

**CITIZEN'S COMMENTS  
MUNICIPAL COUNCIL MEETING  
NOVEMBER 4, 2020**

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1. When will the Public Safety Committee be formed? Will the citizens of Orange be notified of the committee makeup?
2. When will the CBAC for CY 2021 be formed?

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**Preliminary Repetitive Re-Occurring Not-Yet Answered Non-Agenda Item Questions**

1. In February 2016, did Judge Christine Farrington find our mayor and Willis Edwards III to have willfully violated the law?
2. In October 2016, did the local governing body provide stakeholders reasonable notice and an opportunity to be heard prior to consideration and official confirmation on the BA (Christopher Hartwyk), municipal attorney (Eric S. Pennington) and police director (Todd Warren)?
3. How many V-B-M ballots were mailed to Orange registered voters in connections with the November 3, 2020 elections?
4. As of Wednesday November 3, 2020, how many V-B-M ballots were returned (voting yield)?
5. What is the process of cleansing all “inactive voters” from the list of registered voters?
6. What is the process to shifting all May municipal non-partisan elections to the November election cycle?
7. 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?
8. Who is the mayor’s current chief of staff?
9. 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?
10. 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?
11. 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?
12. What is the status of the CY 2020 Audit?
13. What was the statutory or Best Practices filing deadline for the CY 2020 Audit?
14. When do you expect the CY 2020 Best Practices Inventory Responses to be posted on a public website?
15. When do you anticipate holding a public hearing on Orange’s CY 2020 Best Practices Inventory Responses?

16. Has Orange enacted an anti-nepotism policy?
17. What is the status of the private sale of the former Lincoln Avenue police station?
18. What is the status of the promised Long Term Tax Exemption Policy and Procedure Ordinance?
19. 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?
20. What is the status of the July, August and September 2020 monthly operating and revenue reports?
21. What is the status of the accounting of all long term tax exemption revenues due and owing the County?
22. 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?
23. What is the status of the accounting of all monies due Orange from the HACO Thomas Boulevard Building?
24. What is the status of the written legal opinions regarding the validity of all preOctober 6, 2020 virtual meetings' civic participation restrictions and limitations?
25. 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 and October 7, 2020 planning board meetings during which the mayor was present and acting in a quasi-judicial function?
26. 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?
27. When did Attorney Aaron Mizrahi become a city employee and the deputy city attorney?
28. 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?
29. 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?
30. Why the delay in disclosing Coram Rimes June 2020 resignation from the local housing authority?
31. Has Councilperson Ross availed himself to an advisory ethical opinion from the State Division of Local Government Services?
32. 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?
33. What is the status of Feld XIX defendants' outstanding discovery responses?
34. What is the adverse consequences of a public official asserting his or her Fifth Amendment right against self-incrimination?
35. What is the status of Orange's current water/sewer utility capacity?
36. Without interconnections with other water utilities, can Orange meet its current water/sewer needs?
37. Without interconnections with other water utilities, can Orange meet its projected increased redevelopment needs?

38. Were the costs of all CY 2020 interconnections included within the adopted CY 2020 Budget?
39. 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?
40. When will Orange post its Feld X Walter G. Alexander Phase III “fairness” report on a public website?
41. Does this “fairness” report omit any discussion of non-urban renewal entity NJHMFA long term tax exemptions?
42. 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?
43. In the original Walter G. Alexander 3 Phase Redevelopment Agreement dated September 30, 2009, did the redeveloper promise a market rate phase?
44. 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?
45. 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?
46. Shortly after July 1, 2012, were all pre-July 1, 2012 city council meeting videos removed and scrubbed from Orange’s official public website?
47. 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?
48. 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?
49. 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?
50. 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?
51. Which current city employees’ signatures appear on any contract, requisition or check relating to the October 14, 2020 federal guilty plea?
52. If municipal legislation is amended just prior to the meeting, is the original and amended legislation preserved on a public website?
53. 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?
54. What is the status of the CY 2020 Annual League of Municipalities Conference in Atlantic City? 7
55. Was the October 29, 2020 non-virtual heated tent planning board meeting another official misconduct entrapment ruse?
56. Is the mayor a cooperating federal witness?

## **Regular Meeting Minutes and Agendas**

57. Who drafted, prepared and approved virtual meeting minutes prior to their submission to the entire city council?
58. Have unanswered citizen comment disclosures increased?
59. Why did all post September 30, 2020 Agendas not disclose the acting director status of Ms. Best?

