

**CITIZEN'S COMMENTS
MUNICIPAL COUNCIL MEETING
NOVEMBER 16, 2020**

**JEFF FELDS – hardwaredad@aol.com
11 Alexander Lane, Short Hills NJ**

Preliminary Conference Meeting

1. Why the delay in holding a public hearing on Orange's CY 2020 Best Inventory Responses until after the November 3, 2020 elections?
2. When will Orange adopt an anti-nepotism policy and procedure?
3. How many current city employees would be impacted by this anti-nepotism policy and procedure, including the mayor's brother and the mayor's former and current law partners?
4. Why does Orange need public safety assistance?
5. What Best Practices Inventory Core Competencies and Circuit Breakers failed to warn and predict Orange's current CY 2020 Financial Emergency?
6. When did each councilperson learn of Orange's current CY 2020 financial predicament?
7. When will Orange's CY 2019 Audit be delivered and posted?
8. When will the local governing body (after providing all proper procedural due process notices) terminate Orange's relationship with certain department heads?

Regular Meeting Agenda OPRA

9. Do local elected officials have a constitutional, statutory and common law duty to respond to all pertinent second reading public hearing and agenda item related questions prior to taking official action?
10. Of the 41 pending and open October 2020 OPRA Requests, who are the requestors?
11. Of the 41 pending and open October 2020 OPRA Requests, what departments or boards have delayed production?
12. Have these departments and boards historically delayed production of government records pursuant to OPRA?
13. What is the status of the executed CY 2020 Nishuane Group retention agreement?
14. What is the status of all affidavits of title and closing statements delivered in connection with the Bank of America/Rossi Paints March 2019 acquisition transaction?
15. How many CY 2019 and CY 2020 OPRA Requests remain open and pending?
16. Did Orange receive any additional federal document subpoenas or requests for additional materials in CY 2019 and CY 2020?
17. If so, what were their dates of issuance and receipt by Orange's record custodian?
18. Why the delay in producing and posting the "notorious" Walk-On \$350,000 Contract Approval Res. 237-2015 adopted September 18, 2015, the availability of funds certification, the three requisitions for payment and the three issued checks?

**CY 2020 Financial Emergency Related
Water/Sewer Connection Fee Ord. 56-2020
\$5M Emergency Appropriation Ord 57-2020
Bill List Res 453-2020**

Bergen Health Care Benefits System Res 454-2020

\$5M Emergency Appropriation LFB Application Res. 456-2020

19. Will the local governing body take any official action before the December 16, 2020 Essex County Freeholders Meeting opposing any retroactive Essex County salary increases during this COVID 19 pandemic?
20. When will the mayor and the local governing body authorize our post July 2016 FBI raid of Orange's public library BA to take the structural reforms proposed and disclosed to the Local Finance Board in connection with Orange's CY 2017, CY 2018, CY 2019 and CY 2020 Surplus Invasion Applications?
21. When will the mayor and the local governing body authorize our post July 2016 FBI raid of Orange's public library BA to pursue all colorable claims and causes of actions against third parties, including former and current city employees, in-house attorneys and outside counsel?
22. When will the mayor and our post July 1, 2018 municipal attorney meet with me face-to-face to discuss all my pending claims and causes of actions against Orange?
23. What is the status of the accounting of all long term tax exemption revenues due and owing the County?
24. 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?
25. What is the status of the accounting of all monies due Orange from the HACO Thomas Boulevard Building?
26. What is the status of the private sale of the former Lincoln Avenue police station?
27. What is the status of the private sale of the former Orange Memorial Hospital Site?
28. What has been the one year soft carrying costs of this former hospital site?
29. Did the Local Finance Board approve the original issuance of the Orange Memorial Hospital Acquisition Indebtedness?
30. What is the status of the private sale of the former Orange YWCA and Rossi Paints site?
31. What is the status of the promised Long Term Tax Exemption Policy and Procedure Ordinance?
32. Prior to this Bill List, how many prior year unpaid bills are there? Florio & Kenny (PO 20-0368);
33. Will the local governing body take any official action upon proper notice terminating any director accountable for not disclosing earlier this financial state of emergency?
34. When will the CY 2019 Audit be delivered and posted upon a public website?
35. When will the offering statement approved at the last meeting be delivered and posted on a public website?
36. When will the Local Finance Board hold a public hearing on Orange's COVID 19 related CY 2020 Emergency Appropriation?
37. Why the one year delay until CY 2022 to commence the 5 Year amortization of the \$5M emergency appropriation?
38. How will this \$5M emergency appropriation be funded? Surplus? Public Note?
39. When did the local governing body learn of this looming CY 2020 Deficit?
40. What structural steps did the administration and local governing body take to stop the pre COVID 19 financial bleeding?

