

**CITIZEN'S COMMENTS**  
**MUNICIPAL COUNCIL MEETING**  
**SEPTEMBER 15, 2020**

**JEFF FELDS**  
[hardwaredad@aol.com](mailto:hardwaredad@aol.com)

**Conference Meeting**

1. Will the Main Street Project Slide Deck be posted on an official public website?
2. What are the estimated costs of this Main Street Project?
3. From what sources will this Main Street Project be funded? Grant monies? Bond Proceeds? Surplus?
4. Who is Bright View Engineering?
5. Have they done any prior projects in the City of Orange Township?
6. Is Bright View Engineering related to or affiliated to any entity that did or is currently doing work for the City of Orange Township?

**August 2020 OPRA Report**

7. Of the 26 pending and open August 2020 OPRA Requests, who are the requestors?
8. Of the 26 pending and open August 2020 OPRA Requests, what departments or boards have delayed production?
9. What was the average August 2020 OPRA response time?
10. How many days did it take to produce requested documents relating to the August 26, 2020 virtual planning board meeting to Attorney Feld?
11. How many CY 2019 and CY 2020 OPRA Requests remain open and pending?
12. Did Orange receive any additional federal document subpoenas or informal requests via defense counsel in CY 2019 and CY 2020?
13. If so, what were their dates of issuance/requests and receipt by Orange's record custodian or special outside defense counsel?
14. Which in-house city attorney disobeyed the Feld XX written order directing the City of Orange Township to disclose the date of issuance and receipt of all CY 2018 federal subpoenas?

**New and Amended Virtual Meeting Citizens Comments Restrictions and Limitations**

15. When and why did the citizens comments virtual meeting limitations caption change since the last September 1, 2020 virtual meeting?
16. Why were 3 minutes oral citizens' comments eliminated?
17. Under what authority can the local governing body unilaterally remove a 3 minutes oral comment provision without providing stakeholders reasonable notice and an opportunity to be heard prior to instituting these new political free speech restraints?
18. Who issued the written legal opinion as to the validity of this unilateral post September 1, 2020 prior restraint on virtual political free speech?
19. What was the cause for this stealth new and amended post September 1, 2020 virtual meeting citizens' comment policy and procedure?
20. Was this new and amended post September 1, 2020 virtual meeting citizens' comment based upon some other template or public guidance?

21. Other than the City of Orange Township, how many other municipalities filter written comments and questions through a local elected official and not the tenured municipal clerk?
22. Does the City of Orange Township's D & O policy and administrative code indemnification provisions cover reckless and intentional constitutional and civil rights violations?

### **Ordinances Second Reading**

#### **Amended Main Street Business Hours Ord 30-2020 (sponsored by Councilperson Eason)**

23. Will the procedural legislative history of this amended ordinance be set forth on the face of the amended ordinance? I reserve my rights until the official second reading public hearing on this amended ordinance.

### **Resolutions**

#### **CY 2019 Nunc Pro Tunc Special Outside Counsel Cap Increase Res. 367- & 368-2020**

24. Why the sudden urgent need for these two \$1,500 and \$20,000 CY 2019 nunc pro tunc resolutions?
25. Were these increased CY 2019 professional fees included in the amended CY 2020 Budget?

#### **City Council Quarterly Newsletter Res. 374-2020**

26. Why the sudden urgency for this quarterly newsletter resolution?
27. Was this expense included in the amended CY 2020 Budget?

### **Bill List Res 378-2020**

28. When did Attorney Aaron Mizrahi become a city employee? PO 20—01445
29. In what department? With what compensation?
30. What is Attorney Aaron Mizrahi's historical history and relationship with Mayor Dwayne D. Warren Esq and Avram White?
31. Can the law partner of a planning board member act as counsel for that planning board?
32. Can the law partner of the mayor be employed by Orange without the express consent of the local governing body?
33. What are the consequences of this disqualifying conflict of interest?
34. How much have we paid Gluck Walworth in connection with RPM Litigation? PO 20-00726
35. What are the docket numbers for this RPM Litigation?
36. Do any of the allegations mirror the allegations asserted by Attorney Feld but rejected by Mayor Warren and Orange's special outside defense counsel?
37. When will the CY 2019 Audit be delivered and posted on a public website? PO 20-00324
38. Who received DCA training? PO 20-01429
39. For whom did our special outside budget consultant perform professional services: the Township's executive or legislative branches. PO 20-00196

### **Tax Sale Certificate Cancellation Res. 381-2020**

40. Why the urgency in this resolution?
41. How much does Orange need to pay the cancelled tax lien holder?
42. Who approved the inclusion of this tax lien in the accelerated CY 2019 tax lien sale?
43. What tax assessor improperly applied the short term tax exemption laws here?

44. Is there a written policy and procedure for contesting and abating contested tax liens outside the judicial process?
45. Who determines what liens are subject to this out-of-court tax lien resolution process?
46. Was my family denied equal access to this out-of-court tax lien resolution process?
47. Under Mr. Mapp's watch, how many entities were granted five years short term tax exemptions by Orange?
48. Under Mr. Mapp's watch, how many entities failed to make yearly and increasing five year short term tax exemption payments to Orange?
49. Under Mr. Mapp's watch, how much short term tax exemption revenues does Orange owe the County?