## **Ordinances**

### **Second Reading**

#### **Amended Post Amending Master Plan Repealing & Supplementing Development Regulations Ord. 48-2020 60.**

60. Do local elected officials have a constitutional, statutory and common law duty to respond to all pertinent second reading public hearing questions prior to taking official action?
61. Due to various technological virtual access issues arising under the watch of acting director Best, should this second reading public hearing be carried another meeting cycle?
62. Under whose acting director's watch, was this zoning ordinance submitted?
63. Will each councilmember certify that they have reviewed the entire not blacklined development regulation and compared all the changes from the prior development regulation?
64. How much has Orange paid the Nishuane Group in connection with the drafting and preparation of this amended development regulations?
65. When was the Caption and Body of the "original" posted Ordinance amended?
66. 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?
67. Why the delay in approving these amending and superseding post amending master plan Chapter 210 development regulations?
68. Is there a blacklined draft highlighting the drafting changes?
69. What outside law firm reviewed and approved these amending and superseding post master plan Chapter 210 development regulations?
70. For properties located within a duly designated redevelopment area, when is a redevelopment agreement or redeveloper designation required?
71. Will the Wawa applicant require a redevelopment agreement?
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? Resolutions LaQuanna Best Director Appointment Confirmation Res. 427-2020
74. Will the local governing body remove this confirmation matter for a separate roll call vote?
75. 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?

76. 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?
77. As planning board secretary and the post September 30, 2020 acting director, did Ms. Best seek to obtain any independent legal opinions?
78. 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?
79. As the Deputy Director, what were Ms. Best's chain and command duties and responsibilities?
80. Over whom did Ms. Best have oversight responsibilities and duties?
81. 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?
82. Under Ms. Best's watch, did Orange engage in discriminatory certification of occupancy inspection and enforcement?
83. What was the urgent need to remove Marty Mayes from this position effective September 30, 2020?
84. If Ms. Best is confirmed a director, does she have to resign as the planning board secretary?

#### **D & O Urban Renewal II Redeveloper Designation Res. 435--2020**

85. How does Res. 435-2020 differ from Res. 421-2020 listed on the October 20, 2020 Agenda?
86. In what stage is this project?
87. Has this project already received planning board approvals?
88. Did this project present a net benefits fiscal impact study to the planning board?
89. At what point in the Main Street redevelopment process is a redeveloper designation required?
90. During the planning board process, who acted as the planning board attorney?
91. Did the planning board attempt to limit civic public participation during this application hearing?
92. When will the City submit a redevelopment area bond resolution to the Local Finance Board? \$27,331,000 Long and Short Term Debt Issuance Res. 444-2020
93. Does the proposed resolution bear the approval signature of an attorney?
94. Will the Administration provide a short explanation of the distinct \$20,131,000 long term and \$7,200,000 short term pieces of this municipal debt issuance resolution, including the original uses of the bond anticipation notes issued last year?
95. Does any of the long term debt relate to the CY 2008 water infrastructure indebtedness?
96. Did Orange ever submit amended supplemental debt statements in connection with the original approvals and issuance of indebtedness?
97. When does the Administration anticipate entering the federal municipal capital markets?
98. Will the Administration report back on the negotiated interest rates?

99. Will an updated offering statement be prepared and delivered in connection with this issuance?
100. Will the CY 2019 Audit be included in this offering statement?
101. If not, why?
102. Will the offering statement be posted on an Orange public website?
103. Will the CY 2020 federal indictments and guilty pleas be disclosed in this CY 2020 offering statement?
104. When does Orange anticipate entering into a contract to sell the former Orange Memorial Hospital Site?
105. What has been the one year soft carrying costs of this former hospital site?
106. Did the Local Finance Board approve the original issuance of the Orange Memorial Hospital Acquisition Indebtedness?
107. Is the issuance of any portion of this indebtedness connected to and dependent upon ordinances whose second reading public hearings are scheduled for the next regular city council meeting?
108. What are the anticipated soft professional costs of issuance? Bill List Res 445-2020
109. Whose approval signatures are on the Nishuane Group PO 20-00145 (\$20,833.33) and PO 20-01337 (\$1,275)?
110. When did our mayor execute the CY 2020 Nishuane Group CY 2020 Retention Agreement?
111. As of this Bill List, how much CY 2020 S & W has been allocated to COVID-19? 10 Duff Settlement Res. 448-2020
112. What is the generic allegation in this February 2, 2020 notice of tort claim matter?
113. Should all notices of tort claims be disclosed as an Agenda Communication?
114. When did the local governing body learn of this notice of tort claim?
115. Why the delay in approving this June 18, 2020 prelitigation settlement?
116. Which in-house attorney represented Orange in this matter?
117. Is there a pattern of not disclosing judgments and settlements to the local governing body?