

**CITIZEN'S COMMENTS**  
**MUNICIPAL COUNCIL MEETING**  
**OCTOBER 6, 2020**

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**Preliminary Non-Agenda Item Questions**

1. What civic participation rules govern this October 6, 2020 virtual meeting?
2. When and where were these new civic participation rules posted or advertised prior to this meeting?
3. Who drafted these new virtual civic participation rules and procedures?
4. What is the status of the CY 2020 Audit?
5. What was the statutory or Best Practices filing deadline for the CY 2020 Audit?
6. When do you expect the CY 2020 Best Practices Inventory Responses to be posted on a public website?
7. When do you anticipate holding a public hearing on Orange's CY 2020 Best Practices Inventory Responses?
8. Has Orange enacted an anti-nepotism policy?
9. What is the status of the promised Long Term Tax Exemption Policy and Procedure Ordinance?
10. What is the status of the July and August 2020 monthly operating and revenue reports?
11. What is the status of the accounting of all long term tax exemption revenues due and owing the County?
12. What is the status of the accounting of all short term tax exemption revenues not collected by Orange due to the blanket waiver and the lack of increasing staged payments?
13. What is the status of the written legal opinions regarding the validity of all pre-October 6, 2020 virtual meetings' civic participation restrictions and limitations?
14. What is the status of the written legal opinion or memorandum regarding the validity and adverse consequences of a mayor's current or former law partner acting as the local planning board attorney at the August 26, 2020 planning board meeting during which the mayor was present and acting in a quasi-judicial function?
15. When did Attorney Aaron Mizrahi become a city employee?
16. What is the status of the written legal opinion or memorandum regarding a city councilperson simultaneously serving in an official (and not liaison or ex officio) capacity on the local housing authority?
17. Has Councilperson Ross availed himself to an advisory ethical opinion from the State Division of Local Government Services?
18. Have the two newly elected council members attended any basic local government seminars regarding their new statutory and common law fiduciary councilperson duties and obligations?
19. What is the status of Feld XIX defendants' outstanding discovery responses?
20. What is the adverse consequences of a public official asserting his or her Fifth Amendment right against self-incrimination?
21. Why the delay in posting the October 6, 2020 Agenda Packet on Orange's official public website?
22. What is the status of Orange's current water/sewer utility capacity?
23. Without interconnections with other water utilities, can Orange meet its current water/sewer needs?
24. Without interconnections with other water utilities, can Orange meet its projected increased redevelopment needs?
25. Were the costs of all CY 2020 interconnections included within the adopted CY 2020 Budget?
26. Who reviewed and approved all items contained in the Agenda Packet prior to their submission to the entire local governing body and posting on a public website?

27. Who ensured that all municipal legislation bore the form, sufficiency and legality approval signature of an attorney?
28. Who ensured that all availability of funds certifications bore the signature of a department head?
29. Who reviews the work product of all in-house and special outside counsel?
30. Did Orange transcend the boundaries of legitimate legal advocacy by failing to deliver certain material documents to its Feld X Walter G. Alexander Phase III “fairness” expert?
31. When will Orange post its Feld X Walter G. Alexander Phase III “fairness” report on a public website?
32. Why does this “fairness” report omit any discussion of NJHMFA long term tax exemptions?
33. In the original Walter G. Alexander 3 Phase Redevelopment Agreement dated September 30, 2009, did the redeveloper promise a market rate phase?
34. On July 1, 2012, did Willis Edwards III confront Attorney Feld about his refusal to buy a table at Mayor Dwayne D. Warren’s initial inauguration ball?
35. Shortly after July 1, 2012, were all pre-July 1, 2012 city council meeting videos removed and scrubbed from Orange’s official public website?
36. In or about November 2012, did Willis Edwards III unilaterally reject out-of-hand a \$1,000 Feld V OPRA settlement negotiated by Judge Rachel Davidson?
37. Today, how many federal cooperating witnesses are embedded in Orange City Hall?
38. Is the October 6, 2020 Agenda an official misconduct entrapment ruse?

