

**PLAINFIELD CHARTER STUDY COMMISSION  
PRESENTATION**

**TO THE CITIZENS OF  
PLAINFIELD, NEW JERSEY**

**JULY 11, 2013**

# CHARTER STUDY BACKGROUND

- On 7/16/12, the Plainfield City Council passed an ordinance authorizing an election on the public question whether to elect a Charter Study Commission
- The public question was approved by the voters on 11/06/12 and five residents of Plainfield were elected to serve as Charter Study Commissioners.
- Charter Study Commission's duty under New Jersey law is: *"... to study the form of government of the municipality, to compare it with other available forms under the laws of this State, to determine whether or not in its judgment the government of the municipality could be strengthened, made more clearly responsive or accountable to the people or whether its operation could be more economical or efficient, under a changed form of government."*

## Charter Commissioners

Rick Smiley – Chair  
John Stewart – Vice Chair  
Jeanette Criscione - Treasurer  
Mary Burgwinkle - Secretary  
Marie Davis – Assistant Secretary

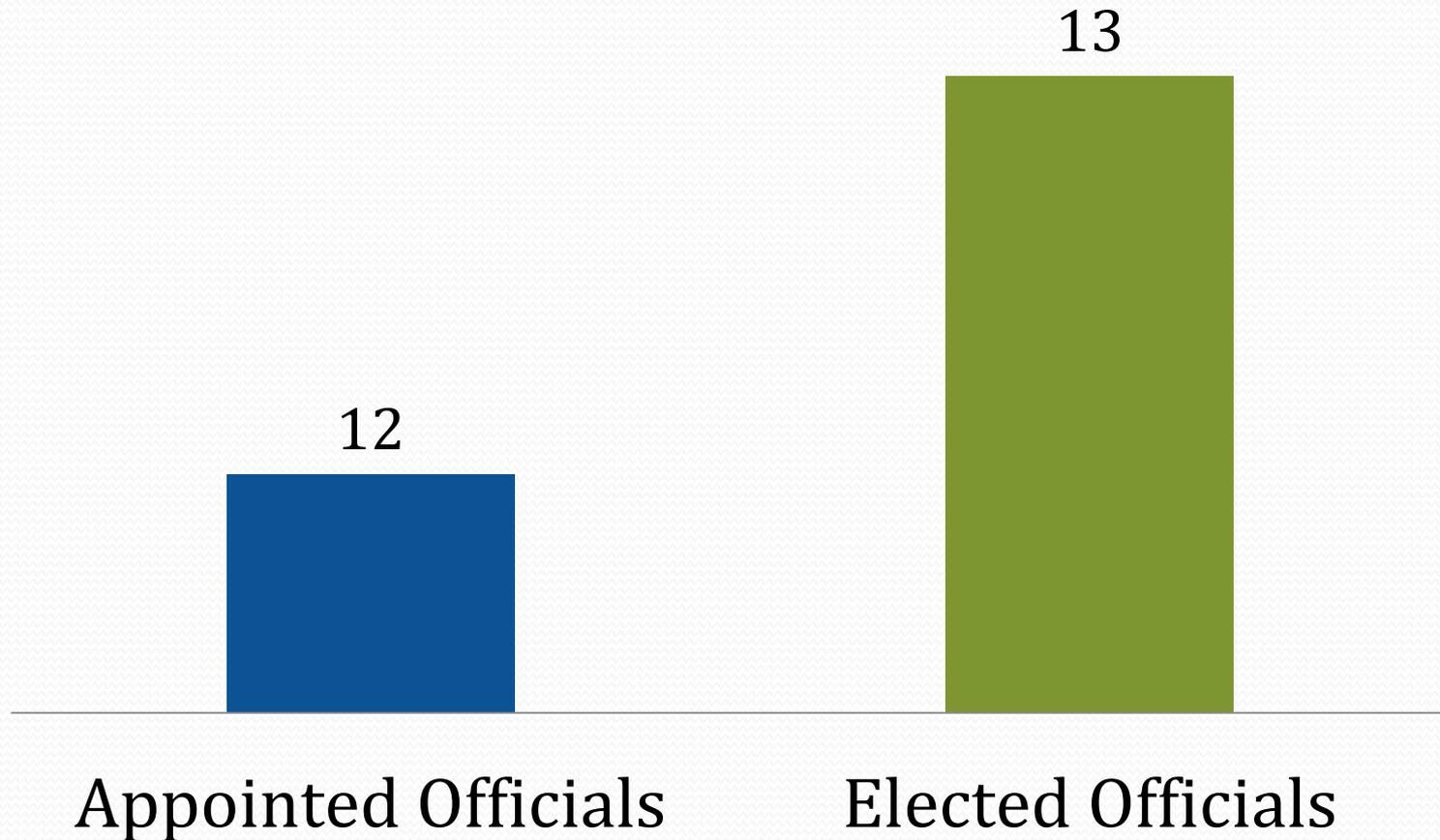
# Presentation Purpose

- Update the citizens of Plainfield on Commission activities
- Present opinions of people who have been involved in Plainfield government and other types of government
- Afford citizens the opportunity to provide feedback to the Commissioners

