

# Agenda

**City of Plainfield**  
**CITY COUNCIL AGENDA FIXING SESSION**  
**August 10, 2009**  
City Hall Library-Mayor's Complex – 515 Watchung Avenue  
(908) 753-3222

## MUNICIPAL COUNCIL MEMBERS

**PRESIDENT**  
**AND**  
**COUNCILMAN-AT-LARGE, SECOND AND THIRD WARDS**  
*Honorable Rashid Burney*

**CHAIR, COMMITTEE OF THE WHOLE**  
**AND**  
**COUNCILWOMAN-AT-LARGE, FIRST AND FOURTH WARDS**  
*Honorable Linda Carter*

**COUNCILMAN THIRD WARD**  
*Honorable Adrian O. Mapp*

**COUNCILWOMAN-AT-LARGE**  
*Honorable Annie C. McWilliams*

**COUNCILMAN FIRST WARD**  
*Honorable William Reid*

**COUNCILMAN FOURTH WARD**  
*Honorable Elliott Simmons*

**COUNCILMAN SECOND WARD**  
*Honorable Cory Storch*

**MUNICIPAL CLERK,**  
*Honorable Laddie Wyatt, RMC/CMC/MMCA*  
*Clerk for the Council*

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**MAYOR**  
*HONORABLE SHARON M. ROBINSON-BRIGGS*

**CITY ADMINISTRATOR**  
*Marc D. Dashield*

**CORPORATION COUNSEL**  
*Daniel A. Williamson, Esq.*



**FOR SPECIAL ASSISTANCE, PLEASE CALL (908) 753-3223**

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**NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING**

**UNLESS OTHERWISE STATED, ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON.**

CALL TO ORDER: 7:30 P.M., CITY HALL LIBRARY - MAYOR'S COMPLEX – 515 WATCHUNG AVENUE, PLAINFIELD, NEW JERSEY

ROLL CALL:

ANNOUNCEMENT: COMPLIANCE WITH THE OPEN PUBLIC MEETING LAW

NOTICE: THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

CITY CLERK'S BULLETIN BOARD, CITY HALL, FIRST FLOOR  
PLAINFIELD PUBLIC LIBRARY  
PLAINFIELD MUNICIPAL COURT  
PLAINFIELD SENIOR CITIZENS CENTER  
COMCAST CABLE TV

## **PRESIDENT TO ANNOUNCE:**

THE NOTICE REQUIREMENT PROVIDED FOR THE "OPEN PUBLIC MEETING LAW" HAS BEEN SATISFIED. NOTICE WAS PROPERLY GIVEN, SAID NOTICE HAVING BEEN PUBLISHED IN THE COURIER-NEWS AND STAR-LEDGER ON *SATURDAY, MARCH 28, 2009* AS WELL AS POSTING ON THE BULLETIN BOARD IN THE CITY CLERK'S OFFICE.

## **I. COMMUNICATIONS FROM THE MAYOR:**

NONE.

## **II. OTHER COMMUNICATIONS AND PETITIONS:**

❖ COPY OF LETTER FROM THE HONORABLE ADRIAN O. MAPP EXPRESSING SYMPATHY TO THE REV. GLORIA TAYLOR AND FAMILY.

❖ STREET AND SIDEWALK ENCROACHMENT:  
**reference:** Section 13:6-1 Encroachment Forbidden without consent of Council

MR. DAVID WYNN, SUPERINTENDENT, DIVISION OF RECREATION, IS REQUESTING PERMISSION BE GRANTED FOR A STREET ENCROACHMENT TO CONDUCT A CAR SHOW/MOVIE NIGHT. THE EVENT IS SCHEDULED TO BE HELD ON AUGUST 28, 2009 AT EAST 2<sup>ND</sup> STREET BETWEEN PARK AND MADISON AVENUE COMMENCING 5:00 PM THRU 11:00 PM.

