

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

**DATE: TUESDAY, OCTOBER 13, 2009**  
**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**

**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 of 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.**

ORDER OF BUSINESS FOR THE PLAINFIELD CITY COUNCIL

*THE HONORABLE RASHID BURNEY, 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, MARCH 28, 2009* AS WELL AS POSTING ON THE BULLETIN BOARD IN THE CITY CLERK'S OFFICE.

2. **PLEDGE OF ALLEGIANCE:**

3. **INVOCATION:**

4. **APPROVAL OF MINUTES:**

Executive Session of June 9, 2009  
Executive Session of September 24, 2009  
Special Meeting of September 24, 2009

**4A. CEREMONIAL MATTERS:**

**PRESENTATION/  
RECOGNITIONS:**

PLAINFIELD SYMPHONY  
COUNCIL PRESIDENT RASHID BURNEY

NATIONAL NIGHT OUT  
CHAIR, COMMITTEE-OF-THE-WHOLE,  
LINDA CARTER

5. **COMMUNICATIONS FROM THE MAYOR:**

NONE.

6. **OTHER COMMUNICATIONS AND PETITIONS:**

- ♦ CORRESPONDENCE FROM MR. EDISON GARCIA, ORGANIZER REPRESENTING LATINO'S PROMOTING PLAINFIELD, DATED SEPTEMBER 23, 2009 ADDRESSED TO THE CITY CLERK/CITY COUNCIL EXTENDING THE GROUP'S GRATITUDE AND THANKS FOR SUPPORTING THE FIRST CELEBRATION OF THE INDEPENDENCE OF CENTRAL AMERICA FIESTA.

7. **REPORT OF SPECIAL COMMITTEES:**

NONE

8. **UNFINISHED BUSINESS:**

NONE

**9. CONSIDERATION OF PUBLIC HEARING, SECOND READING & FINAL PASSAGE:**

**MC 2009 -19** AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 6, BUILDINGS, ARTICLE 2, PROPERTY MAINTENANCE CODE SECTION 4 ET SEQ., OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD, NJ, 1971 – **DIVISION OF INSPECTIONS.**

**MC 2009 -20** 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 – **PERSONNEL DIVISION.**

**MC 2009 -21** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3, AGENCIES AND BOARDS, ARTICLE 37 PLAINFIELD SPECIAL IMPROVEMENT DISTRICT OF THE MUNICIPAL CODE OF PLAINFIELD, NJ, 1971 – **ECONOMIC DEVELOPMENT.**

**MC 2009 -23** AN ORDINANCE TO EXCEED THE SFY 2010 MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND ESTABLISHING A CAP BANK. – **ADMINISTRATION & FINANCE.**

**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 442-09** THRU **R 446-09** AND **R 450-09** THRU **R 457-09** AND **R 459-09** 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 442-09** COUNCILMANIC RESOLUTION URGING THE NEW JERSEY STATE LEGISLATURE TO AMEND THE BINDING ARBITRATION PROCESS – **CITY CLERK.**

- \*R 443-09** COUNCILMANIC RESOLUTION AUTHORIZING APPROVAL OF APPLICATION(S) BASED ON THE FINDINGS AND DETERMINATION FOR ISSUANCE OF CERTAIN BINGO/RAFFLE LICENSES RECOMMENDED BY THE POLICE DIRECTOR (*PLAINFIELD POP WARNER BOOSTER CLUB*) – CITY CLERK.
- \*R 444-09** COUNCILMANIC RESOLUTION AMENDING R 212-09 ADOPTED BY THE MUNICIPAL COUNCIL ON JUNE 15, 2009 APPROVING AN APPLICATION FOR A RAFFLE LICENSE TO SOUTH SECOND STREET YOUTH CENTER FOUNDATION, INC. TO AMEND THE DATE FROM JULY 19, 2009 TO OCTOBER 30, 2009 – CITY CLERK.
- \*R 445-09** COUNCILMANIC RESOLUTION MEMORIALIZING PLAINFIELD MUNICIPAL COUNCIL'S ATTENDANCE AT THE NEW JERSEY STATE LEAGUE OF MUNICIPALITIES CONFERENCE – CITY CLERK.
- \*R 446-09** COUNCILMANIC RESOLUTION SALUTING BARBADOS-AMERICAN CHARITABLE ORGANIZATION OF NEW JERSEY – CITY CLERK.
- R 447-09** COUNCILMANIC RESOLUTION GRANTING PERMISSION TO GEORGE W. WITHERS, OWNER OF G-WHIZ CAR WASH TO HOST A CAR, TRUCK AND BIKE EXHIBIT TO BE HELD ON OCTOBER 24, 2009 (RAIN DATE – OCTOBER 25<sup>TH</sup>) IN THE 200 BLOCK OF NORTH AVENUE; PERMISSION IS ALSO GRANTED FOR STREET CLOSURE(S) WITHIN THE 200 BLOCK OF NORTH AVENUE ON OCTOBER 24, 2009 FROM 12 NOON TO 7:00 P.M. – CITY CLERK.  
NON-CONSENT

