

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

DATE: MONDAY, MAY 9, 2011
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

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

COUNCILWOMAN-AT-LARGE, FIRST AND FOURTH WARDS
Honorable Vera Greaves

COUNCILMAN FIRST WARD
Honorable William Reid

COUNCILWOMAN FOURTH WARD
Honorable Bridget Rivers

COUNCILMAN SECOND WARD
Honorable Cory Storch

COUNCILWOMAN-AT-LARGE, SECOND AND THIRD WARDS
Honorable Rebecca Williams

MUNICIPAL CLERK
Honorable Abubakar Jalloh, RMC
Clerk of the Council

MAYOR
Honorable Sharon M. Robinson-Briggs

CITY ADMINISTRATOR
VACANT



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 TRANSMITTED TO THE COURIER-NEWS AND THE STAR-LEDGER ON *FRIDAY, JANUARY 7, 2011* 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:

5. **COMMUNICATIONS FROM THE MAYOR:**



FROM HER HONOR THE MAYOR, CORRESPONDENCE DATED APRIL 26, 2011 ADDRESSED TO THE GOVERNING BODY REQUESTING ADVICE AND CONSENT OF THE FOLLOWING NOMINEES TO SERVE AS MEMBERS OF **THE PLAINFIELD HEALTH ADVISORY CONSORTIUM:** DR. RICHARD J. SCHALLER, MD, 1814 EAST 2ND STREET, SCOTCH PLAINS; JENNY FISCHBEIN, RN; RUDINE SMITH, 1700-58 MYRTLE AVE; B.J. FLEMING, 315 CENTRAL AVENUE, FOR THREE YEAR TERMS ENDING 5/01/2014. SAID TERMS ARE EFFECTIVE IMMEDIATELY UPON ADOPTION AND CONFIRMATION OF OATH OF OFFICE.

6. **OTHER COMMUNICATIONS AND PETITIONS:**

NONE.

7. **REPORT OF SPECIAL COMMITTEES:**

ADMINISTRATION & FINANCE COMMITTEE REPORT OF MAY 2011 RECEIVED FROM CHAIRMAN ADRIAN O. MAPP.

8. **UNFINISHED BUSINESS:**

NONE.

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

NONE.

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

NEW BUSINESS

10. **CONSENT AGENDA:**

- * 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 137-11 THRU R 140-11 AND R 150 -11 THRU R 156--11 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 137-11** COUNCILMANIC RESOLUTION AUTHORIZING APPROVAL OF APPLICATIONS BASED ON THE FINDINGS AND DETERMINATION FOR ISSUANCE OF CERTAIN BINGO/RAFFLE LICENSES RECOMMENDED BY THE POLICE DIRECTOR (NORTH PLAINFIELD SENIOR CITIZENS CLUB) – CITY CLERK.
- *R 138-11** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR STREET AND SIDEWALK ENCROACHMENTS TO THE PLAINWOOD SQUARE MERCHANTS ASSOCIATION TO HOLD ITS ANNUAL SUMMER CONCERT SERIES AT PLAINWOOD PARK SCHEDULED FOR MAY 12, 2011 AND SEPTEMBER 15, 2011. –CITY CLERK.
- *R 139-11** COUNCILMANIC RESOLUTION GRANTING THE USE OF CITY OWNED PROPERTY (LOT #8/8A) TO HOLD AN ANNUAL OUTDOOR FIESTA DAY(S) FESTIVAL CELEBRATING THE INDEPENDENCE OF AMERICA. –CITY CLERK.
- *R 140-11** COUNCILMANIC RESOLUTION COMMENDING THE TIRELESS EFFORTS OF FLOR GONZALEZ. -CITY CLERK.
- R 141-11** COUNCILMANIC RESOLUTION CERTIFYING REVIEW OF THE 2010 ANNUAL AUDIT REPORT COUPLED WITH THE REQUIRED GROUP AFFIDAVIT. –CITY CLERK.
NON-CONSENT