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- MR. EDISON GARCIA IS REQUESTING PERMISSION BE GRANTED FOR STREET AND SIDEWALK ENCROACHMENTS; AND SUSPENSION OF PARKING PRIVILEGES IN THE CITY PARKING LOT KNOWN AS BLOCK 317 LOT 19 (BETWEEN WATCHUNG AND SOMERSET) ON SEPTEMBER 20, 2009 AND SEPTEMBER 21, 2009 FROM NOON TO 7:00 P.M. TWO (2) DAYS INCLUSIVE FOR THE PURPOSE OF CONDUCTING THE CITY'S FIRST DOWNTOWN PLAINFIELD FIESTA DAY IN CELEBRATION OF THE INDEPENDENCE OF CENTRAL AMERICA.

MR. GARCIA, CHAIRMAN FOR "LATINO'S PROMOTING PLAINFIELD" WILL PROVIDE FOR NECESSARY VENDORS AND PARTICIPANTS INCLUDING COMPLETION OF THE REQUIRED PAPERWORK. MR. GARCIA IS ALSO REQUESTING ADEQUATE POLICE PRESENCE DURING THIS EVENT.

### **III. REPORT OF SPECIAL COMMITTEE:**

- ♦ MR. CORY STORCH, COUNCILMAN SECOND WARD WILL REPORT ON MATTERS CONCERNING THE CITY'S PLANNING BOARD.

### **IV. UNFINISHED BUSINESS:**

- ♦ CONTINUED DISCUSSION ON UNRESOLVED MATTERS OF CONCERN BROUGHT FORTH DURING CITY COUNCIL'S 2009 AGENDA SESSIONS. MEMBERS OF THE GOVERNING BODY WILL OFFER INPUT THIS EVENING ON THOSE TOPICS DEEMED PRIORITY.
- ♦ CITY ADMINISTRATOR DASHIELD WILL PROVIDE THE GOVERNING BODY WITH A COMPREHENSIVE REVIEW ON THE CITY'S ROAD PROJECT INCLUSIVE OF A STATUS REPORT OF CURRENT AND MOST RECENT LISTING OF THE WORK COMPLETED THUS FAR.
- ♦ UNRESOLVED MATTERS CONCERNING THE DUDLEY HOUSE.

### **V. CONSIDERATION OF PUBLIC HEARING, SECOND READING AND FINAL PASSAGE:** CONSIDERATION OF ORDINANCE FOR ADOPTION ON SECOND READING:

**MC 2009 -12** AN ORDINANCE TO SUPPLEMENT CHAPTER 12, SEWERS AND WATERS, ARTICLE 10, ESTABLISHING REQUIREMENTS FOR REFUSE CONTAINERS DUMPSTERS OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD NEW JERSEY 1971 – **DEPARTMENT OF PUBLIC WORKS & URBAN DEVELOPMENT.**

**MC 2009 -13** AN ORDINANCE TO SUPPLEMENT CHAPTER 12, SEWERS AND WATERS, ARTICLE 9, ESTABLISHING A PRIVATE STORM DRAIN INLET RETROFITTING ORDINANCE OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD NEW JERSEY 1971 – **DEPARTMENT OF PUBLIC WORKS & URBAN DEVELOPMENT.**

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**MC 2009 –14** AN ORDINANCE AUTHORIZING A FIVE (5) YEAR TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF PLAINFIELD AND P&F MANAGEMENT, LLC FOR PREMISES LOCATED AT 400 EAST FRONT STREET, BLOCK 324, LOT 10.01 AND KNOWN AS THE MONARCH AT EAST FRONT STREET – A CONDOMINIUM – **CORPORATION COUNSEL.**

## **VI. DISCUSSION/ACTION ITEMS:**

- ◆ COUNCIL PRESIDENT BURNEY HAS INVITED THE PLAINFIELD CULTURAL AND HERITAGE COMMITTEE TO APPEAR BEFORE THE COUNCIL THIS EVENING TO DELIVER A PRESENTATION.