### **Ordinances - Second Reading**

#### **Amended Main Street Commercial Hours of Operation Ord. 30-2020 (Sponsored by Councilperson Eason)**

39. Is the mayor a member of “Mayors for Main Street”?
40. Has the Warren Administration signed off on this proposed business hours ordinance?
41. With whom did Councilperson Eason vet this proposed Main Street business hour’s ordinance prior to its introduction?
42. Has the local chamber of commerce signed off on this proposed business hours ordinance?
43. Does this proposed ordinance unfairly aid competing businesses located in other parts of the City?
44. In this pandemic, is it prudent to impose any additional restrictions on property and small business owners?

#### **Police Chief Ord. 39-2020 Fire Chief Ord. 42-2020**

45. Is there a current civil service list for these police and fire chief positions?
46. When do these civil services lists lapse or expire?
47. What criteria will be used to select the chiefs?
48. Will the selection of chiefs be subject to the advice and consent of the local governing body?
49. Will the appointment of the new police and fire chiefs become effective during this CY 2020 Budget Period?
50. What is the purpose and need for these para-military chief creation ordinances?
51. What will be the functions of these chief positions?
52. Did we ever have police and fire chiefs?
53. Is so, why were those positions eliminated?
54. Are these two ordinances premised upon the consolidation of the fire and police director positions?
55. Did Orange pledge to the State this financial structural reform?
56. What steps has Orange taken to consolidate the fire and police director positions?
57. What are the anticipated cost savings from these chief creation ordinances?

**Non-Uniform Employee Salaries & Classification Ord. 43-2020**

- 58. Why the sudden urgency for these salary increases during a pandemic?
- 59. When was the last time the local governing body approved base range salary increases?
- 60. In what CY Budget, will these increases be included?
- 61. What is the anticipated increase in salaries, pension and other related costs?
- 62. Is there a 4 columns chart tracing the increases?
- 63. Were any new positions created?
- 64. Is there a chart showing who currently serves in these positions?

**Ordinances - First Reading**

**Post Amending Master Plan Repealing & Supplementing Development Regulations Ord. 48-2020**

- 65. Who drafted this Ordinance?
- 66. Does the Caption and Body of the Ordinance state what is occurring therein?
- 67. Do the amending and superseding post amended master plan Chapter 210 development regulations need the written input of Orange's two local land use boards prior to second reading?
- 68. Why the delay in approving these amending and superseding post amending master plan Chapter 210 development regulations?
- 69. Is there a blacklined draft highlighting the drafting changes?
- 70. What outside law firm reviewed and approved these amending and superseding post master plan Chapter 210 development regulations?
- 71. For properties located within a duly designated redevelopment area, when is a redevelopment agreement or redeveloper designation required?
- 72. After the last August 2020 planning board meeting and CY 2020 federal indictments and guilty pleas, what weight should be afforded to the Nishuane Group work product?
- 73. Does this new ordinance remove the obligation to obtain a net benefits fiscal impact study during the planning board process?

**Emergency Virtual Meeting Civic Participation Ord. 49-2020 (Sponsored by Councilpersons Wooten and Summers-Johnson)**

- 74. Who drafted this post LFN 2020-21 virtual civic participation ordinance?
- 75. Who determined to reduce all agenda item and non-agenda public oral comments from five to three minutes?
- 76. Will written questions still be shared and posted on a public website prior to the meetings?
- 77. Who determined not to impose a reasonable written response time to the proposed curative civic participation ordinance?

**Resolutions**

**\$15,000 Amending & Increasing Legislative Research Officer Retention Res. 386- 2020**

- 78. Why the urgent need for this \$15,000 increase?
- 79. What unexpected ala carte costs were incurred?
- 80. From what line item is this \$15,000 increase being funded?
- 81. What added value does the legislative research officer provide Orange taxpayers?
- 82. Did the legislative research officer ever question the validity of wrongful action taken by Orange?
- 83. Has our current municipal attorney delivered a legal opinion or memorandum as to the validity of the legislative research officer position under State law?

**Ord. 40-2020 Immediate Effectiveness Res. 390-2020**

84. Is a State filing deadline a public health, safety and welfare emergency sufficient to waive ordinary effective date rules?
85. Has any tribunal ruled on this issue?
86. Why do the financial “gun to our heads” needs of a redeveloper always trump the needs of the public?
87. Has this redeveloper acquired and assembled all the properties portrayed in the drawings presented at the August 26, 2020 planning board meeting?
88. Does this resolution trump the statutory 20 days estoppel and court rule 45 days imitations of actions?

