

## CITIZENS COMMENTS

### FEBRUARY 1, 2022 COUNCIL MEETING

**Aisha Samuel**

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This email is in response to two incidents that took place on January 15 and 16, 2022 at my home regarding cars blocking my driveway. As you may recall the street division placed a sign alerting drivers not to block my driveway. While the sign has greatly decreased the number of cars blocking our access to enter and exit the driveway we still are experiencing several violations. The drivers in our household work various shifts and it is important that we are able to have access without incident.

Over the weekend, a car was blocking the driveway. Per the protocol that was set by the City, I called the police department to report that the driveway was blocked and we were unable to access it for either exit or entry. A Policeman came by to check the situation. Since the street sign is visible it was clear that that owner of the car did not want to follow the rules. Below is a detailed account of the incident:

- I informed the responding Officer that I was the homeowner. He inquired if I had enough space to exit and enter the driveway. I told him no. Rather than believe me. He asked that I show him how I exit and enter. I had to leave my home, drive around the block, and then prove my case. It is unclear if the implicit bias displayed to me related to me being a woman, Black, or for the Officer need for “proof”. Typically, when I have called about this incident in the past the cars are towed at the owner’s expense. This elevates concerns for the drivers in my home. After circling the block, the Officer had the “proof” needed. The officer did not call to have the car towed, but instead located the driver and made the driver move their car. The actions of the officer will ensure that the driver blocks my driveway again.
- Several months ago I contacted the City about a white Dodge Journey that often did not move for street cleaning. This vehicle had expired temporary tags, now it still has temporary tags, but they expire March 2022, this vehicle had been towed and ticketed but continues to violate the rules of the road and parking ordinances.

As a proud resident and homeowner, I ask that the City Council assist in and rectify this situation for me and others that have similar issues in the area. Like the Officers that often respond, I have proudly served our Country in the US Army. Yet, I do not understand how to resolve this situation of parking without your support. In many cases, the cars that are parked illegally belong to tenants or their visitors in the adjacent apartment complex. I have made contact with the property manager who stated “continue to call the Cops to have them ticketed and towed. Each of the Council members are residents and I ask that you not turn a blind eye to this situation. Instead, I ask for your support to assist me in protecting my property and protecting our community by ensuring that our community is welcoming, safe, and respectful of the boundaries deemed based on property lines. Sadly, as a tax payer and homeowner in this community, the response I have had from law enforcement and leadership are lackluster and have done little to protect my rights. I have a sign that reads cars will be towed at owner’s expense and would like to place it under the current Do not block driveway sign, but I do not want to violate any town/city ordinances: Would it be acceptable for me to put the sign under the current sign. I have noticed that other homeowners in the area have a sign similar to the one I purchased.

Please let me know if you need further clarity and how efforts to prevent this situation in the future.  
Respectfully submitted.

**Aubrey Murdock**

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I am a resident of Orange, living at 540 Liberty Street. I also work at 47 Cleveland Street. Before the holidays I attended a Planning Board meeting discussing the new, large-scale development on Cleveland Street. I was deeply concerned with what transpired at the meeting. Both residents and Planning Board members raised concerns about the proposed plan. The developer's lawyer repeatedly reminded the board members and residents that the Master Plan and Area in Need of Redevelopment plans did not bind any developers to create affordable housing or any community benefit. It is deeply concerning that these binding documents do not hold any benefit for the current residents of Orange. I strongly recommend Council to review and amend these Area in Need of Redevelopment documents to include much stronger community protection and benefit. It is well within the right of council members to advocate for current residents in this way, and an opportunity I hope you will consider seriously. Thank you for your time.

**Daniel Joseph Wiley**

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The HUUB would like to formally address the recent development project that went before the planning board on (date) that will potentially bring over 50 market rate units to the North Ward on Cleveland Street. It is our understanding that this project will go before your body for some form of approval soon and, as an organization that has owned property in the immediate area for almost 130 years, would like to express our concerns. This is all in hopes that you can understand the concerns of not only The HUUB, but a growing portion of the Orange community.

The city of Orange is in need of development, but we need development that is done responsibly, and with all resident needs fulfilled; We need development without displacement, and we need responsible development that doesn't threaten the existing population.

The PEEK development project approved for 66 Cleveland Street does not seem to have any community benefits attached to it; The project comes to the area with the potential to disrupt the neighborhood with unjustified density, major changes to aesthetic, foreseeable (and most likely speculative) rental rates, and the overall threat to rising cost of living for local residents. We do not believe that the city of Orange should continue to approve development with density if there are no community benefits attached. We witnessed that the developer would not agree to community benefits because they were simply not established as law, therefore leaving the immediate area of Cleveland Street to accept the removal of trees, disruption in traffic patterns, noise when building, and also, the threat of what might come next if we continue to let developers build simply because they can.

We hope that you will take into serious consideration that there is a need for community agreements to come with new residential development that brings density and has the potential to disrupt the existing community. Thank you for your time, please feel free to reach out for further conversations on this matter, and similar.

**Yasmeen Chism, Aubrey Murdock, Janis Blumgart and David Armstrong – Planning to Stay Steering Committee Representatives**

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We submit the following petition to you regarding a proposed development at 66 Cleveland Street, Orange, NJ 07050. Although this development proposal hasn't come before City Council yet, it has been discussed and memorialized by the Planning Board.

