jersey SHPO and the County.

Contact: Lane Jacobs, President
Urban Renewal Corp.
53 So. Hackensack Avenue
Kearny, NJ 07032
lane@urbanrenewal.org
973-483-2882

CD Development v. City of Newark, Docket No. A-5349-07, ESX-L-7560-11
Represented trucking company in connection with successful challenge of designation of facility as being in an area in need of redevelopment and negotiation of relocation to a replacement property and relocation benefits.

Contact: Jay Delaney, Esq.
Lindabury, McCormick & Estabrook
53 Cardinal Drive
Westfield, NJ 07090
908-233-6800
jdelaney@lindabury.com

Jersey City Redevelopment Agency v. Freed, Docket No. HUD-L-53-18 – Represented owners of commercial facility in taking action. Secured Commissioners award and negotiated settlement of compensation and issues as to environmental testing/remediation of property by condemning body.

Contact: Kevin Coakley, Esq.
Connell Foley
56 Livingston Avenue
Roseland, NJ 07068
973-535-0500
kcoakley@connellfoley.com

North Hudson Sewerage Authority v. Hartz Mountain, Inc., Docket No. A-5201-15– Representation of developer of waterfront condominium project in connection with appeal involving intervention in taking case against adjoining property.

Contact: Bruce Sturman, Managing Director
The Maxal Group, Inc.
825 Third Avenue, 31st Floor
New York, NY 10022
Bruce@maxalgroup.com
212-359-0293

Township of High Bridge v. Catanzaretti, Docket No. HNT-535-07 – represented municipality in action to take property. Matter involved challenge to public use and valuation issues.

Contact: Douglas Walker, Borough Administrator
71 Main Street
High Bridge, NJ 08829

NJDOT v. Glassman, Docket No. ESX-L-7201-08– Represented property owners in connection with negotiation of taking alignment and access, resolution of just compensation.

Contact: Ira Glassman

Service as Condemnation Commissioners

Dennis Drasco has been appointed and served as a Condemnation Commissioner in the following matters:

Transcontinental Gas Pipe Line Company, LLC v. 0.405 Acres of Land in the Township of Edison, Middlesex County, New Jersey, et al, U.S. District Court No. for the District of New Jersey, Case No. 2:14-cv-05433-SRC-CLW

Texas Eastern Transmission, LP v. 0.68 Acres of Land, RAR2-112 Port Jersey, et al, U.S. District Court No. for the District of New Jersey, Case No. 12-3499-SRC-CLW

Port Authority of New York and New Jersey v. Anheuser –Busch, Superior Court of New Jersey, Law Division, Essex County, Docket Nos.: L-2373-98 and L-4133-98

Kevin J. O'Connor has been appointed by the Court and has served as Condemnation Commissioner in the following matters:

Township of Livingston v. Zheng Yuan International Flagship School, Superior Court of New Jersey, Law Division, Essex County Docket No. ESX-L-7391-19 (Presiding Commissioner)

City of Orange Housing Authority v. Whittle
Superior Court of New Jersey, Law Division, Essex County Docket No. ESX-L-8046-16

City of Orange Housing Authority v. RPM Development
Superior Court of New Jersey, Law Division, Essex County Docket No. ESX-L-8990-18

City of East Orange v. Beauvil
Superior Court of New Jersey, Law Division, Essex County Docket No. ESX-L-7856-05

Reported Decisions:

The Firm has been involved in a number of reported decisions and unpublished opinions that have helped shape eminent domain jurisprudence in New Jersey, including the constitutional public use requirement, the scope of taking, designation of areas in need of redevelopment, riparian rights, leasehold interests, temporary and permanent easements, relocation rights and benefits, the authority to condemn and bad faith issues, the effects on valuation of the reasonable probability of a change in zoning, inverse condemnation, and environmental issues affecting condemnation. The Firm has also litigated matters involving related land use and civil rights issues.

Township of West Orange v. 769 Associates, LLC, 172 N.J. 564 (2002). This Supreme Court decision involved the interpretation and application of the public use requirement for an access road to support a private housing development project.

Borough of Essex Fells v. Kessler Institute for Rehabilitation, 289 N.J.Super. 329 (Law Div. 1995). This case was one of the first reported decisions in New Jersey dealing with alleged bad faith/pretextual condemnation of property.

