

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

DATE: MONDAY, APRIL 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

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:**

NONE

4A. CEREMONIAL MATTERS:

NONE

5. **COMMUNICATIONS FROM THE MAYOR:**

NONE

6. **OTHER COMMUNICATIONS AND PETITIONS:**

NONE

7. **REPORT OF SPECIAL COMMITTEES:**

NONE

8. **UNFINISHED BUSINESS:**

- ◆ **R 135 -09:** APPROVE RESOLUTION INTRODUCING AMENDMENTS TO THE APPROVED STATE FISCAL YEAR 2009 MUNICIPAL OPERATING BUDGET WHICH WAS APPROVED ON SEPTEMBER 24, 2008. SAID BUDGET TO BE PUBLISHED IN THE COURIER-NEWS AND THE STAR-LEDGER ON APRIL 17, 2009, WITH HEARING TO BE HELD AT THE MUNICIPAL COURT, 325 WATCHUNG AVENUE, PLAINFIELD, NJ AT A SPECIAL MEETING ON APRIL 27, 2009 AT 8:00 P.M.

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

MC 2009 -05 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 16. VEHICLES AND TRAFFIC; ARTICLE 4. PROHIBIT PARKING, STOPPING AND STANDING OR THE TIME LIMIT PARKING, SECTION 2 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS – **DEPARTMENT OF PUBLIC WORKS & URBAN DEVELOPMENT.**

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 136-09** THRU **R 143-09**; **R 146-09** THRU **R 154-09**; AND **R 158-09** THRU **R 169-09** 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 136-09** 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 (NEIGHBORHOOD HOUSE ASSOCIATION) – CITY CLERK.
- *R 137-09** 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 (NIA COMMUNITY HABITAT DEVELOPMENT INC.) – CITY CLERK.
- *R 138-09** COUNCILMANIC RESOLUTION AUTHORIZING THE SUBMISSION OF A PARIS GRANT APPLICATION IN THE AMOUNT OF \$102,000.00 – CITY CLERK (CORRESPONDENCE PREVIOUSLY SUBMITTED)

- *R 139-09** COUNCILMANIC RESOLUTION ESTABLISHING GUIDELINES AND PROCEDURES DURING THE GENERAL PUBLIC COMMENTS SEGMENT AT CITY COUNCIL MEETINGS (INTRODUCED BY COUNCIL PRESIDENT RASHID BURNEY) – CORPORATION COUNSEL.
- *R 140-09** COUNCILMANIC RESOLUTION CERTIFYING REVIEW OF 2008 ANNUAL AUDIT REPORT COUPLED WITH REQUIRED GROUP AFFIDAVIT – CITY CLERK (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 141-09** COUNCILMANIC RESOLUTION ESTABLISHING A CITIZEN’S BUDGET ADVISORY COMMITTEE TO SUPPORT THE CITY OF PLAINFIELD’S BUDGET DEVELOPMENT PROCESS (INTRODUCED BY COUNCIL PRESIDENT RASHID BURNEY) – CORPORATION COUNSEL.
- *R 142-09** COUNCILMANIC RESOLUTION ESTABLISHING A CITIZEN’S ECONOMIC GROWTH ADVISORY COMMITTEE TO SUPPORT AND ASSIST THE CITY COUNCIL ECONOMIC GROWTH SUB-COMMITTEE (INTRODUCED BY COUNCIL PRESIDENT RASHID BURNEY) – CORPORATION COUNSEL.
- *R 143-09** COUNCILMANIC RESOLUTION ESTABLISHING A CITIZEN’S INFORMATION TECHNOLOGY ADVISORY COMMITTEE TO SUPPORT AND ASSIST THE CITY COUNCIL INFORMATION TECHNOLOGY SUB-COMMITTEE (INTRODUCED BY COUNCIL PRESIDENT RASHID BURNEY) – CORPORATION COUNSEL.
- R 144-09** COUNCILMANIC RESOLUTION DEMANDING THAT THE STATE OF NEW JERSEY WITHHOLD DISBURSEMENTS AND/OR ITS GUARANTEE OF A CERTAIN \$175 MILLION DOLLAR BOND ISSUE FOR THE BENEFIT OF SOLARIS HEALTH SYSTEM – CITY CLERK.
NON-CONSENT
- R 145-09** RESOLUTION AUTHORIZING APPROVAL TO PERMIT A BANNER DISPLAY TO BE HUNG ACROSS THE STEPS OF THE MUNICIPAL BUILDING RECOGNIZING SHARON ROBINSON-BRIGGS AS “MAYOR OF THE YEAR” BY THE UNION COUNTY REGIONAL CHAMBER OF COMMERCE – CITY CLERK.
NON-CONSENT
- *R 146-09** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR STREET AND SIDEWALK ENCROACHMENTS TO THE DIVISION OF RECREATION FOR THE INSTALLATION OF BANNERS TO BE HUNG OVER THE CITY SIDEWALKS AND ROADWAYS TO PROMOTE THE MUSIC IN THE PLAZA EVENTS – CITY CLERK.
- *R 147-09** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR STREET AND SIDEWALK ENCROACHMENTS TO THE DIVISION OF RECREATION FOR THE INSTALLATION OF BANNERS TO BE HUNG OVER THE CITY SIDEWALKS AND ROADWAYS TO PROMOTE ITS 2009 SPRING AND SUMMER PROGRAMS – CITY CLERK.
- *R 148-09** COUNCILMANIC RESOLUTION AUTHORIZING PERMISSION TO GRANT A STREET AND SIDEWALK ENCROACHMENT TO THE DIVISION OF RECREATION FOR THE INSTALLATION OF A BANNER TO BE HUNG OVER THE CITY SIDEWALKS AND ROADWAYS ADVERTISING THE CITY’S ANNUAL CENTRAL JERSEY 4TH OF JULY PARADE 2009. – CITY CLERK.
- *R 149-09** COUNCILMANIC RESOLUTION AUTHORIZING PERMISSION TO GRANT A STREET AND SIDEWALK ENCROACHMENT TO THE DIVISION OF RECREATION FOR THE INSTALLATION OF BANNERS TO BE HUNG OVER THE CITY SIDEWALKS AND ROADWAYS ADVERTISING THE ANNUAL GEORGE “GEE-GEE” BROWN MEMORIAL BASKETBALL TOURNAMENT – CITY CLERK.
- *R 150-09** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR THE INSTALLATION OF A BENNER TO BE HUNG OVER THE CITY’S SIDEWALKS AND ROADWAYS ANNOUNCING THE 44TH ANNUAL PLAINFIELD OUTDOOR FESTIVAL OF ART BANNER – PLAINFIELD OUTDOOR ARTS FESTIVAL – CITY CLERK.