### **One Year Suez Water Management Contract Extension Res. 382-2020**

50. How much has the base contract increased since February 9, 2018?
51. Did the local governing body hold a special meeting in January 2018 to amend Res 424-2017?
52. Didn't our BA have to rescue Attorney Montilus and to explain the January 2018 amendments to a contract approved at the last meeting in CY 2017?
53. If so, why isn't this fact disclosed in the body of Res 381-2020?
54. In January 2018, didn't Council president Coley request and Suez agree to provide reports to the local governing body?
55. Did Attorney Montilus attempt to conceal his pre July 1, 2018 additional water/sewer compensation from me pursuant to OPRA? See Feld XX (ESX-L-0220-19) (June 28, 2019 correspondence)..
56. Did Attorney Montilus attempt to conceal from stakeholders the perilous financial, working wells and environmental protection notices situation involving Orange's water/sewer utility?
57. Was the water/sewer utility self-liquidating in CY 2016 and CY 2018?

### **Non-Agenda Matters**

#### **Legislative Body Special Conflicts Counsel**

58. Why does the local governing body need a special conflicts counsel?
59. How does this position differ from the duties and obligations of the legislative research officer?
60. Who drafted the posted RFP?
61. Does the position of local governing body special conflicts counsel need to be created by ordinance?
62. Were monies appropriated and included in the amended CY 2020 Budget for this local governing body special conflicts counsel?
63. Why the sudden urgency for this legislative body special conflicts counsel?
64. Did local public officials and outside professionals conspire to impair, to abridge and to restrict my family's access to the judicial system?
65. Did local public officials and outside professionals conspire to impugn and to impair my professional competence, integrity and reputation by issuing patently false frivolous litigation press releases?
66. Did local public officials conspire to boycott, to support our business competitors and to drive my family out of Orange?

67. Did Orange breach its February 7, 2018 agreement with the Appellate Division and Attorney Feld to present a \$20,000 Feld V settlement agreement negotiated by the BA and former city attorney Pennington to the local governing body for approval?

**Walk-On Tax Abatement Res 364-2020 adopted Sept. 1, 2020**

68. Why the delay in posting a non-emergent walk-on Res 364-2020 whose notice of adoption was published in the Star Ledger?
69. Why is Orange waiving the payment of outstanding taxes and water charges?
70. Who benefitted from this waiver? The owner? The purchasing redeveloper? Local taxpayers? Breach of Fiduciary Duties
71. After being sworn into office on July 1, 2020, did Councilperson Cliff Ross resign from the local housing authority board?
72. If so, when?
73. If not, under what authority or written opinion?
74. Does the local housing authority owe any monies to the City?
75. If so, how much?
76. When will the local housing authority be compelled to post its FY 2018 and FY 2019 Audits on a public website?
77. What is the status of Feld X per se disqualifying conflict of interest Walter G. Alexander Phase III “fairness” report?
78. When was this Feld X “fairness” report initially due?
79. Why the delay in producing this Feld X “fairness” report?
80. What is the status of the Lincoln Avenue former police station private sale?
81. What is the status of the Rossi Paints renovation of the former Bank of America site?
82. Why the delay in producing closing documents relating to the acquisition and transfer of the former Bank of America property?
83. If a complaint is filed within a twenty days statutory estoppel period, who bears the risk of loss and how can counsel deliver a clean transactional opinion?
84. When was the last time, the local governing body received a monthly revenue and operating report?
85. Under Mr. Mapp’s watch, how much long term tax exemption revenues does Orange owe the County?
86. Since the introduction of the CY 2020 Budget, has the City hired any new full or part time employees?
87. If so, how many? Their names? Their Departments? Their Compensation?
88. What current councilmembers voted in favor of a certain walk-on \$350,000 contract resolution approved without any public comment after a closed executive session and the subject of a certain federal indictment announced on August 19, 2020?
89. Would the City of Orange Township qualify as an “overburdened community” under new State environmental law?
90. Did Orange have a relationship with Powell Capital Markets, Inc?
91. If so, what was the nature of this relationship?
92. If so, when did this relationship terminate?

**CHARLIE WIRENE**

**Managing Director of The HUUB at the First Unitarian Universalist Church of Essex County, 35-47 Cleveland St, Orange, NJ, 07050**

[charlie@oranehuub.org](mailto:charlie@oranehuub.org)

To the City of Orange Township Administration and City Council,

The First Unitarian Universalist Church of Essex County was founded on Cleveland St in 1890, and has been an institution in Orange for 130 years. Over the past five years, through The HUUB, First UU's growing urban ministry, we have cultivated relationships across the city, developed community based programs, and invested significantly in repairs and improvements to our properties to make them more useful spaces for our neighbors. We are home to four small churches, four community based organizations, and a handful of resident groups. We serve Orange residents from all four wards and across its diverse cultural groups. The HUUB and First UU are a beloved community space for countless Orange residents and community members.

As active community members we are disheartened and disappointed at the lack of communication about these plans to the properties in the redevelopment area. To date we have received one letter after the plan was being made. We are deeply concerned that this plan is punitive to people trying to maintain older buildings and those struggling economically in these times.

We have three questions:

1. We received notice in June about a presentation of this study at the planning board meeting, but the notice arrived too late for us to attend. We have also been witness to other plans being memorialized by the planning board, and have seen that questions and concerns raised are completely disregarded by both the Nishuane Group, the Planning Board, and the Administration. Do council members feel comfortable that there has been adequate community engagement when at every council meeting and every planning board meeting there are residents and property owners saying they have received little to no communication, and that there has been no attempt at truly engaging the community in these studies?
2. We've been told churches and community centers have been included in study areas for the "benefit" that can be derived from the process for these entities. We have yet to hear a clear articulation of what these benefits may be. What are the benefits associated with being included in this plan as a church and community center? What assurances are you offering that this isn't a stepping stone towards a plan with condemnation?
3. In the current economic climate, greatly exacerbated by the conditions of COVID-19, we question the validity of both the Master Plan and subsequent neighborhood plans' reliance on chain/franchise brick and mortar retailers as a cornerstone for local economic development. Does the City Council or Business Administrator have any plans to offer support to existing small businesses and residents?