

**CITIZEN'S COMMENTS
MUNICIPAL COUNCIL MEETING
JANUARY 19, 2021**

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Agenda

December 2020 Monthly OPRA Report

1. Of the 24 pending and open December 2020 OPRA Requests, who are the requestors?
2. Of the 24 pending and open December 2020 OPRA Requests, what departments or boards have delayed production?
3. Have these departments and boards historically delayed production of government records pursuant to OPRA?
4. What is the status of the executed CY 2020 Nishuane Group retention agreement?
5. 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?
6. How many CY 2019 and CY 2020 OPRA Requests remain open and pending?
7. Did Orange receive any additional federal document subpoenas or requests for additional materials in CY 2019 and CY 2020?
8. If so, what were their dates of issuance and receipt by Orange's record custodian?
9. 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?

Agenda Action Items

**Ordinance 2-2021 Amending Streetscape Qualified Bond
Resolution 26-2021 Local Finance Board Application**

10. When will the supporting CY 2021 Annual Debt Statement, Supplemental Debt Statement and LFB Application be posted on a public website?
11. What will be the additional tax burden on local taxpayers?
12. What will be Orange's remaining qualified municipal debt availability?
13. When will the LFB consider this application?

Resolution 24-2021 CY 2021 Legislative Research Officer Retention

14. What State enabling statute authorizes this discretionary position?
15. What added value does this \$50,000 political patronage position serve?
16. Will all disputes, if any, be adjudicated via arbitration or by the Superior Court?
17. Who monitors this law firm's work product?
18. Who approves all payments to the legislative research officer?
19. Is this an unnecessary line item expense that could be cut or reduced during the COVID 19 pandemic? CY 2021 \$60,000 Outside Budget Consultant Retention Res. 22-2021 CY 2021 \$125,000 Outside Auditor Retention Res. 36-2021
20. What additional professional services do our outside auditors and budget consultants provide Orange?

21. Do their respective agreements break out the retention caps for certain professional services?
22. Why do we have to outsource these professional financial services, duties and responsibilities?
23. Why can't the in-house finance department produce a financial statement that an independent auditor can verify?
24. Is it proper for an auditor to prepare the financial statement that it also audits?

Resolution 38-2021 Appropriation Transfer

25. How much monies were transferred to satisfy unexpected CY 2020 Group Insurance Obligations?

Resolution 30-2021 Bill List

26. By what resolution, did Orange retain a lobbyist (Mercury Public Affairs LLC) in CY 2020? PO 20-01099-\$10,833.
27. On what matters was it necessary for Mercury Public Affairs LLC to lobby on behalf of Orange?
28. Who is Orange's Mercury Public Affairs LLC contact?
29. How much did Orange pay mercury Public Affairs LLC in CY 2020?

Non-Agenda Action Items of Public Importance

Feld X Admissions against Interests Ramifications

30. What metrics are used by the local governing body to determine when a comprehensive independent investigation is required?
31. In light of the extraordinary January 13, 2021 Feld X admission against interest by Orange, will Orange retain new special independent counsel and experts to pursue all colorable monetary long term tax exemption professional negligence claims and causes of actions against third parties?
32. In light of the extraordinary January 13, 2021 Feld X admission against interest by Orange, will Orange retain new special independent counsel and experts to investigate why Orange delayed pursuit of all its colorable monetary long term tax exemption professional negligence claims and causes of actions against third parties?
33. What is the status of the accounting of all long term tax exemption revenues owed by Orange to the County?
34. In light of the extraordinary January 13, 2021 Feld X admission against interest by Orange, isn't it time for Orange to meet ace-to-face with Attorney Feld?
35. What steps, if any, is the local governing body taking to ensure that Orange pursues all colorable intangible claims and causes of actions against third parties?
36. Who is the municipal attorneys' client? The municipality? Local Elected Officials? Local Municipal Employees? RPC 1.13.
37. Do the NJ Rules of Professional Conduct permit a municipal governmental entity to waive a conflict of interest and permit the dual representation of the municipal entity and individual local officials? See, RPC 1.8 (k), (l), RPC 1.13. The Four Felds Inc. v. City of Orange Township, A-5875-13T3 (App. Div. May 23, 2018), certif. denied (Dec. 2018).
38. How many windows must be broken or red flags raised before Orange terminates its relationship with a department head or an outside professional? Failure to satisfy annual Continuing Legal Education Requirement? RPC 1.1, RPC 1.2 (d).

39. What is the effect of the filing of a lawsuit within a twenty day estoppel period upon the delivery of a clean transactional approval opinion by counsel? In re Petition for Referendum for Repeal Ordinance 2354-2 of the Twp. of W. Orange, 223 N.J. 589 (2015).
40. Did our State Supreme Court amend the court rules governing citizens' public wrongdoing criminal municipal complaints so that career professional prosecutors must now investigate and determine whether sufficient probable cause exists to warrant the issuance of a municipal public wrongdoing criminal complaint summons? Cf: State v. Mayor Dwayne D. Warren, A-5499-16T4 (App. Div. Aug. 9, 2018).
41. What adverse consequences will arise if a public official fails to testify under oath and penalty of perjury in a Feld related matter?
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Restoring Public Trust and Confidence

42. As a fiduciary of a public trust, what steps is each Orange CC member taking to preserve voter and taxpayer confidence in all our democratic institutions?
43. As a fiduciary of a public trust with a sworn duty to ensure that Orange Township and its local taxpayers pay their fair and equitable share of the County's tax burden, do each Orange Township member have a constitutional, statutory or common law duty to ensure that the County discloses annually all long term tax exemptions within the County and that the County collects all long term tax exemption revenues due the County under State law?
44. Will the Orange Township CC institute an annual minimum municipal law education course or seminar requirement on all local elected officials?
45. In Orange, is the fox guarding the henhouse?