

**MUNICIPAL COUNCIL OF THE CITY OF PLAINFIELD
PLAINFIELD, NEW JERSEY
REGULAR MEETING AGENDA**

**DATE: MONDAY, APRIL 12, 2010
TIME: 8:00 P.M.
PLACE: MUNICIPAL COURT-COUNCIL CHAMBERS
325 WATCHUNG AVENUE**

AT THE REGULAR MEETING, A SEGMENT WILL BE PROVIDED FOR PUBLIC COMMENTS, LIMITED TO RESOLUTIONS, MOTIONS AND ORDINANCES TO BE INTRODUCED ON FIRST READING, WHICH APPEARS ON THIS EVENING'S AGENDA PRIOR TO CITY COUNCIL ACTION ON ANY ITEM THAT MAY BE APPROPRIATE FOR PRESENTATION TO THE GOVERNING BODY.

MUNICIPAL COUNCIL MEMBERS

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

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

COUNCILWOMAN-AT-LARGE, FIRST AND FOURTH WARDS
Honorable Linda Carter

**CHAIR, COMMITTEE OF THE WHOLE
AND
COUNCILMAN, THIRD WARD**
Honorable Adrian O. Mapp

COUNCILMAN FIRST WARD
Honorable William Reid

COUNCILWOMAN, FOURTH WARD
Honorable Bridget Rivers

COUNCILMAN, SECOND WARD
Honorable Cory Storch

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

MAYOR
Honorable Sharon M. Robinson-Briggs

CITY ADMINISTRATOR
Bibi Taylor



CORPORATION COUNSEL
Daniel A. Williamson, Esq.

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

ORDER OF BUSINESS FOR THE PLAINFIELD CITY COUNCIL
THE HONORABLE ANNIE C. MCWILLIAMS, PRESIDING

1. **ROLL CALL:**

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 THE STAR-LEDGER ON *SATURDAY, JANUARY 9, 2010* AS WELL AS POSTING ON THE BULLETIN BOARD IN THE CITY CLERK'S OFFICE.

2. **PLEDGE OF ALLEGIANCE:**

3. **INVOCATION:**

4. **APPROVAL OF MINUTES:**

DELAYED

4A. CEREMONIAL MATTERS:

5. **COMMUNICATIONS FROM THE MAYOR:**

NONE

6. **OTHER COMMUNICATIONS AND PETITIONS:**

NONE

7. **REPORT OF SPECIAL COMMITTEES:**

NONE

8. **UNFINISHED BUSINESS:**

NONE

9. **CONSIDERATION OF PUBLIC HEARING, SECOND READING & FINAL PASSAGE:** CONSIDERATION OF ORDINANCE FOR ADOPTION ON SECOND READING:

MC 2010 - 06 AN ORDINANCE AMENDING THE SCHEDULE OF SALARIES AND WAGES ADOPTED PURSUANT TO ARTICLE 14, CHAPTER 11 OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD, NJ, 1971 (CITY COUNCIL MEMBERS) – **PERSONNEL DIVISION.**

BOND ORDINANCE 1247 BOND ORDINANCE AUTHORIZING THE APPROPRIATION OF A SUM NOT TO EXCEED \$4,400,000 AND AUTHORIZING THE ISSUANCE OF REFUNDING BONDS AND/OR NOTES OF THE CITY OF PLAINFIELD COUNTY OF UNION STATE OF NEW JERSEY IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$4,400,000 IN AND FOR THE CITY OF PLAINFIELD IN THE COUNTY OF UNION STATE OF NEW JERSEY TO REFUND IN FULL OR IN PART THE OUTSTANDING BALANCE OF GENERAL IMPROVEMENT BONDS OF THE CITY TO REDEEM IN FULL OR IN PART SUCH OUTSTANDING BALANCE AND TO FINANCE THE COST OF ISSUANCE OF SUCH REFUNDING BONDS ON BEHALF OF THE CITY AND TO PROVIDE FOR THE ISSUANCE OF SUCH REFUNDING BONDS. -ASSISTANT COMPTROLLER.

9(A). **PUBLIC COMMENTS, LIMITED TO RESOLUTIONS, MOTIONS, AND ORDINANCES TO BE INTRODUCED ON FIRST READING:**

NEW BUSINESS

10. **CONSENT AGENDA:**

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ALL MATTERS LISTED WITH AN (*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS UNLESS A COUNCILMEMBER OR CITIZEN SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY UNDER NEW BUSINESS IN ITS NORMAL SEQUENCE LATER ON THE AGENDA.

APPROVAL OF CONSENT AGENDA:

RESOLUTION NUMBERS R-132-10 THRU R-135A-10; R-145-10 THRU R-146-10; AND R-155-10 ARE LISTED ON THE CONSENT AGENDA SEGMENT WITH AN ASTERISK* TO BE APPROVED AND THAT EACH SPECIFIC ACTION ON THE CONSENT AGENDA BE APPROVED AS INDICATED.

