

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

**DONNA K. WILLIAMS** – [donnakdevose@aol.com](mailto:donnakdevose@aol.com)

Please accept this letter as a follow-up to my question at the last city council meeting (12/1/2020).

I have seen the demolition of homes on Central Place in Orange, NJ in preparation for the next phase of Walter G.

I would like to know the following:

1. Has the design been confirmed?
2. Will it be consistent with the form of housing in that immediate area, which is 1 family or 2 families?
3. Will there be off street parking for each home?
4. Will this redevelopment bring funding for the surrounding homes to allow improvements?

**ZONASHA WARD** – [zamward@gmail.com](mailto:zamward@gmail.com)

We appreciate your help and all that was said in last night's December 1st council meeting about emergency protocol. Our neighbors are a young family with a Preschooler and baby that was born in the pandemic. A tree fell on their home during the council meeting. Our surrounding neighbors came to their aide and council women Summers-Johnson and Fire Director Douglas were instrumental in helping the situation while being in a virtual meeting. This exemplifies Orange's ability, strength and unity. More can be done however to strive to move Orange forward toward being the best.

Our neighbors did call 911, they told us the operator was nonchalant and sounded unconcerned because no one was hurt or in danger. They requested the persons badge number, because it's not the 1st time the operations have brushed off issues when called. They then called the non-emergency numbers only to hear busy signals at both the Fire and Police Departments.

This event has highlighted inadequacies that must be addressed. We did receive the new Fire Department numbers in an email early this morning. We need to move swiftly to update all numbers and voicemail boxes in all city departments to better serve the community.

A busy signal, full / un-setup voicemails and apathetic first-responders are never what a person in need should receive.

**CARL FIELDS, JR.** – [dri8ver@yahoo.com](mailto:dri8ver@yahoo.com)

1. When will the CBAC be formed for CY 2021? This is the second request!
2. When will the Public Safety Committee be formed? This is the second request!

**SEVEN OAKS SOCIETY** – [sevenoakssociety@gmail.com](mailto:sevenoakssociety@gmail.com)

## **Design Standards**

At the planning meeting on November 30, 2020, the developer seeking to demolish 3 single family homes on Highland Avenue was approved to build 140-Units in conflict with the valid concerns of the public.

It was blatantly apparent the City of Orange Township is in need of city wide design standards. So that we can become the town we should be rather than remaining the town developers want us to remain. We need standards that invoke vision and ingenuity rather than merely fulfilling the minimum requirements.

Our town has a great wealth of handsome Architecture including Tudor, Victorian, Craftsman, Federalist, and Art Deco Buildings. We need to have standards that demand our character be honored and future developments that are modern and contextual so that future generations can look on them with pride.

In order to properly breathe life into Main Street, Central Ave, Scotland Ave and the Landmark Orange Memorial Hospital we must do so with the care and attention our 214 year old town deserves. In order to Move Orange Forward we need to be bold and have vision we need to stop seeing this place for what it is now, but what it can be. Then attract those who can make it happen.

We urgently need well-devised standards, for Lighting, Signage, Landscaping, Fenestration, Public right of ways, New Construction, Major Renovations (both residential and commercial).

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

### **Preliminary Conference Meeting** **Local Housing Authority Executive Director Presentation**

1. What is the status of the Walter G. Alexander Phase IV Project?
2. What is the status of the local housing authority's FY 2019 and FY 2020 audits?
3. Does the local housing authority owe any monies to Orange with respect to the affordable housing project housing its Thomas Boulevard executive offices?
4. In or about August 2018, did the local housing authority issue a false and defamatory press release about Attorney Feld's professional character, integrity and competency?
5. Has the local housing authority retained independent counsel to examine the "fairness" of the Walter G. Alexander Phase III long term tax exemption transaction?
6. Did Orange retain an independent expert to examine the "fairness" of the Walter G. Alexander Phase III long term tax exemption transaction?
7. If so, why does Orange refuse to post this expert report on a public website?
8. Upon his assumption of elected office on July 1, 2020, did councilperson Ross resign as a local housing authority commissioner?
9. Under developing case law, can monetary damages be imposed against a public official in his or her individual capacity for abridging, impairing, or limiting a well-established constitutional and statutory right? See, *Tanzin v. Tanvir*, 592 U.S. \_\_ (Dec. 10, 2020).
10. Under developing case law, can a public official forfeit his entire public pension for certain criminal convictions relating to the abuse of his or her official position? See, *State v. Zacche*,

A-5118-18T1 (App. Div. Dec. 2, 2020); Editorial: “NJ Supreme Court Should Rely on NJ Constitution” 226 N.J.L.J. 3018 (Nov. 30, 2020).