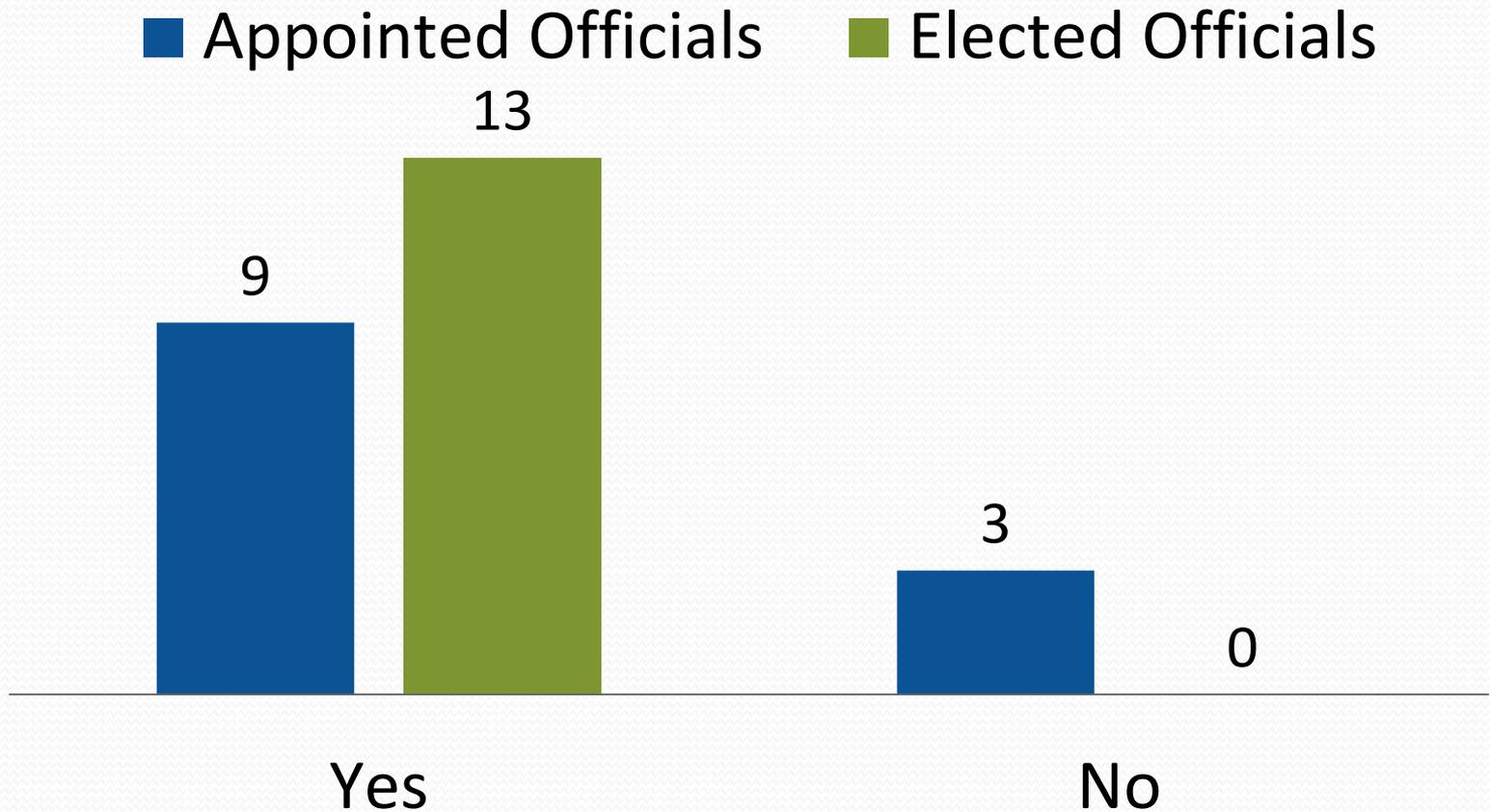
# Participant Overview

Total of 29 interviewed –

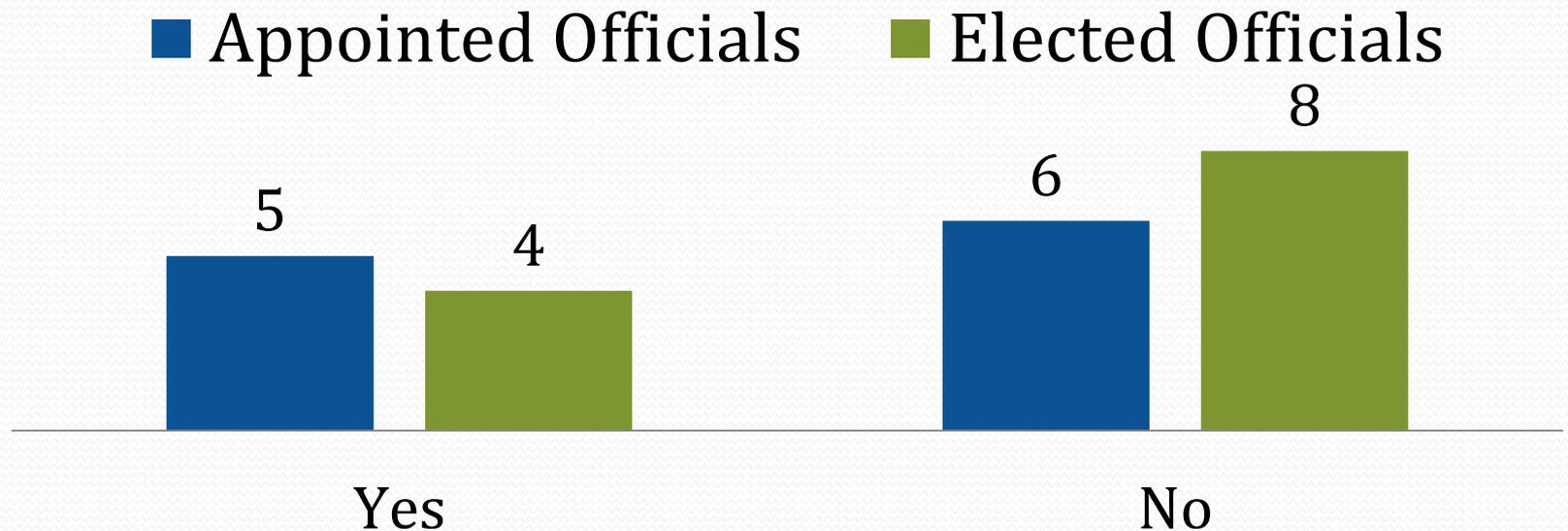
4 were neither elected nor appointed



# Have You Read The Charter



# Involved in Other Government Forms - Plainfield vs. Other Forms



All participants agreed that getting things done in government has little to do with the charter and everything to do with personalities