11. **RESOLUTIONS AND MOTIONS:**
NEW BUSINESS:

LEGISLATIVE BODY

*R-132-10 APPROVE AUTHORIZATION OF APPLICATIONS BASED ON THE FINDINGS AND DETERMINATION FOR ISSUANCE OF CERTAIN BINGO/RAFFLE LICENSES RECOMMENDED BY THE POLICE DIRECTOR (ROTARY PLAINFIELD - NORTH PLAINFIELD INC.) – CITY CLERK.

*R-133-10 COUNCILMANIC RESOLUTION DESIGNATING THE MONTH OF MARCH AS “WOMEN’S HISTORY MONTH” – CITY CLERK.

- *R-134-10** COUNCILMANIC RESOLUTION URGING STATE LEGISLATURE TO AMEND THE OPEN PUBLIC RECORDS ACT (OPRA) – **CITY CLERK.**
- R-135-10** COUNCILMANIC RESOLUTION ENCOURAGING TIMELY INTRODUCTION OF THE STATE FISCAL YEAR 2010 /11 MUNICIPAL OPERATING – **CITY CLERK**
NON-CONSENT
- *R-135A-10** **RESERVED SPACE** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR THE INSTALLATION OF BANNERS AND APPROVAL FOR STREET AND SIDEWALK ENCROACHMENTS TO PROMOTE ACTIVITIES IN THE CITY – **CITY CLERK**

ADMINISTRATION/EXECUTIVE BRANCH

NONE

CORPORATION COUNSEL

- R-136-10** APPROVE RESOLUTION AUTHORIZING SETTLEMENT IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00) IN THE MATTER OF KEVIN LAMBERT v. CITY OF NEW BRUNSWICK, CITY OF PLAINFIELD, et als., CIVIL ACTION NO. 3:0909-CV-01760 AET-DEA INSERVCO CLAIM NO. 1940002395
NON-CONSENT
- R-137-10** APPROVE RESOLUTION AUTHORIZING AN ADDITIONAL APPROPRIATION IN AN AMOUNT NOT TO EXCEED ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) ON BEHALF OF DETECTIVE MICHAEL BLACK, IN THE MATTER OF KEVIN LAMBERT v. CITY OF NEW BRUNSWICK, CITY OF PLAINFIELD, et als., CIVIL ACTION NO. 3:0909-CV-01760 –AET-DEA
NON-CONSENT
- R-138-10** APPROVE RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DORNOCH PLAINFIELD, LLC FOR THE PURCHASE OF 400 EAST FRONT STREET UNIT 101, BLOCK 324, LOT 10.101 FOR USE AS A SENIOR CITIZEN’S CENTER and UNIT 102, BLOCK 324, LOT 102, BLOCK 324 LOT 10.102 FOR USE AS A VETERAN’S CENTER (**ENCLOSURES UNDER SEPARATE COVER**)
NON-CONSENT
- R-139-10** APPROVE RESOLUTION AUTHORIZING INDEMNIFICATION BY THE CITY OF PLAINFIELD IN THE MATTER OF BYRON HALSEY v. CITY OF PLAINFIELD et als., CIVIL ACTION NO.09 cv 1138(DMC)
NON-CONSENT

DEPARTMENT OF ADMINISTRATION & FINANCE

- R-140-10** APPROVE AUTHORIZATION TO AFFIRM THE CITY OF PLAINFIELD’S CIVIL RIGHTS POLICY. – **PERSONNEL.**
NON-CONSENT
- R-141-10** AUTHORIZE APPROVAL FOR THE CANCELLATION OF A THIRD PARTY TAX SALE CERTIFICATE AND REFUND ON BLOCK 501 LOT 31 COMMONLY KNOWN AS 619-21 JOHN ST. FOR THE AMOUNT OF **\$212.31 – TAX COLLECTOR.**
NON-CONSENT

R-142-10 APPROVE AUTHORIZATION FOR THE CANCELLATION OF A THIRD PARTY TAX SALE CERTIFICATE AND REFUND ON BLOCK 832 LOT 12 COMMONLY KNOWN AS 135-39 CRESCENT AVENUE FOR THE AMOUNT OF \$381.67 – TAX COLLECTOR.
NON-CONSENT

R-143-10 APPROVE AUTHORIZATION FOR THE CANCELLATION OF A THIRD PARTY TAX SALE CERTIFICATE AND REFUND FOR THE PROPERTY FORMERLY KNOWN AS BLOCK 231 LOT 9 \$924.17 –TAX COLLECTOR.
NON-CONSENT

R-144-10 AUTHORIZE APPROVAL TO AMEND THE FY 2010 MUNICIPAL BUDGET IN ACCORDANCE WITH N.J.S.A 40A:4-87. –ASSISTANT COMPTROLLER.
NON-CONSENT

DEPARTMENT OF PUBLIC AFFAIRS & SAFETY

***R-145-10** AUTHORIZE APPROVAL FOR THE CITY OF PLAINFIELD TO CONDUCT A PUBLIC AUCTION OF ABANDONED AND UNCLAIMED VEHICLES. – DIRECTOR’S OFFICE.

