

CITIZEN'S COMMENTS – JULY 8, 2020 MUNICIPAL COUNCIL MEETING

JEFF FELDS

OPRA.

1. Of the 43 pending and open June 2020 OPRA Requests, who are the requestors?
2. Of the 43 pending and open June 2020 June OPRA Requests, how many are related to items listed on the July 8, 2020 Agenda?
3. Of the 43 pending and open June 2020 OPRA Requests, what departments or boards have delayed production?

Ordinances

Second Reading

I incorporate herein by reference all my unanswered June 3, 2020 and June 16, 2020 first reading public hearing questions and comments, including whether stakeholders will be provided a reasonable opportunity to be heard during the second reading public hearings on ordinances not subject to referendum challenge

Enhanced Police Oversight Ord. 23-2020

1. Do all the proposed non-bond related ordinances bear the approval signature of an in- house city attorney?
2. Has the administration, our police department, our uniform first responders and all councilmembers signed off on the proposed police oversight ordinance?
3. Has a public forum been held on this proposed police oversight ordinance?
4. Has our police department complied with all AG rules and regulations regarding enhanced police transparency and accountability?
5. What was the source document for this police oversight ordinance?
6. Is the Orange police department under the supervision of a federal consent order?
7. Do our officers wear body cams?
8. In the last twenty-five years, how many Orange police officers have been killed in the line of duty either investigating or responding to a police call?

Resolutions

Virtual Public Citizen Comments Amending Res. 297-2020

9. What are the proposed changes to the original walk-on citizen comments virtual meeting comments?
10. For security purposes, should participation instructions be written more broadly to the effect that the participation instructions and links will be posted no later than 48 hours prior to any virtual meeting on Orange's official public website?
11. Has the local governing body received a written legal opinion or memorandum regarding the validity of this political free speech restraints amending resolution under developing case law including recent United States Supreme Court political free speech strict scrutiny case law?

12. Why is the new city council president delegating the authority to answer “walk-on” questions to the new city council vice president?
13. Isn't it the prerogative of the new city council president and new city council members to determine and to adopt the procedural rules and procedures for its virtual meetings?
14. Should the time to file written virtual meeting questions be extended to 3:00 pm of the day of the meeting?
15. Should stakeholders be denied the opportunity to be heard orally on second reading public hearing ordinances not subject to referendum challenge?
16. Should we codify a time by which the local governing body and administration must respond to properly submitted virtual meeting questions and comments?

Tax Appeal Retention Res. 288-2020

Workers compensation Res. 290-2020

17. Who drafted and viewed the two outside counsel retention resolutions?
18. Why do we continue to employ different templates for each retention agreement?
19. Why do we continue to reference and to delegate authority to the unelected insurance fund commission?
20. Why is the signatory to one agreement different than the person named in the caption and body of the retention resolution?
21. What criteria is used for the selection of all outside special counsel?

North Main Street Investigatory Study Approval Res. 292-2020

22. Who drafted and reviewed this North Main Street Investigative Study Approval Resolution?
23. Why is the plan and not the investigative study attached to the approval resolution?
24. Under what authority did our local planning board approve a North Main Street Plan prior to the approval of an investigatory study by the local governing body?
25. Are stakeholders and the two new councilmembers entitled to a short public presentation on this North Main Street Investigatory Study?

Chamber of Commerce Sidewalk Sale Res 291-2020

26. Who drafted and reviewed the sidewalk sale resolution?
27. Were all personal information deleted and redacted?
28. How many active members does our local chamber of commerce have?
29. Is the local chamber of commerce a City Hall captive and puppet?

Black Lives Matter Plaza Res. 295-2020

30. From whose template was this resolution drafted?
31. Was this resolution vetted with all council members and the public?
32. Does this resolution draw a distinction between the Black Lives Matter civil rights **movement** and the Black Lives Matter **organization**?
33. Does voter suppression fall under the mandate of this resolution?
34. Do civil rights violations of other minorities and suspect classes fall under the rubric of this resolution?

Bill List

35. What additional financial management advisory services did the Lerch Vinci and Supplee Clooney firms perform?
36. What grants did Orange obtain through its outside grant writer?