Jersey City Redevelopment Agency v. Costello, 252 N.J.Super. 247 (App.Div. 1991). This matter involved significant issues as to the valuation of leasehold interests taken regarding a major redevelopment project

Jersey City Redevelopment Agency v. Tug and Barge Urban Renewal Corp., 228 N.J.Super. 24 (App.Div. 1988), aff'g 228 N.J.Super. 88 (Law Div. 1988). This matter addressed valuation issues regarding riparian rights

EXHIBIT B
PROFILE OF EMINENT DOMAIN AND CONDEMNATION LAW SECTION OF FIRM

Attached hereto is the Eminent Domain and Condemnation Law Section of Firm.



Lum, Drasco & Positan LLC

ATTORNEYS AT LAW SINCE 1870

Eminent Domain/Condemnation

Eminent Domain and Condemnation Law

When the government intends to take private land for public use, there are a number of statutory requirements it must follow. At Lum, Drasco & Positan, we assist governmental bodies and property owners in condemnation negotiations and disputes.

Since 1870, our firm has established a reputation for integrity, professionalism and trusted service in the field of eminent domain. We strive to meet and exceed client expectations by providing knowledgeable counsel and cost-effective representation. To learn more, contact an experienced eminent domain lawyer at our law office in Roseland, New Jersey.

Representation of Governmental Entities

While the government may take land for the expansion of a road or park, the installation of power lines, or other public uses, it must establish a public purpose and necessity. Condemnation laws are complex and strict statutory compliance is essential to avoid unnecessary legal entanglements.

At Lum, Drasco & Positan, we provide knowledgeable counsel for governmental bodies, including assistance with statutory compliance, negotiations with property owners and dispute resolution services. Since we also assist property owners, we are uniquely capable of understanding how property owners and their counsel may challenge public takings. Our creative and proactive management of cases better enables our clients to resolve disputes in a cost-effective manner.

Representation of Property Owners

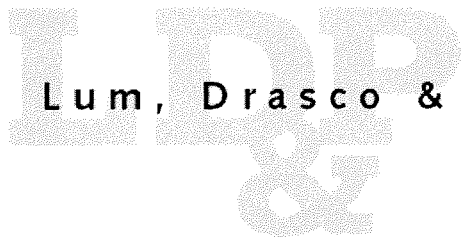
When representing property owners, we can challenge takings or negotiate with governmental bodies to seek maximum compensation for any property that is taken for public use. We understand that property owners are often confused and overwhelmed by the condemnation process. We work diligently on behalf of our clients to provide the knowledgeable advice and vigorous representation they require.

Contact Us

From our office in Roseland, we serve clients throughout northern New Jersey and New York City. To schedule a consultation with a New Jersey eminent domain attorney at our firm, call 973-403-9000 or contact us by email.

**EXHIBIT C
ENVIRONMENTAL LAW PROFILE OF FIRM**

Attached hereto is the Environmental Law Profile of Firm.



Lum, Drasco & Positan LLC

ATTORNEYS AT LAW SINCE 1870

Environmental Law

New Jersey Environmental Law Attorneys

New Jersey Environmental Insurance Litigation Lawyers

At the Lum Firm we are involved in all aspects of environmental law from litigation through regulatory issues and client counseling. Whether you need someone to help you understand Environmental Protection Agency guidelines, or how to comply with the Clean Water Act and Clean Air Act, our New Jersey environmental law attorneys can help you.

Attorneys in our Environmental Law group are at the forefront of litigation over the dynamic field of insurance coverage for environmental contamination. We are actively involved in counseling companies to ensure their compliance with the continually evolving environmental statutory and regulatory provisions.

In addition to environmental insurance litigation, our lawyers have significant experience in toxic torts and environmental contamination litigation. Our firm represents numerous companies concerning the various regulatory issues that confront the business community.

The Lum Firm represents companies on an ongoing basis before all federal agencies and state environmental bureaus in New Jersey, New York, Pennsylvania, and occasionally other states. We have an active practice representing companies involved with Superfund sites in various states.

We also provide all necessary support in obtaining appropriate permits for air, water and ground discharges, as well as in obtaining all approvals necessary for both developments and day-to-day manufacturing concerns. Our firm has represented county utilities authorities in the enforcement of various solid waste laws and regulations, concerning shipment, decal and recycling procedures, compliance, and violations. We counsel banking institutions on compliance with environmental laws in the constantly changing field of lender liability.