**Regular Meeting Agenda**  
**Preliminary**

11. As a preliminary matter, because the Local Finance Board did not consider and vote on Orange’s two emergency appropriation applications on December 9, 2020 and because this municipality is a qualified bond municipality, under what authority is the local governing body approving the issuance of additional indebtedness without the prior consent of the Local Finance Board?
12. Who prepared, reviewed and approved the agenda and meeting minutes prior to its submission and posting on a public website?
13. Who is responsible for ensuring that all proposed municipal legislation bears the approval signature of a licensed attorney prior to the release of the agenda?
14. Who is the Jeff Felds referred in prior approved meeting minutes?
15. 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?
16. When will Orange respond to all my prior unanswered virtual meeting submissions?
17. Why was the Russo Long Term Tax Exemption Redevelopment Area Bond Ord. 60-2020 omitted from the December 15, 2020 Agenda?
18. When will be the second reading on this Long Term Tax Exemption Redevelopment Area Bond Ord. 60-2020?
19. Under developing case law, can monetary damages be imposed against a public official in his or her individual capacity for abridging, impairing, or limiting a well-established constitutional and statutory right? See, *Tanzin v. Tanvir*, 592 U.S. \_\_ (Dec. 10, 2020).
20. Under developing case law, can a public official forfeit his entire public pension for certain criminal convictions relating to the abuse of his or her official position? See, *State v. Zacche*, A-5118-18T1 (App. Div. Dec. 2, 2020); Editorial: “NJ Supreme Court Should Rely on NJ Constitution” 226 N.J.L.J. 3018 (Nov. 30, 2020).
21. Is the County and Orange about to confront a political “Tyshammie Tsunami,” including severe blowback from the Camden Empowerment Zone Corporation bad faith bankruptcy filing dismissal and repetitive false and misleading retaliatory deflecting defamatory hate speech statements made by public officials against dissenting stakeholders?

**OPRA**

22. Of the 26 pending and open November 2020 OPRA Requests, who are the requestors?
23. Of the 26 pending and open November 2020 OPRA Requests, what departments or boards have delayed production?
24. Have these departments and boards historically delayed production of government records pursuant to OPRA?
25. What is the status of the executed CY 2020 Nishuane Group retention agreement?
26. 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?
27. How many CY 2019 and CY 2020 OPRA Requests remain open and pending?

28. Did Orange receive any additional federal document subpoenas or requests for additional materials in CY 2019 and CY 2020?
29. If so, what were their dates of issuance and receipt by Orange's record custodian?
30. 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?

**Ordinances Second Reading**  
**Water/Sewer Connection Fee Ord. 56-2020**

31. When will these new water/sewer fees become effective?
32. Will they apply to any approved redevelopment project that has not yet commenced construction or received a certificate of occupancy?
33. Is Orange's water/sewer utility currently self-liquidating?
34. Was Orange's water/sewer utility self-liquidating in CY 2018 and CY 2019?
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. Does our water/sewer utility have the current capacity to handle this new additional demand?
40. What is the current status of our wells and water/sewer capacity?
41. Has our water/sewer utility cured all its outstanding noticed violations?

**\$5,000,000 COVID-19 Emergency Appropriation Ord. 57-2020**  
**\$1,800,000 Water/Sewer Utility Emergency Appropriation Ord. 61-2020**  
**\$5,000,000 COVID-19 Emergency Appropriation Notes Res. 468-2020**  
**\$1,800,000 Water/Sewer Utility Emergency Appropriation Notes Res. 469-2020**

42. Did the local governing body obtain an updated written legal opinion or memorandum regarding the validity of approving the incurrence of additional indebtedness without the prior approval of the Local Finance Board?
43. If so, who authored this written legal opinion or memorandum?
44. Has our BA, Finance Director, CFO, Bond Counsel, Outside Budget Consultant and Outside Auditors each approved the enactment of this municipal debt legislation without the prior consent of the Local Finance Board?
45. From what sources will the emergency appropriation shortfalls be funded?
46. When will amortization of the emergency appropriations commence?
47. In connection with its LFB emergency appropriations applications, did Orange waive its rights to amortize these obligations over ten years?
48. In connection with its LFB emergency appropriations applications, did Orange provide a detailed accounting of what specific loss of municipal revenues are directly traceable to the COVID-19 pandemic?