# Charter Advantages / Disadvantages

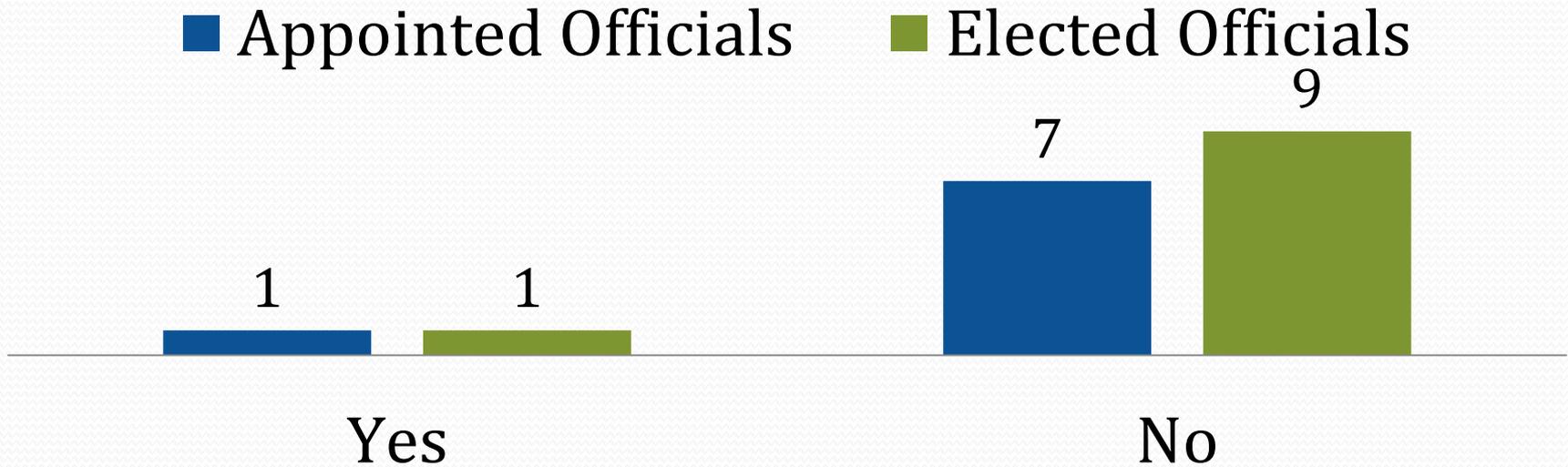
- **ADVANTAGES**

- Simple in writing
  - Interpretations held at bay
- Separation and balance of powers
- Home rule – We can control how we want our government to run
  - Allows the form of government to grow with the city
- Provided for first professional city management system
- Can avoid state mandates
- Bans dual office holding

- **DISADVANTAGES**

- Can be ambiguous
- Three departments not sufficient
- Inflexible – *This is also seen as an advantage as inflexibility provides stability*
  - Tedious process to amend it
- Needs to be revisited
- Budget should not be approved by the council
  - Creation and approval should lie in the mayor's office
- Separation of powers can create conflict