**Bright View Engineering \$100,000 Citywide Parking Study Res. 393-2020**

89. Did Orange receive any other city-wide parking study proposals?
90. From what line item is this citywide parking study being funded?
91. Why the sudden need for this city-wide parking study?
92. Wasn't a study conducted in connection with the amended master plan?
93. Didn't Chris Mobley conduct an internal city-wide parking study in connection with drafting a city wide parking plan?
94. Is this another artifice and device to create a parking authority?
95. Do any of the Bright View Engineering employees have connections to Pennoni?

**\$15,000 Stanziale Retention Res. 395-2020**

96. What are the allegations against our BA in this matter?
97. Does this matter have a New Jersey Superior Court Docket Number?
98. Why can't this matter be handled by in-house city attorneys?
99. Were similar professional ethical allegations made by Orange against Attorney Feld rejected by the Essex County Civil Presiding Judge in the remanded Feld X?

**RPM Long Term Tax Exemption Settlement Agreement Res. 396-2020**

100. Who drafted this resolution and confidential settlement agreement?
101. Why does the confidential settlement agreement fail to specify under what statute future long term tax exemptions will be granted to RPM related non-urban renewal entities?
102. If this settlement agreement were confidential, why was it posted on a public website?
103. What were the allegations in the two lawsuits?
104. Did Orange prevail in its appeal and mediation?
105. When was Orange's lawsuit restored to the active civil docket?
106. How much has Orange expended prosecuting and defending these non-Feld matters?
107. Since the commencement of these lawsuits, how much additional long term tax exemption revenues and water/sewer utility charges has RPM related entities paid Orange?
108. Why is it in Orange's best interest to accept this proposed settlement?
109. Is Orange waiving and releasing all claims relating to the \$1.00 private sales of real property to RPM?
110. Is Orange waiving and releasing all claims relating to the restructuring of the RPM Tony Galento Transit Village fair market private sale to a long term ground lease?
111. Is Orange waiving and releasing all claims relating to all post April 17, 1992 RPM related NJHMFA long term tax exemption transactions with non-urban renewal entities, with no increasing staged payments and without net benefits fiscal impact studies?
112. Does this settlement preclude all stakeholders from contesting any post April 17, 1992 RPM related

NJHMFA long term tax exemption transaction with a non-urban renewal entity and without a net benefits fiscal impact study?

113. Does this settlement preclude all stakeholders from contesting the less than 10% of revenues to be received by Orange under this proposed settlement?
114. If certain RPM properties are located in a duly designated redevelopment area, will RPM related entities be required to obtain redeveloper designations and redevelopment agreements for their contemplated projects?
115. Did Orange conspire with RPM to bar Attorney Feld and his family's access to the judicial system?
116. Did Orange conspire with RPM by not objecting to the RPM II retaliatory SLAPP Suit filed against Attorney Feld?
117. Of the RPM transactions being settled, which RPM transactions occurred under the July 1, 2012-December 31, 2015 watch of Willis Edwards III?
118. After the arrival of our BA in August 2016 and the replacement of former special outside redevelopment counsel (McManimon Scotland & Baumann), did Orange adopt and prevail on Attorney Feld's constitutional land tax credit analysis?
119. After the arrival of our BA in August 2016 and the replacement of former special outside redevelopment counsel (McManimon, Scotland & Baumann), did our BA and former city attorney concur with Attorney Feld's Orange Park/Oakwood Towers discharge of NJHMFA long term tax exemption analysis?
120. After the arrival of our BA in August 2016 and the replacement of former special outside redevelopment counsel (McManimon, Scotland & Baumann), did our BA and former city attorney concur with Attorney Feld about the need for a supporting long term tax exemption net benefits fiscal study?
121. After the arrival of our BA in August 2016 and the replacement of former special outside redevelopment counsel (McManimon Scotland & Baumann), did our BA and former city attorney agree with Attorney Feld that the NJHMFA long term tax exemption was repealed and replaced effective April 17, 1992?
122. Did Orange/s special outside defense counsel (Attorney Aldo J. Russo) admit in open court his lack of long term tax exemption/redevelopment law expertise?
123. Has any tribunal ruled upon the validity of any NJHMFA long term long term tax exemption legislation enacted in CY 2020?