Non-Agenda Items

37. When will Orange adopt an Anti-Nepotism Policy Ordinance?
38. Would a “soul mate” fall under our current conflict of interests/ appearances of impropriety rules and regulations?

WILLIAM HATHAWAY

hello city council and to mayor warren and orange police department I would like to thank the orange police department for police presence in the west ward around the Lincoln avenue area and Jackson street area and central avenue in trying to address the fireworks mayhem that has happen in orange on July 4th there was heavy presence in the area were this was happening around the city also want to thank the men and women who worked that night as citizens we have to police are self's as adults in preventing the use of fireworks I ask the orange city council to put a resolution in place in the use of sales and ban the use by residents and ask the police the department to put a curfew in place during that period after 10 pm and the noise ordinance to be revised and ask city council to adopt a amend to the noise ordinance around an early time and when residents who have cook outs let them know to end their parties to end by 9pm

SHAREE HARRISON

Ordinance on Second Reading
23-2020 Establishing Citizens Oversight Committee for Police Department

Hoping all is well. I would like make a statement regarding the CCRB being established in the City of Orange. I would like my statement to go on the record and wish to say it myself if possible at the meeting. I do not wish to give my address, but I can be reached via cellphone and/or email.

I vote the CCRB be adapted into the City of Orange because I think it will forester a positive communication between the OPD, residents, and business owners. This board encourages members of the community to file complaints when they feel like they have been victims of police misconduct, giving both parties the opportunity to mediate and promote understanding.

We may think this Committee isn't needed because we're a small community, but it's needed to reinsure transparency, fairness and clear line of communication between city officials and the community.

JODY LEIGHT

I wish to submit comments of proposed Ordinance 23-2020, which is coming up for a second reading at tomorrow's meeting.

It is commendable that the Council is taking action n to increase transparency and to create a

neutral forum where members of the public can feel safe reporting any issues concerning alleged police misconduct. This can only serve to improve community-police relations and improve public safety overall.

However, certain aspects of the ordinance as drafted raise potential legal issues, and the public interest might best be served by having this reviewed by counsel before taking action.

One issue is having the Police Director sit on a Civilian Review Board, and having specific duties related to audits of his department. This is not in any way meant as criticism of the current Director. Nevertheless, having the Director sit on a Civilian board could create the appearance that the Review Board is not independent, which would compromise its ability to function. Also, having authority regarding audits of the Director's own Department can be construed as a conflict of interest.

I am also concerned about lack of clarity in the sections relating to appointment of other members. I am personally familiar with two of the organizations listed, The University of Orange and the HUUB. I drafted the University of Orange's 501(c)(3) application, and have participated in activities sponsored by that organization and the HUUB. The latter organization is a program affiliated with the First Unitarian Universalist Church of Essex County, where my husband served as minister for nine years. Both organizations do good work and contribute substantially to the Orange Community. But it is not at all clear that the requirements for being a "member in good standing," to the extent they can be determined, have any bearing on qualification to serve on a Civilian Review Board. Too, while I have nothing but the highest esteem for First UU (as a lifelong Unitarian-Universalist and a clergy spouse), I must note that creating the appearance of favoring one particular church or denomination raises possible First Amendment issues regarding separation of church and state.

Finally, a drafted, the ordinance appears to designate as organizations responsible for designating Review Board member's entities or categories that are not in fact organizations.

The creation of a Civilian Review Board is an important action. The enabling legislation deserves more careful drafting.

Thank you for considering my comments.

REV. DR. ANTHONY JOHNSON

Civilian police review board Scheduled for a second vote on July 8 is legislation to establish a civilian police review board. The legislation's faults include the inclusion of the police director on the board and insufficiently clarity about stakeholder groups as a source of members or nomination of members. This legislation needs to be deferred to a time when a full public discussion of its merits can be held.

As someone with experience in police/community relations, I would be pleased to speak to the council.

ALEXIS DUNBAR

Subject: Black Live Matter

Considering the current climate, the Black Lives Matter movement, and the push for reform in the way our communities are policed, I urge you to come up with a plan that not only defunds the police but create prevention programs to save our youths.

The days of status quo are over, this is a time for real change, our budget cannot and should not look like it did for the last five years, it should reflect real change. We need more innovative thinkers in our mix, we need listeners and we need to remove the self-interest. This is not a City Council sensitivity test but a test as to how we move forward in the best interest of Orange and the future of our children.