- *R 151-09** COUNCILMANIC RESOLUTION AUTHORIZING PERMISSION BE GRANTED FOR STREET ENCROACHMENT TO PLAINFIELD SID MANAGEMENT CORPORATION TO CONDUCT (4) CAR SHOWS DURING THE MONTHS MAY, JUNE, JULY, AND AUGUST 2009 TO PROMOTE THE PLAINFIELD CENTRAL BUSINESS DISTRICT SID – CAR SHOW – CITY CLERK.
- *R 152-09** COUNCILMANIC RESOLUTION GRANTING PERMISSION TO THE PLAINFIELD SPECIAL IMPROVEMENT DISTRICT MANAGEMENT CORPORATION TO CONDUCT ITS 5TH ANNUAL SUMMER SIDEWALK DAY AND EXHIBITS – CITY CLERK.
- *R 153-09** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR THE INSTALLATION OF A BANNER TO BE HUNG OVER THE CITY'S SIDEWALKS AND ROADWAYS ANNOUNCING THE SID CAR SHOWS & SIDEWALK SALES - CITY CLERK.
- *R 154-09** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR A STREET AND SIDEWALK ENCROACHMENT TO BILINGUAL DAY CARE CENTER AND CHILD CARE AGENCIES IN THE CITY OF PLAINFIELD TO HOLD A PARADE IN CELEBRATION OF THE MONTH OF THE YOUNG CHILD – CITY CLERK.

ADMINISTRATION/EXECUTIVE BRANCH

- R 155-09** RESOLUTION APPROVING AUTHORIZATION TO WAIVE THE RESIDENCY REQUIREMENT TO MARK S. COLICCHIO SERVING AS THE NEWLY APPOINTED HEALTH OFFICER – CITY ADMINISTRATOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).
NON-CONSENT

CORPORATION COUNSEL

- R 156-09** RESOLUTION AUTHORIZING INSERVCO INSURANCE SERVICES TO ISSUE A CHECK IN SETTLEMENT OF ALL CLAIMS IN THE MATTER OF JASON LOWERY V. CITY OF PLAINFIELD, WORKER'S COMPENSATION NO. C.P. 2007-29203, INSERVCO CLAIM NO. 1940001995 – \$23,724.00 (CORRESPONDENCE PREVIOUSLY SUBMITTED).
NON-CONSENT
- R 157-09** RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PLAINFIELD AREA REGIONAL SEWERAGE AUTHORITY (PARSA), CITY OF PLAINFIELD AND THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY (PMUA) (CORRESPONDENCE PREVIOUSLY SUBMITTED).
NON-CONSENT