***R-146-10** AUTHORIZE APPROVAL TO SUBMIT AN APPLICATION FOR SAFE AND SECURE COMMUNITIES PROGRAM CONTINUATION FUNDING GRANT NUMBER P-4969. \$60,000. –DIRECTOR’S OFFICE.

DEPARTMENT OF PUBLIC WORKS & URBAN DEVELOPMENT

R-147-10 AUTHORIZE APPROVAL FOR THE ACCEPTANCE OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FY 2010 MUNICIPAL AID PROGRAM AWARD FOR THE RECONSTRUCTION OF WATCHUNG AVE (FROM EAST SEVENTH STREET TO KENSINGTON AVENUE) IN THE AMOUNT OF \$295,063.00. –DIRECTOR’S OFFICE.
NON-CONSENT

R-148-10 AUTHORIZE APPROVAL FOR THE AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR THE PREPARATION AND SUBMISSION OF THE ANNUAL 2010 MS4 STORM WATER REPORT AND CERTIFICATION TO REMINGTON & VERNICK ENGINEERS, 15-33 HALSTED STREET, EAST ORANGE, NJ 07018 FOR AN AMOUNT NOT TO EXCEED \$2,500.00. DIRECTOR’S OFFICE.
NON-CONSENT

R-149-10 AUTHORIZE APPROVAL FOR THE EMERGENCY PROCUREMENT FOR DEMOLITION SERVICES (IN EXCESS OF \$21,000.00) –DIRECTOR’S OFFICE.
NON-CONSENT

R-150-10 AUTHORIZE RESOLUTION AWARDING AN EMERGENCY CONTRACT TO OVETER’S CONSTRUCTION
NON-CONSENT

R-151-10 APPROVE RESOLUTION ESTABLISHING AN EMERGENCY APPROPRIATION FOR \$200,000 TO FUND EMERGENCY DEMOLITION
NON-CONSENT

R-152-10 APPROVE AUTHORIZATION FOR THE ACCEPTANCE OF THE 2010-2015 CAPITAL IMPROVEMENT PROGRAM (CIP) AND THE FY 2010 CAPITAL BUDGET AS RECOMMEND BY THE PLANNING BOARD. – PLANNING DIVISION.
NON-CONSENT

R-153-10 APPROVE AUTHORIZATION FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT PURSUANT TO N.J.S.A 40A:11-2(6) AND THE FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A 19:44A-20.4 TO DEWBERRY-GOODKIND INC. FOR SITE INVESTIGATION AT 658-660 SOUTH SECOND STREET BLOCK 112 LOT 8 TO FACILITATE ENVIRONMENTAL REMEDIATION IN AN AMOUNT NOT TO EXCEED \$20,850.00. -PLANNING DIVISION.
NON-CONSENT

R-154-10 APPROVE AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE A HOLD HARMLESS AGREEMENT IN FAVOR OF THE UNION COUNTY IMPROVEMENT AUTHORITY FOR THE USE OF UNION COUNTY PARK MADISON BUILDING. –**RECREATION DIVISION.**
NON-CONSENT

***R-155-10** APPROVE AUTHORIZATION TO AMEND RESOLUTION #498-09 ADOPTED BY THE GOVERNING BODY ON NOVEMBER 16, 2009 TO DELETE BLOCK 615 LOT 7 COMMONLY KNOWN AS 616-18 WEST SIXTH STREET FROM **SCHEDULE A.** – **INSPECTIONS DIVISION.**

12. NEW ITEM(S):

NONE

13. INTRODUCTION OF ORDINANCES ON FIRST READING:

MC 2010 – 07 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 1, ARTICLE 1, GENERAL PROVISION, SECTION 1:1-15, AUTHORIZING CHARGES FOR COPIES OF PUBLIC RECORDS AND FEES AND FOR OTHER SERVICES OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD, NJ 1971 – **HEALTH DIVISION.**

MC 2010 – 08 AN ORDINANCE REVISING THE FEE SCHEDULE FOR PAYMENTS TO PROFESSIONALS FOR THE REVIEW OF APPLICATIONS TO THE PLANNING BOARD AND BOARD OF ADJUSTMENT PURSUANT TO N.J.S.A. 40:55D-53.2 **-PLANNING DIVISION.**