- R 142-11** COUNCILMANIC RESOLUTION CREATING A TASKFORCE TO MAKE RECOMMENDATIONS ON THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY. -CITY CLERK.
NON-CONSENT
- R 143-11** COUNCILMANIC RESOLUTION REQUESTING THE ADMINISTRATION TO TAKE ALL APPROPRIATE STEPS TO RELINQUISH MAINTENANCE OF STATE RT. 28 TO THE STATE OF NEW JERSEY AND/OR COUNTY OF UNION. -CITY CLERK.
NON-CONSENT
- R 144-11** RESOLUTION AUTHORIZING THE APPOINTMENT OF INDIA COLE TO SERVE AS DEPUTY MUNICIPAL CLERK FOR THE CITY OF PLAINFIELD IN ACCORDANCE WITH N.J.S.A. 40A:9-135. -CITY CLERK.
NON-CONSENT

ADMINISTRATION/EXECUTIVE BRANCH

- R 145-11** RESOLUTION AUTHORIZING APPROVAL FOR THE ADVICE AND CONSENT TO THE APPOINTMENT OF THE FOLLOWING NOMINEES TO SERVE AS MEMBERS OF THE PLAINFIELD HEALTH ADVISORY CONSORTIUM: DR. RICHARD J. SCHALLER, MD, 1814 EAST 2ND STREET, SCOTCH PLAINS; JENNY FISCHBEIN, RN; RUDINE SMITH, 1700-58 MYRTLE AVE; B.J. FLEMING, 315 CENTRAL AVENUE, FOR THREE YEAR TERMS ENDING 5/01/2014. SAID TERMS ARE EFFECTIVE IMMEDIATELY UPON ADOPTION AND CONFIRMATION OF OATH OF OFFICE. -MAYOR.
NON-CONSENT

CORPORATION COUNSEL

- R 146-11** RESOLUTION AUTHORIZING THE SETTLEMENT IN THE AMOUNT OF \$100,000.00 IN THE MATTER OF PAMELA COLLINS V. CITY OF PLAINFIELD POLICE DEPT., OAL DOCKET NO. CRT 03408-06 (EEOC NUMBER 17EA00123, DCR NUMBER EV12SM-45271-E) MEL CLAIM NUMBER S 6421 -CORPORATION COUNSEL.
NON-CONSENT

DEPARTMENT OF ADMINISTRATION & FINANCE

- R 147-11** RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT AGREEMENT WITH THE COUNTY OF UNION DIVISION OF AGING DEPARTMENT OF HUMAN SERVICES FOR FUNDING UNDER THE SAFE HOUSING AND TRANSPORTATION PROGRAM IN THE AMOUNT OF \$11,666.00. -DIRECTOR'S OFFICE. (CORRESPONDENCE PREVIOUSLY SUBMITTED).
NON-CONSENT
- R 148-11** RESOLUTION APPROVING AUTHORIZATION TO CLOSE VARIOUS BANK ACCOUNTS AND CANCEL OUTSTANDING CHECK TO BUDGET OPERATIONS AND TRUST FUNDS. -AUDIT & CONTROL. (CORRESPONDENCE PREVIOUSLY SUBMITTED).
NON-CONSENT
- R 149-11** RESOLUTION APPROVING AUTHORIZATION FOR THE ISSUANCE OF A REFUND DUE TO A SENIOR CITIZEN DEDUCTION AS CITED ON THE ATTACHED SCHEDULE A \$250.00 -TAX COLLECTOR. (CORRESPONDENCE PREVIOUSLY SUBMITTED).
NON-CONSENT