We have an extensive wetlands practice encompassing all aspects of state and federal law on that issue including permitting, counsel and litigation. Our environmental law lawyers have participated in wetlands matters before a variety of jurisdictions including the United States Supreme Court.

Contact our environmental law attorneys today to schedule an appointment with an experienced and efficient professional.



Lum, Drasco & Positan LLC

ATTORNEYS AT LAW SINCE 1870

From our offices in Roseland, New Jersey, we serve clients from all across the United States in dealing with environmental law and Superfund site issues.

SECTION 2

EXHIBIT A
QUOTE SHEET FOR LEGAL SERVICES

Attached hereto is the completed Quote Sheet for Legal Services.

FORM 1

MILLTOWN-FORD AVENUE REDEVELOPMENT AGENCY

QUOTE SHEET FOR LEGAL SERVICES

PROJECT NAME: Milltown-Ford Avenue Redevelopment Project

ADDRESS: Ford Avenue Site (Lots 1.01, 1.02, 1.03, and 1.07 in Block 58 and Lot 5.01 in Block 59.01)

NAME OF BIDDER: Lum, Drasco & Positan LLC

IF A FIRM,
LEAD ATTORNEY Dennis J. Drasco, Esq.

ADDRESS OF BIDDER: 103 Eisenhower Parkway, Suite 401, Roseland, NJ
07068

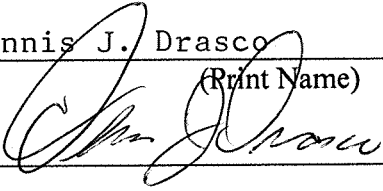
PHONE NUMBER: (973) 403-9000

EMAIL ADDRESS: ddrasco@lumlaw.com

HOURLY RATE: \$ See attached
May attach fee schedule

IDENTIFY ALL INDIVIDUALS WHO WILL PERFORM SERVICES IN THIS MATTER AND PROVIDE DETAILS OF THEIR EXPERIENCE

SIGNED BY: Dennis J. Drasco
(Print Name)

SIGNATURE: 

TITLE: Member

DATE: April 2, 2020

LUM, DRASCO & POSITAN LLC

TO: ALL ATTORNEYS
FROM: WAYNE J. POSITAN, Managing Director
DATE: JANUARY 1, 2020

RE: 2020 FIRM RATES

RANGES: MEMBERS	450 - 600
OF COUNSEL/COUNSEL	400 - 500
ASSOCIATES	275 - 350
LAW CLERKS/PARALEGALS	125

The following are the firm's hourly rates effective January 1, 2020.

MEMBERS

DENNIS J. DRASCO	600
WAYNE J. POSITAN	600
PAUL A. SANDARS	600
STEVEN J. EISENSTEIN	475
KEVIN J. O'CONNOR	475
CHRISTINA SILVA	475
KEVIN F. MURPHY	475
JACK P. BARON	475
GINA M. SORGE	475
BERNADETTE H. CONDON	475
DANIEL M. SANTARSIERO	450
ARTHUR M. OWENS	450
SCOTT E. REISER	450
ELIZABETH Y. MOON	450

OF COUNSEL

RICHARD C. CAMP	500
DONALD J. VOLKERT	500
CYNTHIA A. MATHEKE	450
DENNIS J. SMITH	450
EDWARD M. CALLAHAN	400

ASSOCIATES

ALEXANDRA MORGAN	350
JORDAN B. DOPPELT	275
ADAM P. SOLOPERTO	275

CLERKS

125

PARALEGALS

125

EXHIBIT B
EOF/AFFIRMATIVE ACTION COMPLIANCE FORM

Attached hereto is the Affirmative Action Compliance Form.

FORM 2

**AFFIRMATIVE ACTION PROGRAMS
IN COMPLIANCE WITH N.J.S.A. 10:5-34**

The successful Bidder(s) MUST submit proof of compliance with N.J.S.A. 10:5-34 prior to award. Proof is a photocopy of (1) a letter of federal approval; or (2) a N.J. affirmative action certificate of employee information report.

If, however, you are the successful Bidder and have not yet complied with the affirmative action regulations, we will send you the affirmative action documents (AA-302) for completion prior to award. You must return the completed document to us within three (3) days after the contract is awarded.

I certify that I understand the above and have submitted proof of compliance with the N.J.S.A. 10:5-34 with this Proposal or will do so prior to accepting any award.

