

CITIZEN COMMENTS
MUNICIPAL COUNCIL REGULAR MEETING
DECEMBER 21, 2021

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Regular Meeting

1. Are certain Article I rights under our State Constitution broader than certain fundamental rights under our federal Constitution? See, State v. Fair, ___ N.J. Super. ___ (App. Div. Dec.10, 2021); Columbia Fruit Farms, Inc. v. Dept. of Community Affairs, ___ N.J. Super. ___ (App. Div. Dec. 13, 2021); Dr. A. v. Hochul, 595 U.S. ___ (Dec. 13, 2021) (Gorsuch, J. dissenting).
2. Under the “fundamental fairness” doctrine contained in Article I, paragraph 1 of our State Constitution, are stakeholders entitled to responses to their public questions and comments before local elected officials consider and take official action on posted agenda action items?
3. Are breach of fiduciary duty and official wrongdoing monetary damages, penalties and sanctions non-dischargeable bankruptcy debts and obligations?
4. Whose form, sufficiency and legality approval signature appears on all proposed municipal legislation listed on the December 21, 2021 Agenda?
5. What is the status of the CY 2020 Audit?
6. What was the last monthly and quarterly operating and revenue reports prepared under the direction of Orange’s Finance Director and received by the local governing body prior to the December 21, 2021 Agenda?
7. With respect to the \$500,000 Retirement Severance Special Emergency Appropriation Ord. 60-2021, how many employees are subject to this emergency ordinance, when did they tender their retirement notices, when will amortization of this special appropriation commence, is this emergency appropriation subject to the discretionary approval of the State Executive Branch, when is the second reading on this special emergency ordinance and when will this emergency ordinance become effective: upon approval of the mayor or 20 days after published notice of adoption?
8. With respect to the \$1,000,000 capital bond fund appropriation cancellation Res. 517-2021, into what line item or general fund does this \$1,00,000 cancelled appropriation flow or cascade into?
9. Does \$1,366,000 intra-line transfer of appropriation Res. 528-2021 include or exclude prior intra-line appropriation transfer Res. 475- and Res. 508-2021?
10. If exclusive, in CY 2021, how much cumulative monies have been transferred after adoption of the CY 2021 amended budget?
11. With respect to the \$17,608,956.15 Bill List Res. 526-2021, how many different bond anticipation and emergency appropriation notes owed to Amboy Bank were rolled over and refinanced?

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|-------------|-------------|------------------------|
| PO 21-01930 | \$7,200,000 | Principal BAN Rollover |
| | \$15, 120 | Interest |

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|-------------|------------|-----------------------------------|
| PO 21-01956 | \$525,000 | Emergency Authorization Refunding |
| | \$6,645.49 | Interest |
| | \$200,000 | Special Emergency Refunding |
| | \$600,000 | BANS Emergency Refunding |
| PO 21-01956 | \$525,000 | General Capital Refunding 12/15 |
| | \$140,000 | Principal |
| | \$4,467.55 | Interest |

12. With respect to these various rolled over notes, how much debt did Orange amortize and reduce during its CY 2021 Budget?
13. What is the post 10/23/21 balance of not yet approved CY 2021 Bill List S & W?
14. With respect to the Chosen Lampardello nunc-pro tunc special litigation retention Res 527-2021, what is the caption and docket of this litigation, what are the underlying allegations and why the delay in approving this nunc pro tunc retention resolution?
15. With respect to the \$67,500 CY 2022 Legislative Research Officer Retention Res. 525-2021, is this position authorized under State law and is this retention too rich for this community?
16. With respect to the CY 2022 professional services shelf registration retention resolutions, 521-, 522-, 523- and 524-2021, who approved these proposed law firms, what metrics were used to include and exclude certain law firms and who within the law department makes the ultimate assignment of matters?
17. Did the mayor and deputy city attorney have any prior employment relationship with any of the law firms listed on these professional shelf registration retention resolutions?
18. Who monitors the professional legal work product of all in-house and outside retained attorneys?
19. Other than the draconian void ab initio remedy, what other equitable and legal remedies are available in a remanded per se disqualifying conflict of interest matter? The Four Felds, Inc. v. City of Orange Township, HUD-L-1038-19/ESX-L-4978-13(“Remanded Feld X”)

STILL PENDING QUESTIONS

Tabled Municipal Legislation

20. Why are certain material attachments, schedules and exhibits omitted from the Scotland Holdings RSBRM Urban Renewal LLC Redeveloper Designation Res. 507-2021?
21. Does the proposed redeveloper agreement contain any explicit performance approval and “shovels in the ground” deadlines and events of default?
22. What is the status of this redevelopment project?
23. Has this proposed project already received planning board approvals?
24. Is this project located within a duly designated redevelopment plan and Opportunity Zone?
25. At what point will the local governing body take some form of official action on a repeatedly tabled Amending Ordinance 24-2021 sponsored by the Council President?