- *R 150-11** RESOLUTION APPROVING AUTHORIZATION FOR THE ISSUANCE OF A REFUND DUE TO A VETERAN ALLOWANCE DEDUCTIONS DEDUCTION AS CITED ON THE ATTACHED SCHEDULE B -**\$250.00 –TAX COLLECTOR. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 151-11** RESOLUTION APPROVING AUTHORIZATION FOR THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997 AS CITED ON THE ATTACHED SCHEDULE C –**TAX COLLECTOR. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 152-11** RESOLUTION APPROVING AUTHORIZATION FOR THE CANCELLATION OF BILLED TAXES DUE TO A TOTALLY DISABLED VETERAN EXEMPTION AND TO ISSUE A REFUND DUE TO AN OVERPAYMENT FOR THE ONE (1) PROPERTY CITED ON THE ATTACHED SCHEDULE D – **TAX COLLECTOR. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 153-11** RESOLUTION APPROVING AUTHORIZATION FOR THE ISSUANCE OF A REFUND DUE TO A COUNTY BOARD JUDGMENT AS CITED ON THE ATTACHED SCHEDULE E **\$4,286.76 –TAX COLLECTOR. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 154-11** RESOLUTION APPROVING AUTHORIZATION FOR THE ISSUANCE OF A REFUND DUE TO A NEW JERSEY TAX COURT JUDGMENT AS CITED ON THE ATTACHED SCHEDULE F **\$2,840.91 – TAX COLLECTOR. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 155-11** RESOLUTION APPROVING AUTHORIZATION FOR THE CANCELLATION OF THE 2010 BILLED TAXES DUE TO A TOTALLY DISABLED VETERAN EXEMPTION AND TO ISSUE A REFUND DUE TO AN OVERPAYMENT FOR THE ONE (1) PROPERTY CITED ON THE ATTACHED SCHEDULE G –**TAX COLLECTOR. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

DEPARTMENT OF PUBLIC AFFAIRS & SAFETY

- *R 156-11** RESOLUTION AUTHORIZING APPROVAL FOR THE ACCEPTANCE OF GRANT FUNDING IN SUPPORT OF THE CLICK IT OR TICKET MOBILIZATION OF MAY 23 THRU JUNE 5, 2011. – **DIRECTOR'S OFFICE. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