MC 2010 – 09 AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD CHAPTER 2, ARTICLE 6 AND CREATING SECTION 18 ENTITLED THE PLAINFIELD MUNICIPAL ALLIANCE. **-PERSONNEL DIVISION.**

MC 2010 – 10 AN ORDINANCE AMENDING THE SCHEDULE OF SALARIES AND WAGES ADOPTED PURSUANT TO ARTICLE 14, CHAPTER 11 OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD, NEW JERSEY, 1971. – **PERSONNEL DIVISION.**

MC 2010 – 11 AN ORDINANCE AMENDING CHAPTER 11, PERSONNEL AND CREATING ARTICLE 20, ENTITLED DEFENSE OF OFFICERS AND EMPLOYEES, OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD, NEW JERSEY, 1971. **-PERSONNEL DIVISION**

MC 2010 – 12 AN ORDINANCE TO AMEND CHAPTER 9, LICENSES, PERMITS AND REGULATED ACTIVITIES, ARTICLE 15, VEHICLES FOR TRANSPORTATION OF PASSENGER (TAXICABS); PART 8, ENFORCEMENT, SUBSECTION 76, ENFORCEMENT BY POLICE DIVISION AND VIOLATIONS AND PENALTIES. **-PUBLIC SAFETY.**

MC 2010 – 13 AN ORDINANCE TO AMEND CHAPTER 9, LICENSES, PERMITS AND REGULATED ACTIVITIES, ARTICLE 15, VEHICLES FOR TRANSPORTATION OF PASSENGERS (TAXICABS); PART 3 CITY CHAUFFEUR'S LICENSE TO INCLUDE SECTION 9:15-21(d) UNIVERSAL LICENSE. **-PUBLIC SAFETY**

14. GENERAL PUBLIC COMMENTS:

ANY RESIDENT OR TAXPAYER OF PLAINFIELD IS WELCOME TO COMMENT ON ANY GOVERNMENTAL ITEM OF CONCERN TO THEM DURING THE GENERAL PUBLIC COMMENTS SEGMENT OF THE COUNCIL'S MEETING. CITIZENS MUST CLEARLY STATE THEIR NAME AND ADDRESS TO THE CLERK ONCE THE SPEAKER IS RECOGNIZED BY THE PRESIDING OFFICER TO SPEAK. A TOTAL OF SIXTY (60) MINUTES HAS BEEN ALLOCATED FOR ALL PUBLIC COMMENTS TO BE PRESENTED. LARGE GROUPS ARE URGED TO SELECT A SPOKESPERSON TO REPRESENT THEM. EACH PERSON IS ALLOCATED FIVE (5) MINUTES TO SPEAK. THE PRESIDING OFFICER OR A MAJORITY ON THE COUNCIL MAY EXTEND THE LENGTH OF TIME ALLOCATED CUMULATIVELY OR INDIVIDUALLY.

NO SPEAKER SHALL ENGAGE IN ANY PERSONALLY OFFENSIVE, DEROGATORY OR ABUSIVE REMARKS. THE PRESIDENT SHALL IMMEDIATELY CALL TO ORDER ANY SPEAKER WHO VIOLATES THIS PROVISION. AN OFFICER FROM THE PLAINFIELD POLICE DIVISION MAY REMOVE ANY DISRUPTIVE PERSON AT THE DISCRETION OF THE PRESIDING OFFICER. PUBLIC COMMENT IS AN OPPORTUNITY FOR THE PUBLIC TO PRESENT THEIR VIEWS – BOTH POSITIVE AND NEGATIVE.

IT IS NOT A QUESTION AND ANSWER PERIOD. NEITHER THE PRESIDING OFFICER NOR COUNCIL MEMBERS WILL ENGAGE IN A BACK AND FORTH EXCHANGE SO SPEAKERS ARE ENCOURAGED TO PRESENT ALL THEIR VIEWS. THE PRESIDING OFFICER AS WELL AS ANY COUNCIL MEMBER MAY RESPOND TO ANY COMMENT AFTER SUCH SPEAKER IS FINISHED. THE PRESIDING OFFICER MAY REFER THE SPEAKER TO THE CITY ADMINISTRATOR OR AN APPROPRIATE DEPARTMENT HEAD AND ANY COUNCIL MEMBER MAY CHOOSE TO RESPOND IN WRITING TO INDIVIDUAL CITIZENS.

15. ADJOURNMENT:

TOTAL RESOLUTIONS = 25

TOTAL ORDINANCES = 9

THE NEXT REGULARLY SCHEDULED MEETING IS AN AGENDA FIXING SESSION TO BE HELD IN THE CITY HALL LIBRARY ON MONDAY, MAY 3, 2010