Awaiting your ideas.

MEMBERS OF THE SEVEN OAKS SOCIETY

Kerry Paul; Jamar & Leonor Young; Sharae Ira Griffith; Alexandra Laureore; Barry Hill; Angel Ortega; Samantha Crockett; Timothy Ware; Aquil and Thyana L. Jannah; Katie & Tom Pogue; Shaqueena Sampson and Andy Mulgrave; Zonasha and James Ward; Alison Broadbent; Kerry and Filana Paul and Jacqueline Allen,

As a tax-paying citizen in the Township of Orange New Jersey, please acknowledge and reply to our community's collective concerns in regard to our town's safety and the exorbitant budget.

I urge the city and city council to consider either a 0% increase in our budget or a reduction of taxes. Instead of increasing the budget, please reprogram and find ways to work within the current budget numbers like many of us have had to do this year (including the school district and schools that I work for).

Last year, there was a large tax increase that caused myself and many of our neighbors to either refinance or make serious cuts. Due to COVID, my current company is not giving anyone a raise and many of my neighbors are in the same position or out of work. We must find ways to eliminate excess spending.

Below are our questions:

Township Traffic / Speeding / Signage

- a) Regarding the Flashing lights on Heywood Ave. & Mosswood Ave: in order to curb the issue with speeding, we suggest that the Township make the lights RED at all sides in order to create a 4-way stop. (e.g. Similar to South Orange at the intersection of Montrose Ave & Vose Ave). If the speeding persists, we should move to replace the lights with physical 4-way stop signs. Is this possible, and if not why?
- b) Regarding the speeding on Heywood Ave: in order to create safety around the Heywood Ave Elementary school, we have long suggested there be an officer placed at the top of the hill on Berkley Ave & Heywood Ave just as there is one at the intersection of Scotland Ave & Heywood Ave. That would curb the speeding and frequent U-turns that make it unsafe to drop off/ retrieve children. When can we make this possible?
- c) We suggest a formal letter be sent to the Berkley Tennis Club Association (located on 311 Tremont Place) to address the members speeding on one side of the street in order to enter the facility. Would this be the proper protocol, and if not, what would you suggest?

- d) Can the Council also address the lack of proper soil retention of the clay courts at the Berkley Tennis Club Association (located on 311 Tremont Place). (e.g. when it rains the streets become red with clay that is not properly retained.)
- e) We suggest that there be adequate speed signage on Heywood Ave (btw Center Street & Berkley Ave) to reinforce the speed limit. We are aware that there are funds budgeted for city signage so when will this aforementioned issue be addressed?

Township Budget from the Mayors Recommended Budget Calendar 2020

- I. Can the council or Department of Administration provide the Citizens of Orange transparency concerning the written Regulations for the Towns “reprogramming” the budget line items?
 - i) What is the approval process for reprogramming each budget line item? (e.g. can 1k be moved without an administrative approval)
 - ii) Are there metrics available for who does the oversight of the Townships reprogramming? By Whom? Who does the reprogramming the most? Which Department request the most reprogrammed funds?
 - a) Can there be more clarification on the library’s requested budget increase (e.g. 100k for books, magazines, and CDs)? Instead of having just a hard \$ amount, there should also be an amount column showing how many items were purchased / \$ amount.
 - b) Can the council please explain and provide details surrounding the line item of \$946,000.00 for Maintenance of Free Public Library? How will this money be allocated? We are aware that the government gave a 2.5-million-dollar grant to the Library for Hurricane Sandy relief. We have yet to see that money at work, so we are concerned that you are asking for an additional \$1,370,19.72 (total Library Budget, not including the 2.5 million grant). How does this new budget reflect the effects of the COVID-19 pandemic?
 - c) Please explain the “Other expenses” category for the Business Administrator’s office budget of \$780.00. What are the “others”?
 - d) Can the council please explain the 20% increase to the police budget? Due to the impact of COVID, how can we justify an increase in hiring and salary? We have noticed that multiple departments have requested more funds for salaries and wages. Conversely, many residents of Orange have been furloughed, laid off and/or had their wages frozen. Why can’t our township follow our Mayor’s instruction to “Do more with less”?
 - e) Can the council please further explain the \$2,680,000.00 for the Police Department- salaries and Wages- CAP Waiver?
 - f) Can the council please provide a report, which was requested by the previous Council President during a budget meeting, on the achievements (e.g. jobs provided or have been filled and how many have been helped) by the Community Service Aide/ Re-Entry Coordinator that was employed 4 months ago with a salary of \$75,000.00? This position was not publicly posted, as legally required, but was appointed by the Mayor. The citizens agree with the previous Council President, that providing a report would help us understand the efficacy of this added cost.
 - g) There was a mentioned plan to move civilian duties, including positions such as crossing guards, out of the police department's budget. Civilian duties should be a separate department in order to lend transparency to the operating costs of the police department. Will this be done?
 - h) Can the council please explain why is there a \$450,000.00 request for Fleet management under the Department of Fire? This request should be FROZEN, due to our current health & financial crisis.

