

**CITIZEN’S COMMENTS
MUNICIPAL COUNCIL MEETING
JANUARY 5, 2021**

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Ordinances

Second Reading

D & R Orange Urban Renewal II 30 Year Long Term Tax Exemption Ord. 60-2020

1. Do local elected officials-fiduciaries of a public trust-have a constitutional, statutory or common law duty to respond to all pertinent second reading public hearing questions on an ordinance not subject to a referendum challenge prior to taking official action?
2. Did the Local Finance Board approve the issuance of a nonrecourse redevelopment area bond for this discretionary long term tax exemption project?
3. What is the statutory percentage of revenue floor for all discretionary market rate long term tax exemption projects?
4. Does the Local Finance Board approved nonrecourse redevelopment area bond exception apply in this proposed discretionary long term tax exemption transaction?
5. Is this project located in an Opportunity Zone?
6. What is the current rate of return on a thirty year Treasury obligation?
7. What is the current rate of return on a thirty year mortgage?
8. What is the guaranteed rate of investment return for this long term tax exemption project?
9. Is this guaranteed rate of investment return, coupled with the deference of all taxable gain, too rich an incentive and taxpayer subsidy for this discretionary long term tax exemption project?
10. Does the applicant have the power and right to agree to a less than a 12% guaranteed rate of investment return?
11. Should consideration and approval of this discretionary long term tax exemption be delayed one meeting cycle and a noticed conference meeting presentation?
12. Does this discretionary long term tax exemption comply with the Long Term Tax Exemption Handbook issued on or about November 18, 2020?
13. Who approved the post December 9, 2020 Local Finance Board meeting form and legality of this discretionary long term tax exemption transaction under State law?
14. Did the local planning board grant approvals to this discretionary long term tax exemption project prior to the local governing body approving redeveloper status to this urban renewal entity?
15. Does this proposed discretionary long term tax exemption project concur with or undermine the City of Orange Township’s submitted Feld X Walter G. Alexander Phase III “fairness” report?

Municipal Court Director Ord. 62-2020

16. What is the urgent need for this structural change?
17. What is the projected anticipated savings from this structural reform?

First Reading

Amending Reock Street Redevelopment Plan (with Condemnation Powers) Ord. 1-2021

18. Under what authority did the local planning board approve this amended redevelopment plan with condemnation powers prior to the local governing body accepting the underlying investigative study?

19. By what resolution did this local governing body approve and accept the local planning board investigative study?
20. Has each council member reviewed and compared the videos and local planning board minutes regarding the expansion of this redevelopment area and the need for condemnation powers?
21. Who approved the form and legality of this transaction under State law?
22. What weight should be afforded to any transaction approved under the watch of the Nishuane Group?
23. What is the status of the executed Nishuane Group CY 2020 retention agreement?
24. By adopting this proposed ordinance, will the City of Orange Township bless all actions taken by the local planning board and its acting planning board attorney in connection with this transaction?

Resolutions

Preliminary

CY 2019 Corrective Action Plan Res. 1-2021

Amending Public Safety Advisory Board Res. 4-2021

Lagniappe Foods Res. 15-2021

Bill List Res. 18-2021.

25. Should the local governing body investigate the delay in providing virtual access to these four resolutions?
26. What is the urgency of approving these resolutions without providing stakeholders prior reasonable virtual access to the resolutions and supporting materials?
27. Why is Attorney Mishari's name and telephone number omitted from the posted list of key city employees?

Expanded Reock Street Investigative Study With Condemnation Powers Res. 2-2021

28. Why the delay in approving this Expanded Reock Street Investigative Study with Condemnation Powers?
29. By adopting this resolution, will the local governing body bless all actions taken by the local planning board and its acting planning board attorney in connection with this proposed resolution?
30. Has each council member reviewed and compared the videos and local planning board minutes regarding the expansion of this redevelopment area and the need for condemnation powers?
31. Who approved the form and legality of this transaction under State law?
32. What weight should be afforded to any transaction approved under the watch of the Nishuane Group?
33. What is the status of the executed Nishuane Group CY 2020 retention agreement?

CY 2021 Temporary Budget Res. 3-2021

34. Under what authority can a local governing body authorize a temporary budget appropriation in excess of the statutory temporary budget appropriation percentage?
35. Were the payroll checks delivered on December 31, 2020 included in the CY 2020 Appropriations?
36. Were the payroll checks delivered on December 31, 2020 included in this CY 2021 Temporary Budget?
37. Who approved the form and legality of this resolution under State law?

Special Outside Labor Counsel After-the Fact Increased CY 2020 Retention Cap Res. 7-2021

38. How much did the City pay its special outside labor counsel in CY 2020?
39. Who is responsible for monitoring professional services retention caps?

40. Will these outstanding professional labor counsel fees and expenses be reflected as CY 2020 expenses?
41. Will these outstanding professional labor counsel fees and expenses be paid pursuant to the CY 2021 Budget?
42. Is the City's special labor counsel the Irvington municipal attorney?
43. Is our mayor employed by Irvington in any capacity?
44. Who approved the form and legality of this resolution under State law?

CY 2021 Professional Services Retention Res. 8- to 14-2021

45. Who selected the professionals to be retained on January 5, 2021?
46. In CY 2020, did any of the proposed law firms appear before the local planning board or the local governing body on behalf of any PEEK related entity?
47. In CY 2020, is it anticipated that any of the proposed law firms will appear before the local planning board or the local governing body on behalf of any PEEK related entity?
48. When will the local governing body consider the retention of a CY 2020 Financial Statement Auditor?
49. When will the local governing body consider the retention of a CY 2021 Legislative Research Officer?
50. When will the local governing body consider the retention of a CY 2021 Bond Counsel, Outside Budget Consultant and Municipal Planner?
51. What metrics were used to select the Res. 8- to 14-2021 CY 2021 professionals?
52. Who is responsible for examining and evaluating the work product of each retained professional?
53. Who is responsible for ensuring that no professional exceeds his or her professional retention "cap"?
54. Do all CY 2021 retention resolutions contain "caps"?
55. Who determined the amount of these CY 2021 retention "caps"?
56. Is the scope of services for each professional explicitly set forth in each retention resolution and agreement?
57. By approving the CY 2021 retention of certain outside professionals, will the City of Orange Township waive, release and relinquish all pre CY 2021 claims and causes of actions against these outside professionals?
58. If a dispute arises with any proposed professional, do any CY 2021 retention agreements require adjudication by stealth arbitration (and not by an open public Superior Court action)? See, *Delaney v. Dickey*, __N.J. __ (Dec. 21, 2020).

Baldwin Settlement Res. 16-2021

59. How many different outside counsel did the City employ defending this action?
60. How much did the City pay out to special outside counsel defending this action?
61. Why the delay in approving this settlement?