DEPARTMENT OF ADMINISTRATION & FINANCE

- *R 158-09** RESOLUTION AUTHORIZING APPROVAL FOR THE APPOINTMENT OF BARBARA JENNINGS-WYNN TO SERVE AS THE REGISTRAR OF VITAL STATISTICS FOR THE CITY OF PLAINFIELD – PERSONNEL (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 159-09** RESOLUTION APPROVING AUTHORIZATION FOR THE ACCEPTANCE OF BIDS TO PURCHASE CERTAIN REAL PROPERTY OWNED BY THE CITY OF PLAINFIELD – TAX ASSESSOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 160-09** RESOLUTION AUTHORIZING APPROVAL FOR THE SUBMISSION OF AN APPLICATION FOR THE OPERATION OF A 2009 NEW JERSEY DEPARTMENT OF HUMAN SERVICES DIVISION OF ADDICTION SERVICES DRUG COURT PROGRAM – \$302,272.00 – PLAINFIELD ACTION SERVICES (CORRESPONDENCE PREVIOUSLY SUBMITTED).

- *R 161-09** RESOLUTION AUTHORIZING APPROVAL FOR THE ISSUANCE OF TWENTY NINE (29) REFUNDS DUE TO DUPLICATE PAID TAXES AS CITED HEREIN ON THE ATTACHED SCHEDULE A - \$42,657.85 - TAX COLLECTOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 162-09** RESOLUTION AUTHORIZING APPROVAL FOR THE ISSUANCE OF TWO (2) REFUNDS DUE TO ERRONEOUS TAXES PAID AS CITED HEREIN ON THE ATTACHED SCHEDULE B - \$5,318.56 - TAX COLLECTOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).

DEPARTMENT OF PUBLIC AFFAIRS & SAFETY

- *R 163-09** RESOLUTION APPROVING AUTHORIZATION FOR THE EXECUTION OF A GRANT AGREEMENT WITH FEMA AND THE DEPARTMENT OF HOMELAND SECURITY AND THE CITY OF PLAINFIELD IN THE AMOUNT OF - \$478,944.00 - DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 164-09** RESOLUTION AUTHORIZING APPROVAL TO ACCEPT A GRANT FROM THE STATE OF NEW JERSEY TO PARTICIPATE IN THE *CLICK IT OR TICKET* SEAT BELT ENFORCEMENT CAMPAIGN - \$4,000.00 - DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 165-09** RESOLUTION AUTHORIZING APPROVAL TO ACCEPT A GRANT FROM THE STATE OF NEW JERSEY TO PARTICIPATE IN ENFORCEMENT AND EDUCATION 2009 CAMPAIGN \$2,000.00 - DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).

DEPARTMENT OF PUBLIC WORKS & URBAN DEVELOPMENT

- *R 166-09** RESOLUTION APPROVING AUTHORIZATION FOR THE PURCHASE AND INSTALLATION OF PLANT MATERIAL FROM LOUIS BARBATOS LANDSCAPING, INC. TO COMPLETE THE REQUIREMENTS SET FORTH IN THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) COOL CITIES COMMUNITY STEWARDSHIP INCENTIVE PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED \$25,000.00 - DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 167-09** RESOLUTION AUTHORIZING APPROVAL FOR CHANGE ORDER # 1 FOR DEFINO CONTRACTING CO. FOR THE SOUTH SECOND STREET RESURFACING PROJECT PHASE III FOR AN AMOUNT NOT TO EXCEED \$14,741.80 RESULTING IN A TOTAL DECREASE OF \$73,903.35 OF THE ORIGINAL CONTRACT AWARD - DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 168-09** RESOLUTION APPROVING AUTHORIZATION FOR THE EXECUTION OF A CONTRACT AGREEMENT WITH THE COUNTY OF UNION DEPARTMENT OF HUMAN SERVICES DIVISION OF AGING FOR FUNDING UNDER THE SAFE HOUSING AND TRANSPORTATION PROGRAM - \$11,666.00 - COMMUNITY DEVELOPMENT (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 169-09** RESOLUTION AUTHORIZING AN APPLICATION AMENDMENT TO THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY FOR PROJECT FINANCING FOR DOWNTOWN ENTERTAINMENT EVENTS PROGRAMMING AND ADMINISTRATION - DIRECTOR'S OFFICE.

12. NEW ITEM(S):

- R 170-09** COUNCILMANIC RESOLUTION IN MEMORY OF LOUIS EDWARD JONES, A GREAT CITIZEN OF THE CITY OF PLAINFIELD – **CITY CLERK.**
- R 171-09** RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE A GRANT APPLICATION FOR FEDERAL ECONOMIC STIMULUS FUNDS – **CITY CLERK.**

13. INTRODUCTION OF ORDINANCES ON FIRST READING:

MC 2009 -07 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 – **CORPORATION COUNSEL.**

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 THIRTY (30) 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 = 37
TOTAL ORDINANCES = 2**

THE NEXT REGULARLY SCHEDULED MEETING IS AN AGENDA FIXING SESSION TO BE HELD IN THE CITY HALL LIBRARY ON MONDAY, MAY 4, 2009.