### **ADMINISTRATION/EXECUTIVE BRANCH**

NONE

### **CORPORATION COUNSEL**

- R 448-09** RESOLUTION AUTHORIZING AN ADDITIONAL APPROPRIATION FOR LEGAL DEFENSE ON BEHALF OF FRANK PFEIFER (RETIRED) IN THE MATTER OF BYRON HALSEY V. FRANK PFEIFER, GERALD ALSTON, ET ALS., CIVIL ACTION NO. 09 CV 1138 (DMC) – \$15,000.00 (CORRESPONDENCE PREVIOUSLY SUBMITTED).  
NON-CONSENT
- R 449-09** RESOLUTION AUTHORIZING AN ADDITIONAL APPROPRIATION FOR DEFENSE COUNSEL FOR POLICE SGT. TROY EDWARDS, CHRYSSTOPHER SYLVESTER AND ANDRE CRAWFORD, IN THE MATTER OF TAHEEM W. MUSLIM, YOLANDA SISTRUNK, ET ALS. V. CITY OF PLAINFIELD, PLAINFIELD POLICE DEPARTMENT, ET ALS., DOCKET NO. UNN-L-004469-07 – \$15,000.00 (CORRESPONDENCE PREVIOUSLY SUBMITTED).  
NON-CONSENT

### **DEPARTMENT OF ADMINISTRATION & FINANCE**

- \*R 450-09** RESOLUTION APPROVING AUTHORIZATION FOR THE CITY TAX COLLECTOR TO CANCEL TAXES BILLED FOR YEAR 2009 DUE TO FIVE (5) TOTALLY DISABLED VETERAN EXEMPTIONS GRANTED BY THE CITY TAX ASSESSOR IN THE AMOUNT OF \$27,524.32; AND ALSO GRANT APPROVAL TO ISSUE REFUNDS IN THE AMOUNT OF \$15,712.00 DUE TO OVERPAYMENT OF TAXES HEREIN IDENTIFIED ON THE ATTACHED SCHEDULE A – TAX COLLECTOR – (CORRESPONDENCE PREVIOUSLY SUBMITTED).

- \*R 451-09** RESOLUTION APPROVING AUTHORIZATION FOR ISSUANCE OF A REFUND TO MICHAEL A. SCHNECK, ATTORNEY FOR THE PROPERTY KNOWN AS BLOCK 840 LOT 3 COMMONLY KNOWN AS 316 WATCHUNG AVENUE IN THE AMOUNT OF \$1434.96 –TAX COLLECTOR – (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- \*R 452-09** RESOLUTION APPROVING AUTHORIZATION TO ISSUE A REFUND TO FIRST AMERICAN REAL ESTATE TAX SERVICE DUE TO AN OVERPAYMENT OF TAXES FOR THE 2<sup>ND</sup> QUARTER 2009 APPLIED TO THE PROPERTY KNOWN AS BLOCK 203, LOT 2 COMMONLY KNOWN AS 8-10 RANSOME PLACE IN THE AMOUNT OF \$1,425.50 – TAX COLLECTOR – (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- \*R 453-09** RESOLUTION APPROVING AUTHORIZATION FOR THE CITY OF PLAINFIELD TO ENTER INTO AN AGREEMENT WITH THE NEIGHBORHOOD HEALTH CENTER CORPORATION OF PLAINFIELD FOR THE COORDINATION OF VACCINATION AND OTHER PREVENTATIVE ACTIVITIES AGAINST THE H1N1 VIRUS – HEALTH DIVISION (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- \*R 454-09** RESOLUTION AUTHORIZING APPROVAL TO SUBMIT AND ACCEPT AN APPLICATION FOR THE PLANNING DISTRIBUTION AND ADMINISTRATION OF VACCINES AND IMPLEMENTATION OF THE PANDEMIC H1N1 2009 INFLUENZA VACCINATION CAMPAIGN IN THE AMOUNT \$122,310.00 – HEALTH DIVISION (CORRESPONDENCE PREVIOUSLY SUBMITTED).

