

Agenda

City of Plainfield
CITY COUNCIL AGENDA FIXING SESSION
April 5, 2010
City Hall Library-Mayor's Complex – 515 Watchung Avenue
(908) 753-3222

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 for 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

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

I. COMMUNICATIONS FROM THE MAYOR:

NONE SUBMITTED.

II. OTHER COMMUNICATIONS AND PETITIONS:

❖ MR. DAVID WYNN, SUPERINTENDENT OF PARKS AND RECREATION HAS PETITIONED THE GOVERNING BODY THAT PERMISSION BE GRANTED TO HANG BANNER(S) ACROSS THE CITY STREETS AND ROADWAYS TO PROMOTE CITY EVENTS:

- ▶ SPRING AND SUMMER PROGRAM EVENTS, BANNERS WILL BE HUNG ACROSS WEST SIXTH STREET AND PARK AVENUE FROM APRIL 5, 2010 THRU MAY 6, 2010.
- ▶ MUSIC IN THE PLAZA SUMMER CONCERT SERIES 7/17, 7/31, 8/14 AND 8/28 AND 9/11/10. BANNERS WILL BE HUNG ACROSS WEST SIXTH STREET AND PARK AVENUE FROM JULY 6, 2010 THRU AUGUST 6, 2010.

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- ▶ JULY 4TH ANNUAL PARADE CELEBRATION. BANNER WILL BE HUNG ACROSS WEST SIXTH STREET AND PARK AVENUE FROM JUNE 7 THRU JULY 5, 2010.
 - ▶ GEE-GEE BROWN ANNUAL MEMORIAL BASKETBALL TOURNAMENT. BANNER WILL BE HUNG ACROSS WEST SIXTH STREET AND PARKE AVENUES FROM JULY 6, THRU AUGUST 20, 2010.
 - ▶ PLAINFIELD OUTDOOR ARTS FESTIVAL. BANNER WILL BE HUNG ACROSS WEST SIXTH STREET AND PARK AVENUE FROM AUGUST 23, THRU SEPTEMBER 6, 2010
- ❖ MR. DAVID BIAGINI REPRESENTING THE PLAINFIELD SPECIAL IMPROVEMENT DISTRICT (SID) HAS PETITIONED THE GOVERNING BODY TO GRANT PERMISSION TO THE SID FOR STREET AND SIDEWALK PERMITS TO CONDUCT THE FOLLOWING EVENTS:
- ▶ SID'S THIRD ANNUAL CAR SHOW TO BE HELD ON JUNE 17; JULY 17; AND AUGUST 19, 2010 SOUTH AVENUE CORRIDOR.
 - ▶ SID'S ANNUAL DOWNTOWN SIDEWALK SALE DAYS TO BE HELD ON JUNE 18, AND 19, 2010; AND ON AUGUST 20, AND AUGUST 21, 2010.
 - ▶ THE PLAINFIELD SPECIAL IMPROVEMENT DISTRICT REQUEST PERMISSION FOR A STREET AND SIDEWALK ENCLOSURE. EAST FRONT STREET (STREET ENCLOSURE) BETWEEN PARK AND WATCHUNG AVENUES SCHEDULED FOR SATURDAY JUNE 26, 2010, FROM 9:00 A.M. UNTIL 7:00 P.M. TO HOLD ITS 2ND ANNUAL DOWNTOWN PLAINFIELD BLOCK PARTY.
- ❖ MS. PETERINE HUGHES , CHAIRLADY, HAS SUBMITTED CORRESPONDENCE DATED DECEMBER 9, 2009 ADDRESSED TO THE GOVERNING BODY REQUESTING PERMISSION TO HANG A BANNER ACROSS THE CITY SIDEWALKS AND ROADWAYS TO PROMOTE THE AMERICAN CANCER SOCIETY/RELAY FOR LIFE EVENT TO BE HELD ON MAY 22, 2010. BANNER SHALL BE HUNG ACROSS WEST SIXTH STREET AND PARK AVENUE FROM MAY 7, THRU MAY 24, 2010 (17 DAYS INCLUSIVE.)
- ❖ CORRESPONDENCE FROM MS. PAT TURNER KAVANAUGH, PRESIDENT, FRIENDS OF SLEEPY HOLLOW, INC. (FOSH) HAS REQUESTED PERMISSION FOR STREET ENCROACHMENTS TO HOLD ITS ANNUAL FRIENDS OF SLEEPY HOLLOW 5K RUN SCHEDULED TO BE HELD ON SUNDAY, SEPTEMBER 26, 2010 FROM 8:00 AM – 12:00 NOON (**SKETCH OF THE INTENDED ROUTE HAS BEEN PROVIDED AND IS HEREIN ATTACHED.**)
- ❖ CORRESPONDENCE DATED MARCH 28, 2010 FROM MS. PAT TURNER KAVANARUGH, BOARD CHAIRMAN, PLAINFIELD AREA YMCA EXPLAINING THE REASONS OF THIS YEAR'S HEALTHY KIDS DAY EVENT; AND IS REQUESTING APPROVAL BE GRANTED FOR STREET ENCROACHMENT(S) TO BE ISSUED TO THE YMCA IN RECOGNITION OF HEALTHY KIDS DAY SCHEDULED FOR SATURDAY APRIL 17TH FROM 12 NOON THRU 3:00 P.M. SAID REQUEST WOULD REQUIRE THE CLOSING OF EAST SIXTH STREET BETWEEN CLEVELAND AVENUE AND CRESCENT/WATCHUNG AVENUES.