INDIVIDUAL NAME OR NAME OF BUSINESS ENTITY (as applicable):

Lum, Drasco & Positan LLC

ADDRESS:

103 Eisenhower Parkway, Suite 401

Roseland, NJ 07068

SIGNED BY: Dennis J. Drasco
(Print Name)

SIGNATURE: 

TITLE: Member

DATE: April 2, 2020

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-FEB-2020** to **15-FEB-2027**

LUM, DRASCO & POSITAN, LLC
103 EISENHOWER PKWY.
ROSELAND NJ 07068-1049



Elizabeth Maher Muoio

ELIZABETH MAHER MUOIO
State Treasurer

**EXHIBIT C
NON-COLLUSION STATEMENT**

Attached hereto is a completed Non-Collusion Affidavit.

FORM 3

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

COUNTY OF ESSEX ss:

I, Dennis J. Drasco of the City of Roseland,
(Name of Authorized Officer)

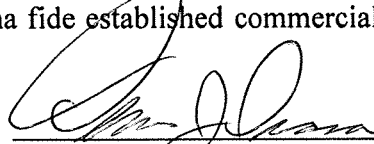
in the County of Essex and the State of New Jersey, of full
age, being duly sworn according to law on my oath depose and say that:

I am Member of Lum, Drasco & Positan LLC,
(Title or Position) (Name of Firm)

the bidder making the proposal for RFP for Legal Services and that I executed the said proposal with full authority so to do; that said bidder has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Milltown-Ford Avenue Redevelopment Agency relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for the said project.

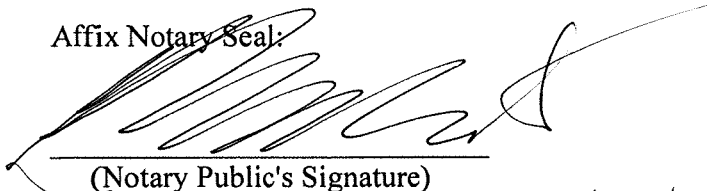
I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by:

Lum, Drasco & Positan LLC
Name of Firm


Signature of Authorized Officer

Subscribed and sworn to before me
this _____ day of _____, 20____

Affix Notary Seal:



(Notary Public's Signature)

Steven J. Eisenstein, Atty at Law of NJ

My commission expires: _____

This prerequisite form must be completed, signed, sealed, and returned with your bid.

EXHIBIT D
STATEMENT OF OWNERSHIP DISCLOSURE

Attached hereto is the Statement of Ownership Disclosure.

FORM 4
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)

Pursuant to New Jersey Statute N.J.S.A. 52:25-24.2:

No corporation, partnership or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal, or accompanying the bid or proposal of said corporation said partnership, or said limited liability company there is submitted a statement setting forth 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.

 Name of Individual or Business Entity and Percentage of Ownership

See attached

 Name of Individual or Business Entity and Percentage of Ownership

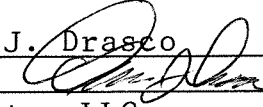
 Name of Individual or Business Entity and Percentage of Ownership

Use reverse side of sheet for other stockholders

<u> X </u>	I certify that the list above contains all stockholders, partners or members, holding 10% or more of this corporation, partnership or limited liability company.
<u> </u>	I certify that no individual stockholder, partner or member owns 10% or more of this corporation, partnership or limited liability company.

CERTIFICATION

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer, that the Milltown-Ford Avenue Redevelopment Agency ("Agency") is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Agency to notify the Agency in writing of any changes to the information contained herein; that I am aware that is a criminal offense to make a false statement or misrepresentation in this certification, and I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the Agency, permitting the Agency to declare any contract(s) resulting void and unenforceable.

Full Name (Print): Dennis J. Drasco Title: Member
 Signature of Authorized Affiant:  Date: April 2, 2020
 by Lum, Drasco & Positan LLC

Name of Business
103 Eisenhower Parkway, Suite 401, Roseland, NJ 07068
 Address

This prerequisite form must be completed, signed and returned with your bid.

**LUM, DRASCO & POSITAN LLC
OWNERSHIP DISCLOSURE INFORMATION**

Name	Home Address	Office Held	Ownership Interest
Wayne J. Positan	69 Stewart Road Essex Fells, NJ 07021	Managing Director	24.62%
Dennis J. Drasco	16 Tothill Road Essex Fells, NJ 07021	Director	24.62%
Paul A. Sandars, III	1155 Chedworth Circle Mahwah, NJ 07430	Director	23.08%
Steven J. Eisenstein	26 Hillside Terrace Newton, NJ 07860	Member	12.82%
Kevin F. Murphy	16 Forest Drive Mendham, NJ 07945	Member	14.86%

EXHIBIT E
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Attached hereto is the Disclosure of Investment Activities in Iran.