- 41.** Will the CY 2020 federal indictments and guilty pleas be disclosed in any CY 2020 offering statements?
- 42.** Is Orange's water/sewer utility currently self-liquidating?
- 43.** Was Orange's water/sewer utility self-liquidating in CY 2018 and CY 2019?
- 44.** What is the status of Orange's current water/sewer utility capacity?
- 45.** Without interconnections with other water utilities, can Orange meet its current water/sewer needs?
- 46.** Without interconnections with other water utilities, can Orange meet its projected increased redevelopment needs?
- 47.** Were the costs of all CY 2020 interconnections included within the adopted CY 2020 Budget? Repetitive Re-Occurring Not-Yet Answered Non-Agenda Item Questions
- 48.** What is the status of the written legal opinion or memorandum regarding the validity of holding an October 29, 2020 non-virtual heated tent planning board meeting on the contested Wawa application?
- 49.** What is the status of the written legal opinion or memorandum regarding whether the non-urban renewal entity NJHMFA long term tax exemption was repealed and replaced effective April 17, 1992?
- 50.** What is the status of the written legal opinions regarding the validity of all preOctober 6, 2020 virtual meetings' civic participation restrictions and limitations?
- 51.** 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, October 7, 2020 and October 29, 2020 planning board meetings during which the mayor was present and acting in a quasi-judicial function?
- 52.** What is the status of a written legal opinion or memorandum regarding whether the filing of a law suit within a 20 days estoppel period stays the effective date of an ordinance not subject to referendum challenge and who assumes the risk of loss during this period?
- 53.** 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?
- 54.** Did Orange's Feld I, Feld II, Feld III, Feld IV, Feld VI, Feld VIII, Feld X, Feld XI, Feld XII, Feld XIII, Feld XIV, Feld XV, Feld XVI, Feld XVII, Feld XVIII, Feld XX and RPM II special outside defense counsel admit in open court his lack of redevelopment/long term tax exemption law expertise and competency?
- 55.** Who appeared and argued on behalf of Orange at the February 7, 2018 omnibus extraordinary Appellate Division hearing, the Feld XVIII mootness dismissal hearing and the Feld XX OPRA production hearing?
- 56.** When and why did Attorney Kretzer distance himself from Attorney Russo and Orange?
- 57.** On July 1, 2012 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?
- 58.** When will Orange post its Feld X Walter G. Alexander Phase III "fairness" report on a public website?
- 59.** Does this "fairness" report discuss the extent of the economic injuries and harms inflicted by Orange and its taxpayers by this per se disqualifying conflict of interest?