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- ❖ CORRESPONDENCE DATED FEBRUARY 9, 2010 FROM MS. DONNA DELUCA REPRESENTING THE BILINGUAL DAY CARE CENTER, REQUESTING PERMISSION FROM THE GOVERNING BODY TO HOLD ITS ANNUAL PARADE CELEBRATING THE “MONTH OF THE YOUNG CHILD.” THE EVENT IS SCHEDULED TO BE HELD ON APRIL 29, 2010 COMMENCING AT 10:00 A.M. AND ENDING AT 1:00 P.M. (RAIN DATE SCHEDULED FOR MAY 5, 20109).
- ❖ MS. PATRICIA FIELDS, EVENTS MANAGER, REPRESENTING THE PLAINWOOD SQUARE MERCHANTS ASSOCIATION HAS SUBMITTED AN APPLICATION FOR A STREET ENCROACHMENT TO CONDUCT ITS ANNUAL SUMMER CONCERT SERIES FROM JULY 8 THRU AUGUST 12, 2010.

III. REPORT OF SPECIAL COMMITTEE:

- ▶ CONSISTENT WITH CITY COUNCIL PRESIDENT MCWILLIAMS' REQUEST PRESENTATIONS AND SUBMISSION OF REPORTS FROM THE RESPONSIBLE COMMITTEE CHAIRS.

IV. UNFINISHED BUSINESS:

COUNCIL PRESIDENT WILL OFFER DISCUSSION AND REQUEST STATUS REPORT ON:

- CITIZENS COMMITTEES
- CITY COUNCIL RETREAT UPDATE

V. CONSIDERATION OF PUBLIC HEARING, SECOND READING AND 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.

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VI. DISCUSSION/ACTION ITEMS:

- CITY ADMINISTRATOR, MS. BIBI TAYLOR WILL OFFER A BRIEF EXPLANATION PERTAINING TO THE NORTH AVE EMERGENCY DEMOLITION.
- CURRENT STATUS OF RESIDENCY REQUIREMENT.

VII. LEGISLATIVE DISCUSSION ITEMS:

- COMMENTS REGARDING SID AUDIT REPORT.
- CITY COUNCIL PRESIDENT MS. ANNIE C. MCWILLIAMS HAS SCHEDULED THE FOLLOWING ITEMS FOR LEGISLATIVE DISCUSSION.
 - DRAKE HOUSE.
 - SHADE TREE COMMISSION.
- MR. ADRIAN MAPP, CHAIRMAN, COMMITTEE OF THE WHOLE WILL LEAD THE DISCUSSION WITH REGARD TO THE STATE'S RESPONSIBILITY FOR THE MAINTENANCE OF ROUTE 28.