#### **Bright View Engineering \$350,000 Main Streetscape & Traffic Control Res. 397- 2020**

124. Was this August 2020 proposal included in the last meeting streetscape presentation?
125. Did the local governing body receive a streetscape presentation prior to the submission of a \$5,300,000 qualified bonds infrastructure application to the Local Finance Board?
126. In the last 15 years, how much has Orange expended in Central Avenue and Main Street streetscape projects?
127. How much will Orange be spending on the Main Street streetscape project ripping out and replacing prior streetscape work?
128. Will all below street water/sewer infrastructure improvements and repairs be made prior to the repaving of Main Street?

#### **RFP for Special Outside Counsel to Sue Attorney Feld Authorization Res. 401-2020**

129. Who authorized the drafting of this RFP authorization resolution?
130. Did the BA approve this RFP authorization resolution?
131. Did the BA and the prior city attorney negotiate a global settlement with Attorney Feld subject to the approval of the mayor and the local governing body?
132. On February 7, 2018, did Orange represent to the Appellate Division the settlement of Feld V subject to the approval of the local governing body?

133. Is it the prerogative of the Administrative Executive Branch to prepare and to advertise a RFP without the prior consent of the legislative local governing body?
134. Is it the legislative prerogative of the local governing body to approve the retention of special outside litigation counsel to prosecute any action against Attorney Feld?
135. Who drafted this RFP authorization resolution?
136. Who approved the form, sufficiency and legality of this RFP authorization resolution?
137. Prior to drafting and approving this RFP authorization resolution, were all Feld related pleadings, briefs, transcripts, exhibits (**including a filed Feld VI ratification of actions and future authorization of actions**), depositions, certifications, orders, opinions, appellate records and emails reviewed?
138. Is there a substantive distinction between a dismissal on the merits and a dismissal for lack of standing or mootness?
139. Why were Feld V, Feld IX, Feld XIV, RPM II and Feld XX omitted from the body of the resolution?
140. By approving this resolution, could Section 1983 or New Jersey Civil Rights Act violations liabilities attach to members of the local governing body, individually and in their official capacity?
141. Why can't these allegations be handled by in-house attorneys in the context of the three pending Feld related matters: Feld X, Feld XIX or Feld XX?
142. Since his appointment as city attorney in CY 2018, has City Attorney Montilus refused to meet face-to-face with Attorney Feld?
143. Is this a political artifice and device to deflect attention from the ongoing federal investigation of Orange, Judge Christine Farrington's February 2016 harsh willful disobedience finding against our mayor, the just filed Feld X Walter G. Alexander Phase III "fairness" report, the outstanding Feld XIX discovery requests and the Feld XX admissions against interests?
144. Is this RFP authorization resolution further evidence of a pattern of abusive behavior by our mayor and his loyalists to attack the character, integrity and competence of dissenting parties?
145. Do certain Feld XIX related defendants need to recuse themselves from voting on this RFP authorization resolution?
146. Do certain former and current local housing authority commissioners need to recuse themselves from voting on this RFP authorization resolution?

**Post LFN 2020-21 Virtual Meeting Civic Participation Rescission Res. 403-2020**

147. Is this rescission resolution an admission against interest?
148. Do dissenting stakeholders have any colorable claims and causes of actions against the City Attorney, the City Clerk, the Legislative Research Officer and the Local Governing Body for violating their First Amendment Rights of political free speech?
149. What is the status of all contested municipal action approved without providing stakeholders an opportunity to speak orally on contested action?

**Bill List Res. 405-2020**

150. Why did the OPD require \$1,021.25 in Banker Boxes? PO 20-01433
151. What specific recent services did Lamb Kretzer provide in a closed action involving Attorney Feld's mother Judith? PO 20-00896.
152. What additional management advisory services did Lerch Vinci provide Orange? PO 20-00496
153. Does our mayor have an employment relationship with a municipality in which our outside labor counsel is the municipal attorney? PO 19-01069, PO 20-00156
154. Did Nishuane Group provide detailed monthly time summaries? PO 20-0145
155. Did Integra Realty provide written reports to Orange? PO 20-00560 In CY 2012, did an Integra Realty official speak at the Governor's Conference on Housing about long term tax exemption net benefits

fiscal impact studies?

156. Did a McCarter & English partner also speak on a CY 2012 panel regarding the need for a long term tax exemption net benefits fiscal impact study?