## **VII. LEGISLATIVE DISCUSSION ITEMS:**

- ◆ PROCEDURE FOR DESIGNATING MEMBERS TO SERVE ON THE ECONOMIC GROWTH COMMITTEE. RESOLUTION ESTABLISHING THE AD HOC COMMITTEE DELIVERED TO COUNCIL MEMBERS UNDER SEPARATE COVER.
- ◆ FOLLOW UP AND FOLLOW-THRU ON PENDING STATUS OF PLAINFIELD'S AMBULANCE SERVICE.
- ◆ REVIEW AND DISCUSS MATTERS CONCERNING "CEDARBROOK ROAD LIGHTING PROJECT."

## **VIII. RESOLUTIONS:** **NEW BUSINESS:**

### **LEGISLATIVE BODY**

- A.** COUNCILMANIC RESOLUTION CONVEYING DEEPEST CONDOLENCES TO THE FAMILY OF **THE HONORABLE REV. RICHARD ("RICK") TAYLOR**, FORMER MAYOR AND RECALLING HIS COUNTLESS EFFORTS ON BEHALF OF THE CITY OF PLAINFIELD AND ITS RESIDENTS – **CITY CLERK.**
- B.** COUNCILMANIC RESOLUTION AUTHORIZING THE RENEWAL OF A CERTAIN PLENARY RETAIL CONSUMPTION LICENSE FOR THE 2009 – 2010 LICENSED TERM COMMONLY KNOWN AS **PUEBLO VIEJO CORP., T/A PUEBLO VIEJO**, 311-317 WEST FRONT STREET, CITY OF PLAINFIELD, LICENSE NO. 2012-33-031-004 WITH SPECIAL RESTAURANT CONDITIONS IMPOSED – **CITY CLERK.** (TAX CLEARANCE CERTIFICATE RECEIVED FROM THE STATE DIVISION OF TAXATION)

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- C.** COUNCILMANIC RESOLUTION AUTHORIZING THE RENEWAL OF A CERTAIN PLENARY RETAIL CONSUMPTION LICENSE FOR THE 2008 – 2009 LICENSED TERM COMMONLY KNOWN AS *116 WATCHUNG AVENUE, LLC*, 116 WATCHUNG AVENUE, CITY OF PLAINFIELD, LICENSE NO. 2012-33-002-006 – **CITY CLERK.** (NOTE: THIS ESTABLISHMENT WAS FORMERLY KNOWN AS SHOUT. THE BUILDING HAS BEEN CLOSED SINCE 2003. THE OWNER HAS RECEIVED APPROVAL FOR RENEWAL OF THE 2008-2009 LICENSE. APPROVAL FROM THE ABC FOR THE 2009/2010 LICENSE RENEWAL IS STILL PENDING A SPECIAL RULING ISSUED BY THE ABC DIRECTOR. RELATED INFORMATION SUBMITTED TO COUNCILMEMBERS.)
- D.** AUTHORIZE APPROVAL OF APPLICATION(S) BASED ON THE FINDINGS AND DETERMINATION FOR ISSUANCE OF CERTAIN BINGO/RAFFLE LICENSES RECOMMENDED BY THE POLICE DIRECTOR (**FRIENDS OF THE PLAINFIELD PUBLIC LIBRARY**) – **CITY CLERK.**
- E.** AUTHORIZE APPROVAL OF APPLICATION(S) BASED ON THE FINDINGS AND DETERMINATION FOR ISSUANCE OF CERTAIN BINGO/RAFFLE LICENSES RECOMMENDED BY THE POLICE DIRECTOR (**ST. MARY'S ROMAN CATHOLIC CHURCH**) – **CITY CLERK.**
- F.** COUNCILMANIC RESOLUTION GRANTING ADVICE AND CONSENT TO THE FOLLOWING NOMINEES TO SERVE AS MEMBERS OF THE **2009 CITIZENS ECONOMIC GROWTH ADVISORY COMMITTEE** – **CITY CLERK** (RESOLUTION AND NOMINEES FORTHCOMING)
- G.** COUNCILMANIC RESOLUTION GRANTING ADVICE AND CONSENT TO THE FOLLOWING NOMINEES TO SERVE AS MEMBERS OF THE **FY 2010 CITIZENS BUDGET ADVISORY COMMITTEE** AS LISTED HEREIN THIS RESOLUTION – **CITY CLERK**
- H.** COUNCILMANIC RESOLUTION GRANTING ADVICE AND CONSENT TO THE FOLLOWING NOMINEES TO SERVE AS MEMBERS OF THE **2009 CITIZENS' INFORMATION TECHNOLOGY ADVISORY COMMITTEE** AS LISTED HEREIN THIS RESOLUTION – **CITY CLERK**