VIII. RESOLUTIONS: NEW BUSINESS:

LEGISLATIVE BODY

- A. APPROVE AUTHORIZATION OF APPLICATIONS BASED ON THE FINDINGS AND DETERMINATION FOR ISSUANCE OF CERTAIN BING/RAFFLE LICENSES RECOMMENDED BY THE POLICE DIRECTOR (ROTARY PLAINFIELD - NORTH PLAINFIELD INC.) – CITY CLERK.
- B. COUNCILMANIC RESOLUTION DESIGNATING THE MONTH OF MARCH AS “WOMEN'S HISTORY MONTH” – CITY CLERK.
- C. COUNCILMANIC RESOLUTION URGING STATE LEGISLATURE TO AMEND THE OPEN PUBLIC RECORDS ACT (OPRA) – CITY CLERK.

ADMINISTRATION/EXECUTIVE BRANCH

- D. AUTHORIZE APPROVAL DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$4,400,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, OF THE CITY OF PLAINFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN ESCROW DEPOSIT AGREEMENT, AUTHORIZING THE SALE AND DELIVERY OF SUCH GENERAL OBLIGATION REFUNDING BONDS TO POWELL CAPITAL MARKETS, INC. AND AUTHORIZING CERTAIN OFFICERS OF THE CITY TO MAKE DISBURSEMENTS FOR COST OF ISSUANCE INCURRED BY THE CITY RELATING TO THE SALE AND DELIVERY OF SAID BONDS AND TO MAKE DISBURSEMENTS FOR THE PURCHASE OF OBLIGATIONS OF THE UNITED STATES OF AMERICA. –CITY ADMINISTRATOR

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CORPORATION COUNSEL

NONE

DEPARTMENT OF ADMINISTRATION & FINANCE

- E. APPROVE AUTHORIZATION TO AFFIRM THE CITY OF PLAINFIELD'S CIVIL RIGHTS POLICY. – PERSONNEL.
- F. 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.
- G. 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.
- H. 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.
- I. AUTHORIZE APPROVAL TO AMEND THE FY 2010 MUNICIPAL BUDGET IN ACCORDANCE WITH N.J.S.A 40A:4-87. –ASSISTANT COMPTROLLER.

DEPARTMENT OF PUBLIC AFFAIRS & SAFETY

- J. AUTHORIZE APPROVAL FOR THE CITY OF PLAINFIELD TO CONDUCT A PUBLIC AUCTION OF ABANDONED AND UNCLAIMED VEHICLES. – DIRECTOR'S OFFICE.
- K. 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

- L. 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.
- M. 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.

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- N.** AUTHORIZE APPROVAL FOR THE EMERGENCY PROCUREMENT FOR DEMOLITION SERVICES (IN EXCESS OF \$21,000.00) –DIRECTOR'S OFFICE.
- O.** 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.
- P.** 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.
- Q.** 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.
- R.** 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.

IX. 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.** (INITIALLY TABLED 1/31/10 – RESUBMITTED FOR 1ST READING)

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**

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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. **[RESUBMITTED]**
-PUBLIC SAFETY

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 FIVE (5) MINUTES. LARGE GROUPS ARE URGED TO SELECT SOMEONE TO REPRESENT THEM.

X. ADJOURNMENT:

TOTAL # OF RESOLUTIONS SUBMITTED = 18

TOTAL # OF ORDINANCES SUBMITTED = 9

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ATTENDANCE RECORD FOR MEMBERS OF THE GOVERNING BODY AGENDA FIXING SESSION

2010 COUNCIL MEMBERS (3/1/2010)	PRESENT	ABSENT	ARRIVAL TIME
BURNEY, RASHID			
CARTER, LINDA			
MAPP, ADRIAN O. CHAIR, COMMITTEE-OF-THE-WHOLE			
REID, WILLIAM			
RIVERS, BRIDGET			
STORCH, CORY			
MCWILLIAMS, ANNIE C. COUNCIL PRESIDENT			
WYATT, LADDIE CLERK TO THE COUNCIL			