**B & O Urban Renewal LLC Redevelopment Agreement Res. 409-2020**

157. Does this redeveloper designation resolution revoke all prior approvals granted by the planning board to certain other related entities?
158. Does this redevelopment related resolution resolve the lack of proper notice issues relating to certain approvals granted by the local planning board to other related entities?
159. Does this redeveloper have to renew the planning board application process?
160. Who acted as counsel for B & O Urban Renewal LLC?
161. What circuit breakers failed to work here?

**Christopher Jackson Local Housing Authority Commissioner Appointment Res. 410-2020 (Sponsored by Councilperson Eason)**

162. When did Coram Rimes resign as a local housing authority commissioner?
163. Why did Coram Rimes resign as a local housing authority commissioner?
164. When did Coram Rimes become a local housing authority commissioner?
165. What metrics did Councilperson Eason use in her selection of a replacement?

**SEVEN OAKS SOCIETY, LLC**

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**Ordinance 42-2020:**

1. What is the problem we are looking to solve? Are we adding a Fire chief position or are we structuring the Fire chief duties of a position that is currently held?

**Ordinance 43.2020:**

2. Why the Council / Township of Orange not implemented salary has freezes as most have done during this pandemic?

**Ordinance-1st Reading**

**Ordinance 49-2020:**

3. Residents are being asked to submit questions via email by 12pm the previous day before the meeting, is it possible for the Resolutions to be posted 2 business days prior to a meeting, example Thursday at 12pm (two business days). Most these resolutions and supporting documents have over 63 pages. Thanks for making the change to have residents' comments read aloud during the meeting.

**Resolutions**

**Reso: 389-2020:**

4. What is the purpose/need for purchasing a Mini-bus? Is it for elder care? Is it to create a jitney system for Orange transportation? What other vehicles were compared? Was there an option to purchase pre-owned?

**Reso: 393-2020 - 397-2020:**

5. Bright View Engineering, has proven itself to be lacking in creativity and insight on the Main street redevelopment project, and has sparked a larger conversation about the reasons why we are doing the work on Main Street. It is clear they have not even walked down Main Street to review the existing historic value of buildings, monuments, and the previous historic glory of Main Street. During the review, with the Historic Preservation Commission, citizens were invited to join the already commenced process of reimagining Main Street. Bright View clearly does not know the correct process of conducting a citizen charette and, instead, asked that citizens essentially do their work for them. There is not enough time to thoroughly research, review, conceptualize and design a proper main street redevelopment. This process is being rushed; Bright View has neither competed for nor is completely qualified to perform this task, of a city- wide parking study as they have not performed for earlier non-competitive projects for phase I of the main street Plan. We ask not to move forward with Phase II of the Main street design, and not to continue non-fair / non-competitive bid process for projects of significance.

**Reso: 395-2020:**

6. Can this legal matter please be explained, Corringan V. Hartwyk?

**Reso: 402-2020:**

7. See figure 1A; Letter of Admonition-In the matter of Cassandra Corbett Docket No. 00-261. It seems this judge has had past violations that were rebuked by the Supreme Court of NJ. Were there any other options for this position?

**Figure: 1A – REF: Reso: 402-2020: (As per the Law Department figure 1A has been removed from the comments).**

**Reso: 404-2020:**

8. We request more clarity on this resolution: Was this amnesty provision developed in response to COVID? How much does the city anticipate will be lost by waiving the interest? Will single- family homeowners be eligible?

**Reso: 405-2020:**

9. We ask that the council please HOLD on approving this until a document can be provided to include Line item notes? Citizens would like to know if there are sufficient funds to cover these costs. Have these costs been evaluated as necessary especially due to budget losses due to COVID?

**Reso: 407-202:**

10. Why does our Township like to use unknown 3rd party companies with little known track records? Reputable options are Amazon web services (AWS), Azure, or Google web host solutions, where you would be billed on usage and set up fees are negotiables. Most 3rd party companies like these listed above are up-selling on the services of the major provides. Let us cut out the middle money! For a more effective use of our tax dollars.

**Reso: 409-2020:**

11. Has the BOE seen or approved this proposal? A mention of this proposal was on the district website however there is no finalized content. Is there a reason to not involve the BOE? Why the rush for a land grab?