DEPARTMENT OF PUBLIC WORKS & URBAN DEVELOPMENT

- R 157-11**
NON-CONSENT RESOLUTION AUTHORIZING APPROVAL FOR EXCEL ENVIRONMENTAL RESOURCES, INC. TO APPLY FOR GRANT FUNDING ON BEHALF OF THE CITY OF PLAINFIELD TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR HAZARDOUS DISCHARGE SITE REMEDIATION FUNDS AT NINE (9) PROPERTIES LOCATED WITHIN THE CENTRAL BUSINESS DISTRICT BROWNFIELD DEVELOPMENT AREA. –**ECONOMIC DEVELOPMENT. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- R 158-11**
NON-CONSENT RESOLUTION APPROVING AUTHORIZATION FOR THE CITY OF PLAINFIELD TO ENTER INTO A VOLUNTARY MEMORANDUM OF UNDERSTANDING (MOU) IN PARTNERSHIP WITH THE CITY OF PLAINFIELD BROWNFIELD STEERING COMMITTEE AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) FOR THE IMPLEMENTATION AND MANAGEMENT OF THE BROWNFIELD DEVELOPMENT AREA PROGRAM IN THE CITY OF PLAINFIELD. –**ECONOMIC DEVELOPMENT. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- R 159-11**
NON-CONSENT RESOLUTION APPROVING AUTHORIZATION FOR THE RELEASE OF THE PERFORMANCE GUARANTEE ASSOCIATED WITH DEVELOPMENT LOCATED AT BLOCK 324 LOT 10.01 COMMONLY KNOWN AS 342-406 EAST FRONT STREET/341-403 EAST SECOND STREET. – **PLANNING DIVISION. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 160-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION FOR THE CITY OF PLAINFIELD TO SIGN A RELEASE INDEMNIFICATION AND HOLD HARMLESS AGREEMENT TO ENTER ONTO THE PROPERTY LOCATED AT BLOCK 921 LOT 15.02 COMMONLY KNOWN AS 852 TERRILL ROAD. **-PLANNING DIVISION. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 161-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION FOR THE AWARD OF A CONTRACT TO **TOP LINE CONSTRUCTION, 22 FIFTH STREET, SOMERVILLE, NJ 08876** FOR THE RECONSTRUCTION OF **SOUTH AVENUE** IN AN AMOUNT NOT TO EXCEED **\$1,038,267.90**. **-ENGINEERING. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 162-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION TO AWARD A CONTRACT TO **FISCHER CONTRACTING, 10 SHORT HILLS LANE, SCOTCH PLAINS, NJ 07076** FOR THE RECONSTRUCTION OF **ROOSEVELT AVENUE** IN AN AMOUNT NOT TO EXCEED \$436,593.45 **-ENGINEERING. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 163-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION FOR THE AWARD OF A CONTRACT TO **CROSSROAD CONSTRUCTION, 312 EMMET STREET NEWARK NJ 07114** FOR MISCELLANEOUS REPAIRS AND CORRECTIONS OF VARIOUS ITEMS IN COMPLETION OF WORK FOR THE FY 2006 ROADS IMPROVEMENT PROJECT PHASE I & II IN AMOUNT NOT TO EXCEED **\$59,555.00**. **-ENGINEERING. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 164-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION FOR CHANGE ORDER # 1 (FINAL) RELEASE OF THE PERFORMANCE BOND AND ACCEPTANCE OF THE TWO YEAR MAINTENANCE BOND AND A REDUCTION OF THE ORIGINAL CONTRACT FOR THE MAPLE CREST BASKETBALL COURT REHABILITATION TO **SITA CONSTRUCTION, 7 YANKEE MAID LANE, HOSHEN, NY 10924** FOR A TOTAL DECREASE OF **-\$2,970.00**. **-ENGINEERING. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 165-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION FOR CHANGE ORDER # 2 (FINAL) RELEASE OF THE PERFORMANCE BOND AND ACCEPTANCE OF THE TWO YEAR MAINTENANCE BOND AND A REDUCTION OF THE ORIGINAL CONTRACT AWARD FOR THE FY 2010 NJDOT & PY 35 CDBG RESURFACING OF WATCHUNG AVENUE PHASE II (FROM E. SEVENTH STREET TO HILLSIDE AVE) TO **LUCAS CONSTRUCTION, 173 AMBOY ROAD, MORGANVILLE, NJ 07751**, FOR A TOTAL DECREASE OF **-\$101,388.54** **-ENGINEERING. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 166-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION FOR THE REJECTION OF BIDS FOR THE RECONSTRUCTION OF THE SOUTH AVENUE ROADWAY PROJECT. **-ENGINEERING. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 167-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION FOR THE SUBMISSION AND ACCEPTANCE OF THE NATIONAL RECREATION AND PARK ASSOCIATION'S SERVING COMMUNITIES - HEALTHY MEALS FOR CHILDREN GRANT. **-RECREATION DIVISION. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

R 168-11
NON-CONSENT

RESOLUTION APPROVING AUTHORIZATION FOR THE SUBMISSION AND ACCEPTANCE OF THE US SWIMMING FOUNDATION MAKE A SPLASH GRANT **\$72,000.00**. **-RECREATION DIVISION. (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

NEW ITEM(S):

R 169-11 COUNCILMANIC RESOLUTION GRANTING PERMISSION TO GENESIS SEVENTH DAY AD-
NON-CONSENT VENTIST CHURCH FOR STREET AND SIDEWALK ENCROACHMENTS TO CONDUCT A
HEALTH FAIR TO TAKE PLACE IN THE CITY OWNED PROPERTY LOCATED AT 2ND STREET
AND CENTRAL AVENUE ON SUNDAY JUNE 12, 2011 FROM 1:00 P.M. THRU 5:00 P.M. –**CITY
CLERK.**

R 170-11 COUNCILMANIC RESOLUTION IN MEMORY OF WILLIE M. BROWN (INTRODUCED BY
NON-CONSENT COUNCILWOMAN BRIDGET RIVERS) – **CITY CLERK.**

12. INTRODUCTION OF ORDINANCES ON FIRST READING:

NONE.

13. 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 = 33

TOTAL ORDINANCES = 0