## **ADMINISTRATION/EXECUTIVE BRANCH**

NONE

## **CORPORATION COUNSEL**

NONE RECEIVED

## **DEPARTMENT OF ADMINISTRATION & FINANCE**

- I.** AUTHORIZE APPROVAL FOR THE ADOPTION OF GENERAL FUND EMERGENCY TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE FY 2010 BUDGET IN ACCORDANCE WITH N.J.S.A. 40A:4-20 FOR MONTH OF SEPTEMBER 2009 – **ACTING CHIEF FINANCE OFFICER.**

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- J.** APPROVE AUTHORIZATION TO AMEND R 161-09 ADOPTED BY THE GOVERNING BODY ON APRIL 13, 2009 ON THREE (3) PROPERTIES DUE TO MONIES APPLIED TO TAX ACCOUNTS – **\$4,921.93 – TAX COLLECTOR.**
- K.** AUTHORIZE APPROVAL GRANTING INTEREST TO LIEN HOLDER LYDIA SANCHEZ FOR BLOCK 322 LOT 6, COMMONLY KNOWN AS 418-20 TATE COURT – **\$62.44 – TAX COLLECTOR**
- L.** APPROVE AUTHORIZATION FOR THE CANCELLATION OF A THIRD PARTY TAX SALES CERTIFICATE AND REFUND ON BLOCK 206 LOT 10, COMMONLY KNOWN AS 1848-50 BRADFORD STREET – **\$244.07 – TAX COLLECTOR.**
- M.** APPROVE AUTHORIZATION TO AMEND RESOLUTION R 191-09 ADOPTED BY THE GOVERNING BODY ON MAY 11, 2009 ON BLOCK 101 LOT 4 – **TAX COLLECTOR.**
- N.** AUTHORIZE APPROVAL AWARDDING CONTRACTS WITH CERTAIN STATE APPROVED CONTRACT VENDORS PURSUANT TO N.J.S.A 40A:11-12A – **(POLICE EQUIPMENT) – PURCHASING DIVISION.**
- O.** AUTHORIZE APPROVAL AWARDDING CONTRACTS WITH CERTAIN STATE APPROVED CONTRACT VENDORS PURSUANT TO N.J.S.A 40A:11-12A – **(PUBLIC WORKS EQUIPMENT) – PURCHASING DIVISION.**
- P.** AUTHORIZE APPROVAL AWARDDING CONTRACTS WITH CERTAIN STATE APPROVED CONTRACT VENDORS PURSUANT TO N.J.S.A 40A:11-12A – **(AUTOMOTIVE EQUIPMENT) – PURCHASING DIVISION.**
- Q.** AUTHORIZE APPROVAL AWARDDING CONTRACTS WITH CERTAIN STATE APPROVED CONTRACT VENDORS PURSUANT TO N.J.S.A 40A:11-12A – **(OFFICE SUPPLIES) – PURCHASING DIVISION.**
- R.** AUTHORIZE APPROVAL AWARDDING CONTRACTS WITH CERTAIN STATE APPROVED CONTRACT VENDORS PURSUANT TO N.J.S.A 40A:11-12A – **(CELLULAR EQUIPMENT PURCHASING DIVISION.**
- S.** AUTHORIZE APPROVAL AWARDDING CONTRACTS WITH CERTAIN STATE APPROVED CONTRACT VENDORS PURSUANT TO N.J.S.A 40A:11-12A – **(COMPUTER EQUIPMENT) PURCHASING DIVISION.**
- T.** AUTHORIZE APPROVAL AWARDDING CONTRACTS WITH CERTAIN STATE APPROVED CONTRACT VENDORS PURSUANT TO N.J.S.A 40A:11-12A – **(REPROGRAPHIC EQUIPMENT) PURCHASING DIVISION.**
- U.** APPROVE AUTHORIZATION FOR THE ACCEPTANCE OF FUNDS FROM THE NEW JERSEY HEALTH OFFICERS ASSOCIATION FOR THE PURCHASE OF EMERGENCY EQUIPMENT FOR EMERGENCY PREPAREDNESS IN THE AMOUNT OF **\$2,500.00 – HEALTH DIVISION.**
- V.** APPROVE AUTHORIZATION FOR THE RENEWAL AND ACCEPTANCE OF FUNDS WITH THE STATE OF NEW JERSEY DEPARTMENT OF EDUCATION CHILD AND ADULT FOOD PROGRAM FOR THE PLAINFIELD BILINGUAL DAY CARE CENTER IN THE AMOUNT OF **\$77,128.20 – BILINGUAL DAY CARE CENTER.**

