

CITIZENS COMMENTS

FEBRUARY 15, 2022 COUNCIL MEETING

Aubrey Murdock

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Dear City of Orange Township City Council Members,

Good Evening. I am a resident at 540 Liberty Street and work at 47 Cleveland Street.

I am writing to respond to council's replies to citizen comments and petition last week regarding new development in Orange. I want to clarify that my remarks were asking that the council amend the Area in Need of Redevelopment to include community benefit, not that there should be no development at all. Asking for community benefit in planning in no way excludes development from happening. In fact, it is common practice. In my work with University of Orange I have worked on city planning projects in cities including Philadelphia and Detroit. The thing that is consistent through every planning process is that developers do not give you benefits if you do not ask for them; however, they are often well versed in working with benefit agreements once they are established. Local municipalities have an important role to play in advocating for their residents at the beginning of any planning process. Community benefits could help us to bolster our workforce, to fund much-needed youth, recreation, and green space, and update our aging infrastructure. Please consider amending the city Master Plan and Area in Need of Redevelopment plans to include community benefit for the citizens of Orange, and in seeking citizen input on what such benefits should be.

Thank you for your time.

Jeffrey Feld

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FEBRUARY 15, 2022 AGENDA QUESTIONS

1. Are We the People and not the mayor, certain redevelopers and the local housing authority the ultimate clients and constituents of the City Attorney and local governing body?
2. When will the CY 2020 Audit and the "as of Dec. 31, 2021" annual debt statement be posted on a public website?
3. How many non-tax appeal matters are pending against the municipality?

Prerogative Writ

Remanded Feld X -HUD-L-1038-19/ESX-L-4978-13

Feld XIX-ESX-L-0028-19

Orange Commons Sg LLC- ESX-L-1395-21

Civil Rights Act (Potential Class Action) Violations

Remanded Feld X-HUD-L-1038-19/ESX-L-4978-13

Feld XIX-ESX-L-0028-19

Orange Commons Sg LLC-ESX-L-1395-21

OPRA Violations

Feld XX-ESX-L—0220-19

Kaitlin Gordon-A-1449-20T1

Breach of Contract/Collection Matters

Hillman Consulting- ESX-L-5658-21 (\$109,975.92 demand)

Wrongful Termination

Anthony Carey-ESX-L-1742-20

Employment Related

Anthony Carey-ESX-L-1742-20

Internal Separation of Powers Disputes

City of Orange Township-ESX-L-6949-21

“Negligence” Tort Act Claims

4. Under what categories do the other litigation retention matters listed on the Feb. 15, 2022 agenda fall? Joseph Cruz Jr- ESX-L-0013-22; Alice Lang-ESX-L-5170-18; Kason Scruggs ESX-L-1742-20; Kyanna Pular-2:17-CV-11304-KM, Louis DeSources-2:18-CV-09324- Sd; Kerri Payne-ESX-L-8869-20
5. How does Orange intend to stop and to mitigate the public trust fund cash bleeding related to its in-house legal department and litigation?
6. Has the City reserved any monies for all the litigation matters listed on the Feb. 15, 2022 Agenda?
7. Does the local governing body receive monthly or quarterly outstanding litigation update reports?
8. How does the local governing body monitor and review the professional work product of these cases?
9. In 2017, did Attorney Feld, BA Hartwyk and City Attorney Pennington negotiate a global Feld related settlement that the mayor rejected upon the advice of special outside defense counsel?
10. In 2013, when the local governing body approved the contested Feld X Walter G. Alexander Phase III long term tax exemption agreement, who were the chairs of the Housing Authority of the City of Orange (Cliff Ross) and the Orange Housing Development Corp. (Avram White)?
11. Does the Feb. 15, 2011 sworn testimony of the City’s then outside redevelopment consultant (Thomas Banker) undermine and contradict the City’s Remanded Feld X contention that the Long Term Tax Exemption Law does not contain a 10% of revenues minimum floor on all non-Redevelopment Area Bond transactions?
12. How much Feld II, Feld III, Feld VI, Feld X, Feld XIII, Feld XV, and Feld XVIII long term tax exemption revenues and net sale proceeds did the City negligently, recklessly and intentionally leave on the table?
13. Who decided not to pursue all PILOT/cooperation agreement payments due from the local housing authority to Orange and disclosed in annual local housing authority audit footnotes?
14. How does the local governing body monitor all bad faith and fraud upon the court allegations against the municipality, such as whether the Sept 29, 2009 Walter G. Alexander Three Phase Redevelopment Agreement, the Feb.15, 2011Thomas Banker deposition, the March 6, 2014 depositions of Marty Mayes and Dr. Walter D. McNeil, Jr. and all pre Sept 2020 in effect and authorized but not yet on line long term tax exemption agreements were provided to the City’s Remanded Feld X “fairness” expert for review and whether the conditional status and net benefits fiscal impact study of the Walter G. Alexander Phase IV Project was conveyed to the City’s “fairness” expert?
15. Who decided on a CY 2000 marker for determining what long term tax exemptions to provide the Remanded Feld X Walter G. Alexander Phase III “fairness” expert to review?
16. By selecting this artificial date, what long term tax exemptions were excluded and omitted from the Remanded Feld X Walter G. Alexander Phase III “fairness” expert’s report?
17. Did the local governing body review, approve and pay the fees of the Remanded Feld X Walter G. Alexander Phase III “fairness” expert?
18. Who ultimately paid these stealth fees and expenses of the Remanded Feld X Walter G. Alexander Phase III “fairness” expert?
19. How much has Orange expended prosecuting and defending this separation of powers action filed by the administration against the local governing body? ESX-L-6949-21
20. Why are councilpersons Wooten and Summers-Johnson seeking separate counsel in this separation of powers dispute?
21. How many lawsuits are being paid by the JIF Insurer?
22. How many lawsuits are being paid by taxpayers’ trust fund monies?

23. Is Scarcinci Hollenbeck being retained as labor counsel or as additional litigation counsel?
24. Who monitors the bill list so that legal invoices relate to active pending matters and not to old and cold matters involving my mother as a named plaintiff?
25. Should all professional legal services bill list payments reflect the matter involved, such as Stevens & Lee separation of powers defense of the local governing body?
26. Today, how many in-house attorneys does Orange currently employ?
27. Who is the current in-house attorney assigned to OPRA review and compliance?
28. As of Dec. 31, 2021, how many CY 2021 OPRA requests remained outstanding?
29. Of the 47 pending and outstanding Feb. OPRA requests, to who are they due and from what departments are documents missing?
30. What is the likelihood that on February 15, 2022 the Millburn local governing body is scheduled to consider designating RPM Development Group the conditional developer of a 75 unit 100% affordable housing project located at the Township's downtown DPW site without holding a promised public forum prior to consideration and official action on a decision that will affect the future of this neighboring suburban community?