

Second Reading Comments

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Ordinances Second Reading

Tabled Legislative Research Officer Amending Ord. 3-2021

\$25,000 Harwood Lloyd Conflicts Counsel Retention Res. 122-2021 Rescission Res. 186-2021

1. I incorporate herein by reference all my prior unanswered questions about the legality of this legislative research officer position under State law.
2. Why the urgent need to rescind the conflicts counsel retention resolution?
3. When are the Legislative Research Officer Requests for Proposal/Qualifications due?

LTTEL Rehabilitation Long Term Tax Exemption Ord. 11-2021 - RPM Related South Center Street Urban Renewal Associates LP 30 Year

LTTEL Rehabilitation Long Term Tax Exemption Ord. 12-2021 - RPM Related 651 Lincoln Avenue Urban Renewal Associates LP 30 Year

4. Are residents, taxpayers and interested stakeholders entitled to written responses to all pertinent first reading public hearing written and oral questions before the CC considers and takes official second reading public hearing action on an ordinance agenda action item not subject to referendum challenge? See, Jeffrey S. Feld, v. City of Orange Township, A-3449-15T1 (Aug. 8, 2018) (“Feld XIV”).
5. Are residents, taxpayers and interested stakeholders entitled to a prompt oral response to all pertinent second reading public hearing written and oral questions before the CC considers and takes official action on a second reading public hearing ordinance agenda action item not subject to referendum challenge? See, Jeffrey S. Feld, v. City of Orange Township, A-3449-15T1 (Aug. 8, 2018) (“Feld XIV”).
6. When will Attorney Feld receive a written response to all his prior written virtual remote questions submitted at the February 16, 2021 first readings?
7. Do these two proposed discretionary RPM related long term tax exemption rehabilitation ordinances validate Attorney Feld’s prior post April 17, 1992 non-urban renewal entity NJHMFA Section 37 long term tax exemption legal analysis? Also see, City of Camden v. Victor Urban Renewal, LLC, CAM-L-4612-18 (Law Div. March 29, 2021)
8. Why do the two proposed discretionary RPM related long term tax exemption rehabilitation ordinances bear the approval signature of our City Attorney and not special outside redevelopment counsel?
9. Do the two proposed discretionary long term tax exemption transactions comply with the terms and spirit of the State’s Long Term Tax Exemption Handbook issued on or about November 18, 2020?
10. Were either affordable housing project subject to a post April 17, 1992 non-urban renewal entity NJHMFA Section 37 long term tax exemption?
11. If so, were these discretionary non-urban renewal entity NJHMFA Section 37 long term tax exemptions approved by resolution or by ordinance?
12. When was or will the non-urban renewal entity NJHMFA Section 37 long term tax exemption mortgage be refinanced or discharged?
13. What adverse consequences arise from the discharge and satisfaction of a NJHMFA Section 37 long term tax exemption mortgage?
14. When will the current affordable housing rental subsidies lapse?
15. Does Orange have an enacted long term tax exemption policy and procedure ordinance?
16. When were the instant LTTEL long term tax exemption applications initially submitted to the City for consideration and approvals?
17. Why the delay in submission to the local governing body for approval?

18. Did our BA, Finance Director, Economic Development & Planning Director, Tax Assessor and Special Outside Redevelopment Counsel each review and sign off on these two RPM related discretionary transactions?
19. On what basis or assessment is the minimum guaranteed/land tax credit payment being fixed?
20. Did Integra Realty prepare net benefits fiscal impact studies in connection with these two proposed LTTEL long term tax exemption ordinances?
21. If not, who made the decision not to obtain a supporting net benefits fiscal impact study?
22. What was the internal rate of return for these two transactions?
23. Will the supporting net benefits fiscal impact studies be posted on a public website prior to the second readings?
24. Is it odd that annual water/sewer charges exceed the proposed annual PILOT payment to the community?
25. Does the proposed the financial agreement template differ from the two PEEK Reock Related Owners Urban Renewal LLC long term tax exemption transactions considered by the local governing body at its last February 16, 2021 and March 16, 2021 meetings?
26. If the developer sells the project, is Orange entitled to any net sale proceeds after the recovery of a guaranteed investment return? See, City of Camden v. Victor Urban Renewal, LLC, CAM-L-4612-18 (Law Div. March 29, 2021)
27. Are these projects located within a duly designated opportunity zone?
28. Is a 12% guaranteed rate of return too great?
29. Did the “original” housing sponsor agree to a lower guaranteed rate of return with the NJHMFA?
30. Is the County entitled to any portion of the annual 2% administrative fee?
31. Did Orange, RPM and prior special outside redevelopment counsel conspire to restrict Attorney Feld’s access to the judicial system?
32. Did Orange and RPM conspire together in violating Attorney Feld’s political free speech by the filing of a retaliatory Tony Galento Transit Village Defamation SLAPP Suit (RPM II) against Attorney Feld for his answered questions about the restructuring of the Tony Galento Transit Village transaction from a market rate private sale to a long term ground lease?
33. Has all RPM/Orange non-Feld related land tax credit long term tax exemption litigation been resolved, settled or adjudicated?
34. Other than the payments to be made under the financial agreements, is the developer making any other contributions or infrastructure payments to Orange?
35. From whom has the local governing body received a legal opinion or memorandum that the long term tax exemption transactions comply with the terms and spirit of the State’s Long Term Tax Exemption Handbook issued on or about November 18, 2021?
36. Are these two properties current in all their obligations to the City, including the filing of all annual long term tax exemption audit reports? See, City of Camden v. Victor Urban Renewal, LLC, CAM-L-4612-18 (Law Div. March 29, 2021)