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- W.** AUTHORIZE APPROVAL FOR THE SUBMISSION AND ACCEPTANCE OF A GRANT APPLICATION TO THE UNION COUNTY DEPARTMENT OF HUMAN SERVICES FOR AN ALCOHOL/DRUG ABUSE TREATMENT PROGRAM – **\$143,550.00 – PLAINFIELD ACTION SERVICES.**
- X.** APPROVE AUTHORIZATION FOR THE ACCEPTANCE OF A CONTRACT BETWEEN THE CITY OF PLAINFIELD AND THE UNION COUNTY DEPARTMENT OF HUMAN SERVICES FOR A WORKFORCE INVESTMENT ACT (WIA) ARRA AMERICAN REINVESTMENT AND RECOVERY ACT SUMMER YOUTH EMPLOYMENT COMPONENT PROGRAM IN THE AMOUNT OF **\$102,132.60 – PLAINFIELD ACTION SERVICES.**

## **DEPARTMENT OF PUBLIC AFFAIRS & SAFETY**

NONE

## **DEPARTMENT OF PUBLIC WORKS & URBAN DEVELOPMENT**

- Y.** APPROVE AUTHORIZATION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR GENERAL AND MISCELLANEOUS ENGINEERING SERVICES TO REMINGTON & VERNICK ENGINEERS 15-33 HALSTED STREET EAST ORANGE NJ 07018 IN THE AMOUNT OF **\$140,000.00 –DIRECTOR'S OFFICE**
- Z.** AUTHORIZE APPROVAL TO AWARD A CONTRACT TO FRANK LURCH DEMOLITION COMPANY, P.O. BOX 42 AVON BY THE SEA NJ 07717 FOR THE DEMOLITION OF STRUCTURES AT 401 407 & 409-411 CLEVELAND AVENUE AND 658-60 SOUTH SECOND STREET IN AN AMOUNT NOT TO EXCEED **\$29,500.00. DIRECTOR'S OFFICE**
- Z1.** AUTHORIZE APPROVAL FOR THE RELEASE OF PERFORMANCE BOND, ACCEPTANCE OF THE MAINTENANCE BOND AND THE RELEASE OF THE RETAINAGE IN THE AMOUNT OF **\$3,910.24** TO TEC-CON CONTRACTORS INC. 9 DODD STREET EAST ORANGE NJ 07017 FOR THE PREFABRICATED RESTROOMS FACILITIES AT BRYANT PARK PLAYGROUND. **–DIRECTOR'S OFFICE**
- Z2.** AUTHORIZE APPROVAL FOR THE MAYOR AND CITY CLERK TO MODIFY AN INTER-LOCAL SERVICES AGREEMENT BETWEEN THE CITY OF PLAINFIELD AND THE COUNTY OF UNION FOR THE PURPOSES OF INSERTING A DESCRIPTION OF ACTIVITIES FOR THE FY 2009-2010 UNION COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FY 2009-2010 HOME INVESTMENT PARTNERSHIP PROGRAM. **–COMMUNITY DEVELOPMENT.**