We, and the 176 signatories on this petition, share the concerns voiced by several Planning Board members and residents during that meeting. Namely that this new development brings no benefits to the immediate neighborhood, will increase traffic during school hours, and will stress our city's water and waste infrastructure.

What's more, this is only one of 14 proposed major developments in our city. They all threaten to quickly increase the cost of living in Orange and push long-term residents out. Based on the city's own "Area in Need of Redevelopment" plans, none of these developments are currently required to offer "affordable" units. The definition of 'affordable' is not well-defined and thus not sufficiently protective of current residents.

These market rate apartments are mostly studio and one bedroom apartments. This development is not made for the families of Orange. For the past 50 years development in Orange has destroyed youth and community spaces that have never been replaced. Future development needs to address these needs.

We ask Orange's council members to vote against the development on Cleveland Street when it comes before council and to review and revise the "Area In Need of Redevelopment" Plans to include specific and expansive affordability requirements based on the United Way of Northern New Jersey's ALICE (Asset Limited, Income Constrained, Employed) qualifications and ensure that the people of Orange are benefiting from any future redevelopment.

**Jeffrey Feld**  
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### **FEBRUARY 1, 2022 AGENDA QUESTIONS**

#### **Redevelopment Related Long Term Tax Exemption Ordinance and Resolution**

1. Prior to consideration and official action on any redevelopment related matter, shouldn't we return to prior robust informed civic participation best practices and require a public presentation introducing the project to the community, the number and composition of units, a brief net benefits fiscal impact explanation and the height, parking, set back and design variances, if any, required from the applicable controlling redevelopment plan?
2. Why was a supporting tax exemption toolkit net benefits fiscal impact study not attached to the proposed 30-year long term tax exemption?
3. Should the long term tax exemption financial agreement disclose in the notice provision of the long term tax exemption financial agreement the name of the redeveloper's and the city's outside special redevelopment counsel?
4. Can Orange's current water/sewer, traffic and school system infrastructure handle the inflow and impact of all these new residential units?
5. Has Orange adopted a Best Practices Inventory Inclusionary Zoning Ordinance or an Ordinance requiring all redevelopers to contribute to a fund to preserve existing affordable housing units or to fund certain public improvements?
6. Were any of the Freeman redeveloper's lawyers implicated or connected to the federal Newark Watershed criminal investigation or bankruptcy liquidation?
7. Does this proposed financial agreement and the mayor's supporting explanatory letter undercut and contradict the city's Feld X (HUD-L-1038-19/ESX-4978-13) Walter G. Alexander Phase III "fairness" contention?

### **Other Resolutions**

8. Whose form, sufficiency and legality approval signature appears on all proposed municipal legislation listed on the February 1, 2022 Agenda?
9. Would it prudent to transfer Orange's May nonpartisan municipal elections to a November election cycle thereby transferring the printing costs of a May nonpartisan election (\$20,190) to the County Clerk?
10. Due to enhanced vote by mail options, how much has Orange's municipal election costs increased since the last CY 2020 May nonpartisan election cycle?
11. When will Orange's CY 2020 Audit be posted on a public website?
12. With respect to Orange's CY 2020 Action Compliance Plan, how many recommendations are repetitive and not cured since the last CY 2019 Audit?
13. After how many months after a missed statutory audit filing deadline, should certain circuit breaker "red warning flags" bells and whistles go off on the local and state levels?
14. What are the adverse consequences of failing to pay certain outstanding obligations within years of their due date?
15. Does Orange have any more than 2 years outstanding unpaid obligation to any third parties, including the County?
16. Was Orange's water/sewer utility self-liquidating in CY 2020 and CY 2021?
17. Why the urgent need to adopt a Second \$8,365,576 CY 2022 Emergency Temporary Appropriation Resolution at just the third meeting of CY 2022?
18. Were some of these expenses included in the First \$2,199,123 CY 2022 Emergency Appropriation Res. 45-2022 listed on the last January 18, 2022 Agenda?
19. From what sources are these emergency line item temporary appropriations being funded?

Prior Years Bills	\$18,123
COVID S & W	\$100,000
COVID Related	\$75,000
PERS	\$1,105,830
PFRS	\$6,441,623
Capital Improvement Fund	\$625,000

20. Why were PERS and PFRS excluded from the CY 2022 Temporary Budget adopted January 4, 2022?
21. How much did Orange pay its outside labor counsel in CY 2021?
22. Does our mayor have any employment type relationship with Orange's outside labor counsel in any other community?
23. Who monitors the professional work product and costs of all litigation funded through Orange's JIF Insurer?
24. What are the underlying allegations in these cases defended through Orange's JIF Insurer?
25. How frequently is an updated list of all pending non-tax appeal related litigation or administrative proceedings involving Orange shared with the local governing body?
26. Is there a point in time that certain tabled municipal legislation should be deemed stale and removed from consideration and from future posted agendas?

### **Other Repetitive Matters of Public Importance**

27. 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).

28. 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?
29. Are breach of fiduciary duty and official wrongdoing monetary damages, penalties and sanctions non-dischargeable bankruptcy debts and obligations?
30. Why the delay in posting the omitted page 2 of the JIF Agreement included in the last January 18, 2022 Agenda Packet?
31. Has Orange adopted a mandatory vaccination requirement for all city employees where failure to comply will result in mandatory unpaid leave?