60. Does this “fairness” report omit any discussion of non-urban renewal entity NJHMFA long term tax exemptions?
61. Does this “fairness” report omit all urban renewal entity long term tax exemptions approved under the watch of Christopher Hartwyk and special outside redevelopment counsel Gluck Walworth?
62. When did Attorney Aaron Mizrahi become a city employee and the deputy city attorney?
63. In February 2016, did Judge Christine Farrington find our mayor and Willis Edwards III to have willfully violated the law?
64. In October 2016, did the local governing body provide stakeholders reasonable notice and an opportunity to be heard prior to consideration and official confirmation action on the BA (Christopher Hartwyk), municipal attorney (Eric S. Pennington) and police director (Todd Warren)?
65. How many V-B-M ballots were mailed to Orange registered voters in connection with the November 3, 2020 elections?
66. As of Wednesday November 3, 2020, how many V-B-M ballots were returned? (voting yield)
67. What is the process of cleansing all “inactive voters” from the list of registered voters?
68. What is the process to shifting all May municipal non-partisan elections to the November election cycle?
69. Under developing United States Supreme Court law, did our Governor usurp legislative powers by converting Orange’s May 2020 nonpartisan election to an all V-B-M election?
70. Who is the mayor’s current chief of staff?
71. In CY 2014, did a certain current city employee and current local elected official conspire with a homeless non-resident to delay the May 2014 nonpartisan municipal election?
72. As a result of my CY 2014 pro-bono representation of then candidate Harold Johnson Jr., did a certain current city employee with the consent of his superiors file a professional ethics complaint against me?
73. What is the status of a written legal opinion or memorandum regarding the validity of considering and taking official virtual meeting action without providing stakeholders a reasonable opportunity to be heard?
74. Has Councilperson Ross availed himself to an advisory ethical opinion from the State Division of Local Government Services?
75. 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?
76. What is the adverse consequences of a public official asserting his or her Fifth Amendment right against self-incrimination?
77. Walter G. Alexander 3 Phase Redevelopment Agreement dated September 30, 2009, did the redeveloper promise a market rate phase?
78. In the original, did Willis Edwards III confront Attorney Feld about his refusal to buy a table at Mayor Dwayne D. Warren’s initial inauguration ball?
79. Shortly after July 1, 2012, were all pre-July 1, 2012 city council meeting videos removed and scrubbed from Orange’s official public website?
80. 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?

81. Did Orange breach its August 5, 2020 promise to post within 48 hours responses to all post August 5, 2020 written virtual citizen comments and questions?
82. 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?
83. Which 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 guilty plea announced on October 14, 2020?
84. Which current city employees' signatures appear on any contract, requisition or check relating to the October 14, 2020 federal guilty plea?
85. If municipal legislation is amended just prior to the meeting, is the original and amended legislation preserved on a public website?
86. On October 6, 2020, did the local governing body approve an Amended Res. 403- 2020 without providing stakeholders any opportunity to comment upon the amended virtual civic participation resolution prior to taking official action?

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

87. Do local elected officials have a constitutional, statutory and common law duty to respond to all pertinent second reading public hearing and agenda item related questions prior to taking official action?
88. How much has Orange paid the Nishuane Group in connection with the drafting and preparation of this amended development regulations?
89. 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?
90. Why the delay in approving these amending and superseding post amending master plan Chapter 210 development regulations?
91. Is there a blacklined draft highlighting the drafting changes?
92. What outside law firm reviewed and approved these amending and superseding post master plan Chapter 210 development regulations?
93. For properties located within a duly designated redevelopment area, when is a redevelopment agreement or redeveloper designation required?
94. Will the Wawa applicant require a redevelopment agreement?
95. 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?
96. Does this new ordinance remove the obligation to obtain a net benefits fiscal impact study during the planning board process? LaQuanna Best Director Appointment Confirmation Res. 427-2020
97. Did the local governing body engage in improper horse trading with the mayor by unanimously approving the appointment of an unqualified Ms. Best in exchange for a walk-on politically face saving salary freeze?
98. As the Planning Board Secretary, did Ms. Best conspire and/or aid and abet the suppression of political free speech and our robust marketplace of competing ideas?

- 99.** If the mayor nominated Ms. Best via letter dated September 30, 2020, was Ms. Best the acting director on October 6, 2020 and October 28, 2020 who approved the holding of a non-virtual heated tent planning board hearing on the Wawa application?
- 100.** As planning board secretary and the post September 30, 2020 acting director, did Ms. Best seek to obtain any independent legal opinions?
- 101.** Has each councilmember reviewed the nominee's performance as the Planning Board Secretary including OPRA Compliance, OPMA virtual meeting compliance, minutes drafting, assuring prior access to all application materials, distributing all heads up memos to all planning board members prior to the meeting and obtaining all appropriate legal opinions?
- 102.** As the Deputy Director, what were Ms. Best's chain and command duties and responsibilities?
- 103.** Over whom did Ms. Best have oversight responsibilities and duties?
- 104.** Under Ms. Best's watch, did Orange timely respond to all OPRA requests regarding certain Main Street and warehouse certificate of occupancy applications and approvals?
- 105.** Under Ms. Best's watch, did Orange engage in discriminatory certification of occupancy inspection and enforcement?
- 106.** If Ms. Best is confirmed a director, does she have to resign as the planning board secretary?