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## PUBLIC OFFICER

- Z3.** AUTHORIZE APPROVAL FOR A LIEN PLACEMENT FOR CLEAN UP OF TWELVE (12) PROPERTIES AS PER THE ATTACHED SCHEDULE A TOTALING \$8,142.70.
- Z4.** AUTHORIZE APPROVAL FOR THE PROPERTY MAINTENANCE CODE LIEN PLACEMENT FOR PROPERTY CLEAN UP OF BLOCK 109 LOT 28.01 COMMONLY KNOWN AS 621 WEST THIRD STREET. \$694.54

## **IX. INTRODUCTION OF ORDINANCES ON FIRST READING:**

**MC 2009 -15** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3, AGENCIES AND BOARDS, ARTICLE 37, PLAINFIELD SPECIAL IMPROVEMENT DISTRICT OF THE MUNICIPAL CODE OF PLAINFIELD, NJ, 1971 – **CORPORATION COUNSEL.**

**MC 2009 -16** AN ORDINANCE AUTHORIZING THE SALE OF VARIOUS CITY OWNED PROPERTIES LESS THAN THE MINIMUM LOT SIZE TO THE CONTIGUOUS PROPERTY OWNER WHO SUBMITS THE HIGHEST BID PURSUANT TO N.J.S.A 40A:12-13. **-TAX ASSESSOR**

**MC 2009 -17** AN ORDINANCE AUTHORIZING THE CITY OF PLAINFIELD TO ACCEPT A PUBLIC RIGHT OF WAY FROM DORNOCH PLAINFIELD LLC. **-CORPORATION COUNSEL**

### CITIZENS PARTICIPATION:

CITIZENS ARE WELCOME TO ADDRESS THE COUNCIL ON ANY GOVERNMENTAL ITEM OF CONCERN TO THEM, WHETHER OR NOT IT IS SCHEDULED ON THE AGENDA ABOVE.

DURING THIS PORTION OF THE AGENDA, A TOTAL OF SIXTY (60) MINUTES HAS BEEN ALLOCATED FOR **ALL** PUBLIC COMMENTS TO BE PRESENTED. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME AND ADDRESS TO THE CLERK FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, WILL BE LIMITED TO THREE (3) MINUTES. LARGE GROUPS ARE URGED TO SELECT SOMEONE TO REPRESENT THEM.

## **X. ADJOURNMENT:**

**TOTAL # OF RESOLUTIONS – 5**  
**TOTAL # OF ORDINANCES – 30**

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### ATTENDANCE RECORD FOR MEMBERS OF THE GOVERNING BODY AGENDA FIXING SESSION

2009 COUNCIL MEMBERS (08/10/2009)	PRESENT	ABSENT	ARRIVAL TIME
CARTER, LINDA CHAIR, COMMITTEE-OF-THE-WHOLE			
MAPP, ADRIAN O.			
MCWILLIAMS, ANNIE C.			
REID, WILLIAM			
SIMMONS, ELLIOTT			
STORCH, CORY			
BURNEY, RASHID COUNCIL PRESIDENT			
WYATT, LADDIE CLERK TO THE COUNCIL			