- i) Can the council please explain why the Emergency Authorization for the Ian Betz case at the sum of \$1,510,000.00 is the town taxpayer's responsibility?
- j) Can the council please explain what is the Emergency Authorization for Health Benefits at the sum of \$300,000.00 and what is the purpose of it?
- k) Can the council please explain why under the Department of Community Services there was a salary increase while personnel who are slated for retirement has not left and is still collecting wages?
- l) Can the council please explain why under Recreation: there is an increase in salary and headcount, but no increase in programming. Please explain how this is possible.
- m) With energy usage being down, can the council please justify the increase in energy cost at \$440,000.00?
- n) Can the council please explain why under Loan payments for Principal and Interest (Listed as Debt Services for the City listed at \$2,242,939.00); What is the remaining balance on all the bonds listed and when do they end?

Community questions regarding the South Ward

- a) Regarding the Easement in between Haxtun Ave and Mosswood Ave. We suggest there be official city signs for the private easement. (An easement is defined as a right to cross or otherwise use someone else's land for a specified purpose.)
- b) Is the aforementioned easement, Does the city regard this space as public or private? Also, where does the responsibility for maintenance lay?
- c) Concerning home flipping construction projects: the city needs to provide more oversight, through Planning / Historic Commission. Additionally, there is non-permitted work occurring during non-permitted hours and there are changes being done to many homes character and landscaping without regard to existing ordinances.
- d) Current Tax appeals have not been processed due to Covid-19 shutdowns. Please provide guidance to the citizens how are currently seeking an appeal.
- e) As per the 2018 Master Plan the Historic Commission has the power to provide a Historic district tax abatement for landmarks and districts (2018 Master Plan-pg165), how does the council plan to move forward with providing the commission with the power and authority to execute these abatements?

Community questions regarding Noise / Crime

Why has the 10 pm city ordinance not been properly enforced? There are at least two properties on the corner of Heywood and South Center Street that have consistently been a source of violations. Since these issues have remained unresolved for years, it has become an unsafe situation. I have personally shown up at public meetings and have expressed the problem to multiple council members. There needs to be a more vigilant approach to enforce 10 pm curfew. When I have attempted to rectify the situation, but it has not ceased. In the process, I have been called multiple derogatory epithets and contacted the police to no avail.

737 South Center Street - July 5th - I called the police station at 10 pm - spoke to a supervisor - as this went on well past midnight still no one had come to shut it down

I.Video is available for your reference

General community questions

- a) Is there a way to increase library access through programming and community outreach? Further, do we track library utilization and measure which services are being most frequently used?

- b) Can the council please advise which Ward generates the most revenue for the township? And why is it that not reflected in the services that the respective ward's receives (e.g. road paving, signage, recreational options etc.)
- c) For the Police Department: we are requesting an immediate decrease and for funds to be allocated to early intervention programs. Black Lives should also matter in the Township of Orange.
- d) We suggest the council looks into mandating home flippers / Real-estate investors to pass along tax abatements to the new homeowners to aide in the unforeseen property tax increase.

* We are eager and available to assist the Council and the Township with Moving Orange Forward, and we want to continue to be supportive of our town by becoming informed, getting involved, and conducting meaningful conversations with set boundaries.