FORM 5
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN
PART 1: CERTIFICATION
BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

PLEASE CHECK EITHER BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the person/entity listed above nor any of the entity's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification

OR

I am unable to certify as above because I or the bidding entity and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

Part 2

PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below. PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, USE ADDITIONAL PAGES

Name: _____ Relationship to Bidder/Vendor: _____

Description of Activities: _____

Duration of Engagement: _____ Anticipated Cessation Date _____
Bidder/Vendor _____

Contact Name: Dennis J. Drasco Contact Phone Number: (973) 403-9000

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the below-referenced person or entity. I acknowledge that Milltown-Ford Avenue Redevelopment Agency ("Agency") is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of contracts with the Agency to notify the Agency in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreements(s) with the Agency and that the Agency at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): Dennis J. Drasco Signature: 

Title: Member Date: April 2, 2020

Bidder/Vendor: Lum, Drasco & Positan LLC

EXHIBIT F
POLITICAL CONTRIBUTION STATEMENT

Attached hereto is the Political Contribution Statement.

2-88 REGULATION OF POLITICAL CONTRIBUTIONS BY BOROUGH EMPLOYEES AND PERSONS/BUSINESSES DOING BUSINESS WITH THE BOROUGH.

2-88.1 Findings.

It is in the public interest and in furtherance of the policy of the Borough of Milltown that, in addition to insuring full compliance with the New Jersey Campaign Contributions and Expenditures Act, N.J.S.A. 19:44A-1 et seq. to prohibit political campaign contributions from employees and to limit political campaign contributions to Borough elected officials and candidates for Borough elective office by those persons, developers, businesses and professionals who may benefit from a business relation with or quasi-judicial actions of the Borough and its approving Boards. (Ord. No. 984)

2-88.2 Prohibitions for Borough Employees.

No employee of the Borough shall make a monetary campaign contribution to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of a Borough elective office. (Ord. No. 04-1172 § 1)

2-88.3 Regulations for Individuals, Businesses, Professionals or Developers.

a. No individual, business or professional that submits a bid or enters into negotiations for, or agrees to any agreement or contract with the Borough for goods, services, equipment or property shall make a monetary campaign contribution in excess of four hundred (\$400.00) dollars for a primary election and four hundred (\$400.00) dollars for a general election to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of a Borough elective officer between one (1) year before the start of negotiations or submittal of the bid relative to such an agreement or contract, whichever is earlier, and the termination of negotiations or the completion of the agreement or contract, whichever is later. Any group of individuals forming a professional business entity under this section, including such principals, partners and officers of the entity in the aggregate, may not annually contribute for any purpose in excess of two thousand five hundred (\$2,500.00) dollars to all Borough candidates and Borough office holders, and all Borough political parties and political action committees of all Borough candidates and Borough office holders combined.

b. No individual, business or professional doing business with the Borough, or any principal, partner or member of any such entity, shall make a monetary campaign contribution in excess of four hundred (\$400.00) dollars for a primary election and four hundred (\$400.00) dollars for a general election to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of Borough elective office. Any group of individuals forming a professional business entity under this section, including such principals, partners and officers of the entity in the aggregate, may not annual contribute for any purpose in excess of two thousand five hundred (\$2,500.00) dollars to all Borough candidates and office holders, and all Borough political parties and political action committees of all Borough candidates and Borough official holders combined.

c. No individual or developer who makes a development application before an Approving Board, shall make a monetary campaign contribution in excess of four hundred (\$400.00) dollars for a primary election and four hundred (\$400.00) dollars or a general election, to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of a Borough elective office from ninety (90) days prior to the time the development application is filed with the Approving Board to such time as the project is fully completed and constructed.

d. An individual, developer, business or professional may cure a violation of paragraphs a., b., c. or d. of this subsection if no later than thirty (30) days following the date of the primary election or general election next following the date on which the contribution is made, the individual business or professional seeks and receives reimbursement of the prohibited contribution.