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

NONE

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

- \*R 455-09** RESOLUTION AUTHORIZING APPROVAL FOR THE RELEASE OF PERFORMANCE GUARANTEE AND CASH DEPOSIT ASSOCIATED WITH THE DEVELOPMENT ON BLOCK 834 LOT 2 COMMONLY KNOWN AS 604-614 CRESCENT AVENUE 145-147 EAST 7<sup>TH</sup> STREET – PLANNING DIVISION (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- \*R 456-09** RESOLUTION APPROVING AUTHORIZATION FOR BRINKERHOFF ENVIRONMENTAL SERVICES INC. TO CONDUCT ADDITIONAL ENVIRONMENTAL SERVICES AS RELATED TO THE USEPA BROWNFIELD PETROLEUM ASSESSMENT GRANT FOR BLOCK 316 LOTS 22, 23 & 24 COMMONLY KNOWN AS 141-157 EAST SECOND STREET – PLANNING DIVISION (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- \*R 457-09** RESOLUTION AUTHORIZING APPROVAL FOR SUBMISSION OF AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY FOR PROJECT FINANCING FOR A PLAINFIELD UEZ BUSINESS DISTRICT CORRIDOR BEAUTIFICATION PROGRAM IN THE AMOUNT OF \$156,300.00 – ECONOMIC DEVELOPMENT (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- R 458-09** RESOLUTION AUTHORIZING APPROVAL FOR SUBMISSION AND ACCEPTANCE OF A KIDS RECREATION TRUST GRANT FOR EQUIPMENT IN THE AMOUNT OF \$23,250.00 – RECREATION DIVISION (CORRESPONDENCE PREVIOUSLY SUBMITTED).  
NON-CONSENT

**PUBLIC OFFICER**

- \*R 459-09** RESOLUTION AUTHORIZING A LIEN PLACEMENT FOR THE CLEAN-UP OF THREE (3) PROPERTIES LISTED ON THE ATTACHED SCHEDULE A –\$1,800.00 – INSPECTIONS DIVISION (CORRESPONDENCE PREVIOUSLY SUBMITTED).

**12. NEW ITEM(S):**

- \*R 460-09** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR USE OF THE PLAINFIELD CITY HALL PARKING LOT TO CRESCENT AVENUE PRESBYTERIAN CHURCH IN CELEBRATION OF THE PLAINFIELD SYMPHONY'S 90<sup>TH</sup> ANNIVERSARY IN THE CITY OF PLAINFIELD – CITY CLERK.
- \*R 461-09** RESOLUTION AUTHORIZING THE ADOPTION OF GENERAL FUND EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO THE ADOPTION OF THE FY 2010 BUDGET IN ACCORDANCE WITH N.J.S.A. 40A:4-20 FOR THE MONTH OF NOVEMBER – **AUDIT & CONTROL.**

**13. INTRODUCTION OF ORDINANCES ON FIRST READING:**

**MC 2009 -24** AN ORDINANCE ACCEPTING RIGHTS OF WAY DEDICATION WITHIN SHILOH COURT DEVELOPMENT. – **PLANNING DIVISION.**

**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 THREE (3) 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 = 20**

**TOTAL ORDINANCES = 5**

**THE NEXT REGULARLY SCHEDULED MEETING IS AN AGENDA FIXING SESSION TO BE HELD IN THE CITY HALL LIBRARY ON MONDAY, NOVEMBER 9, 2009.**