49. In connection with its LFB emergency appropriation applications, did Orange disclose all steps to cut expenses?

**\$250,000 Recourse Qualified Bond Ord. 59-2020**

50. Was this recourse qualified bond ordinance application submitted to the LFB on or about November 18, 2020 without the prior consent of the local governing body?
51. Did the local governing body ratify and approve the submission of this unattached application on December 1, 2020?
52. Did our BA, Finance Director, CFO, Outside Budget Consultant, and Outside Auditors each approve the submission of a recourse qualified bond application rather than a non-recourse redevelopment area bond issuance?
53. Was the differences and adverse consequences of each financing vehicle explained to the local governing body and the community during a noticed public hearing?
54. Why was the November 18, 2020 filed application not attached to the December 1, 2020 submission approval resolution?
55. Has Orange issued updated offering materials in connection with the refinancing of certain indebtedness?

**Consent Agenda Resolutions**

**McGee Ryan Assets Redeveloper Designation Res. 471-2020**  
**(Former Lincoln Avenue Police Station)**

56. Has the local governing body obtained an updated legal opinion or memorandum from special outside redevelopment counsel or a title company regarding the validity of approving the private sale of municipal property located within a redevelopment area to a non-urban renewal entity by resolution (and not by ordinance) without an updated appraisal under State law?
57. At the last December 1, 2020 CC Meeting, didn't the local governing body rescind two distinct resolutions relating to the former Lincoln Avenue Police Station: (i) a redeveloper designation resolution and (ii) a private sale resolution?
58. Who are the equity holders in this proposed redeveloper?
59. Are any of the equity holders related to the prior designated redeveloper of the former Lincoln Avenue Police Station?
60. How does this proposed redevelopment project differ from the project whose local governing body's approvals were rescinded at the last December 1, 2020 CC meeting?
61. What due diligence has the local governing body performed in this last minute end of the year private sale transaction?
62. Did the local governing body obtain an updated appraisal?
63. Is this property located within an Opportunity Zone?
64. Who is the proposed new redeveloper's counsel?
65. Is this an artifice and device to prop up the municipality's liquidity?
66. What are the adverse consequences if the redeveloper breaches the agreement?
67. Does the proposed redeveloper agreement contain any performance deadlines?
68. Is a redeveloper designation a precondition to any local planning board approvals?
69. Who drafted, reviewed and approved this redeveloper resolution prior to submission to the entire local governing body for approval?
70. Does the caption mirror the body of the redeveloper resolution?

**Walk-On Transfer of Appropriation Resolution 475-2020 (WO)**

71. Why the omission from the “original” Dec. 15, 2020 posted agenda?
72. When did the Administration discover and realize a \$300,000 group insurance shortfall?
73. What was the root cause for this \$300,000 shortfall?
74. When did the Administration discover and realize a \$135,000 judgment shortfall?
75. Do these shortfalls undermine the validity of any prior executed certifications of funds availability?
76. Is this cause to terminate Orange’s relationship with our Finance Director and CFO?

### **Walk-On Suez Water Bills 476-2020(WO)**

77. Why the omission from the “original” Dec. 15, 2020 posted agenda?
78. When did the Administration discover and realize a partial \$7.6M water/sewer utility shortfall?
79. Are all the bills attributable to CY 2020?
80. If not, do any of the prior year bills undermine the validity of prior “self-liquidating” annual audit and annual/supplemental debt statements?
81. From what sources does Orange anticipate funding and paying these partial outstanding bills?
82. Were monies reserved for these outstanding bills?
83. What could be the projected exposure of other outstanding water/sewer bills and obligations?
84. When were these shortfalls disclosed to the Finance Committee?
85. Is this cause to terminate Orange’s relationships with certain city employees?
86. Have these financial shortfalls been disclosed to the State and other municipal regulators?
87. Were these shortfalls disclosed in Orange’s latest municipal debt offering statement?