e. An individual, developer, business or professional found to knowingly fail to reveal or misrepresent a monetary campaign contribution in excess of four hundred (\$400.00) dollars for a primary election and four hundred (\$400.00) dollars for a general election or a business entity in excess of two thousand five hundred (\$2,500.00) dollars for a primary election and two thousand five hundred (\$2,500.00) dollars for a general election, given to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of a Borough election office shall be considered to be in breach of the terms of an agreement or contract between that individual, developer, business or professional and the Borough then in effect of an approval by an Approving Board and shall be subject to the penalties prescribed in paragraph f. below and any other penalties described by law.

f. An individual, developer, business or professional found to be in violation of paragraphs a., b., c., d. or e. of this subsection shall be disqualified from eligibility for future contracts, agreements or development applications with the Borough for a period of two (2) calendar years from the date of the determination of the violation by the Borough Council and in addition shall have any contract or agreement with the Borough then in effect terminated immediately. An employee found to be in violation of subsection 2-88.2 shall face disciplinary proceeding.

2-88.4 Distribution of this Section to Candidate for Elective Office.

The Borough Clerk shall provide a candidate for elective office with a copy of this section at such time as such candidate requests a petition for the office. (Ord. No. 1172 § 8)

FORM 6

POLITICAL CONTRIBUTION STATEMENTS

The Bidder certifies that it has not made a monetary campaign contribution in violation of the Borough of Milltown Code, Chapter 2, Section 88 attached hereto.

INDIVIDUAL NAME OR NAME OF BUSINESS ENTITY (as applicable):

Lum, Drasco & Positan LLC

ADDRESS:

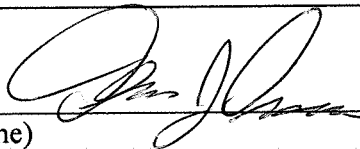
103 Eisenhower Parkway, Suite 401

Roseland, NJ 07068

SIGNED BY:

Dennis J. Drasco

(Print Name)



TITLE:

Member

DATE:

April 2, 2020

EXHIBIT G
BUSINESS REGISTRATION CERTIFICATE

Attached hereto is a copy of the Firm's Business Registration Certificate.

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 242
TRENTON, N J 08646-0252

TAXPAYER NAME:

LUM, DRASCO & POSITAN LLC

TRADE NAME:

ADDRESS:

103 EISENHOWER PARKWAY
ROSELAND NJ 07068-1049

SEQUENCE NUMBER:

1086871

EFFECTIVE DATE:

09/10/04

ISSUANCE DATE:

12/20/08


Acting Director
New Jersey Division of Revenue

FORM BR-01/02-04

**EXHIBIT H
INSURANCE CERTIFICATE**

Attached hereto is the Firm's Insurance Certificate.



LUMDRAS-01

JOANNAMUELLER

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/31/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER NFP Property & Casualty Services, Inc. 45 Executive Drive Plainview, NY 11803	CONTACT NAME: PHONE (A/C, No, Ext): (516) 327-2700	FAX (A/C, No):	
	E-MAIL ADDRESS:		
INSURED Lum, Drasco & Positan, LLC 103 Eisenhower Pkwy Roseland, NJ 07068	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Evanston Insurance Company		35378
	INSURER B : Kinsale Insurance Company		38920
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

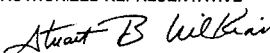
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:						EACH OCCURRENCE	\$
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$
							GENERAL AGGREGATE	\$
							PRODUCTS - COMP/OP AGG	\$
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N N/A If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
A	Lawyers Prof. Liab			MKLV3PLA000011	2/1/2020	2/1/2021	Limit	5,000,000
B	Excess Lawyers Prof.			0100035444-4	2/1/2020	2/1/2021	Limit	5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Evidence of Insurance

CERTIFICATE HOLDER

CANCELLATION

Clerk of the Supreme Court Clerk's Office CN 970 Trenton, NJ 08625	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	---

**EXHIBIT I
ACKNOWLEDGEMENT**

Attached hereto is the completed Acknowledgement.


FORM 7

ACKNOWLEDGEMENT

The undersigned declares that he/she has carefully examined and fully understands the information for applicants, specifications and other documents included as part of the within Request for Proposals and agrees to perform all work and deliver any materials relating to same.

Land Addendum 1

Applicant's Name: Lum, Drasco & Positan LLC

Authorized Signature: 

Print Name: Dennis J. Drasco

Title: Member

Telephone: (973) 403-9000

Fax: (973) 403-9021

Email Address: ddrasco@lumlaw.com