# Charter a Hindrance to Government



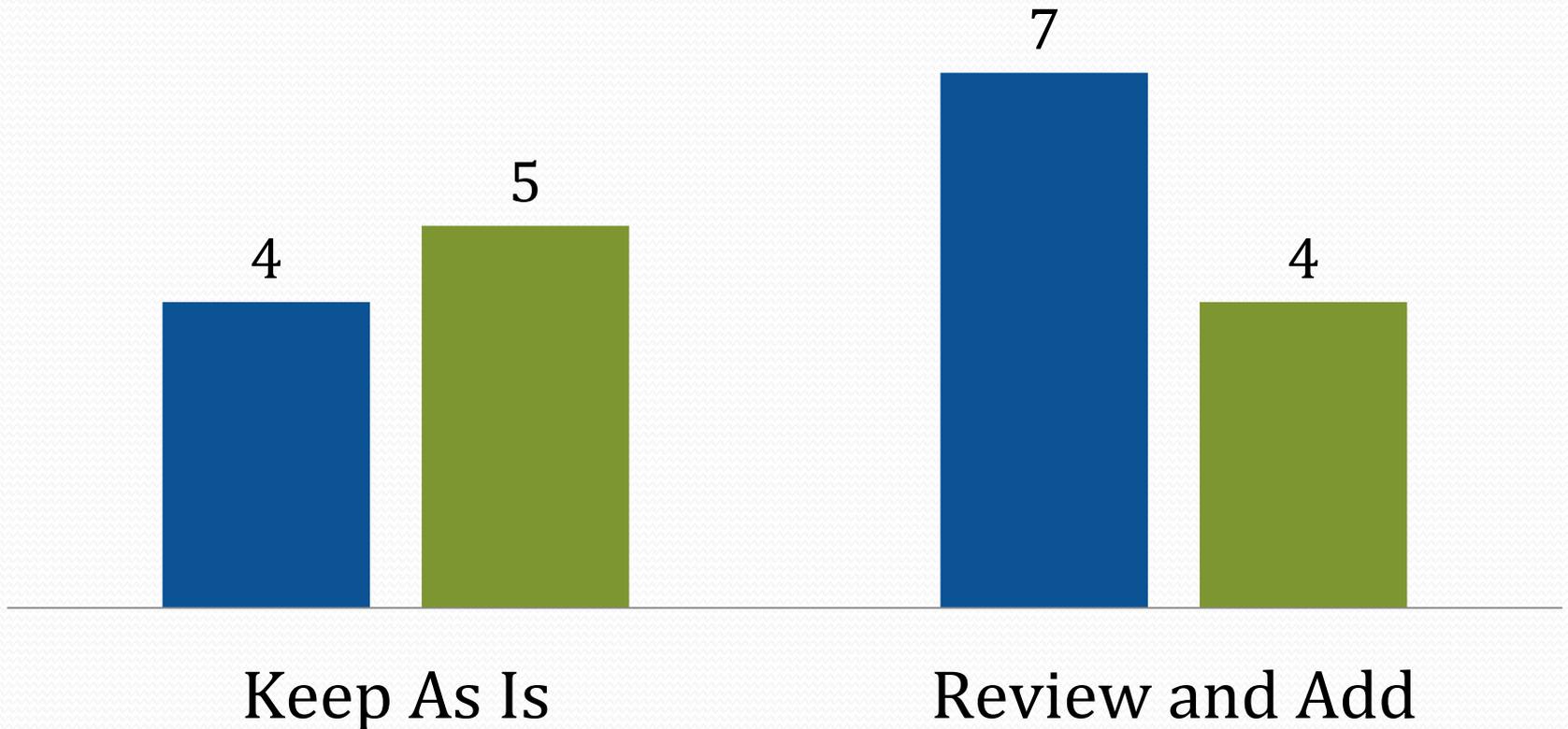
Conflict inherent for counsel trying to be the legal advisor to both Mayor and City Council

Outdated provisions, such as fines in the Charter, but no enforcement power.  
There are inconsistencies with updates from State Law

# Review Department Structure

Corporation Counsel - Administration / Finance –  
Public Affairs and Safety - Public Works and Urban Development

■ Appointed Officials      ■ Elected Officials



# City Clerk Appointment

■ Appointed Officials    ■ Elected Officials



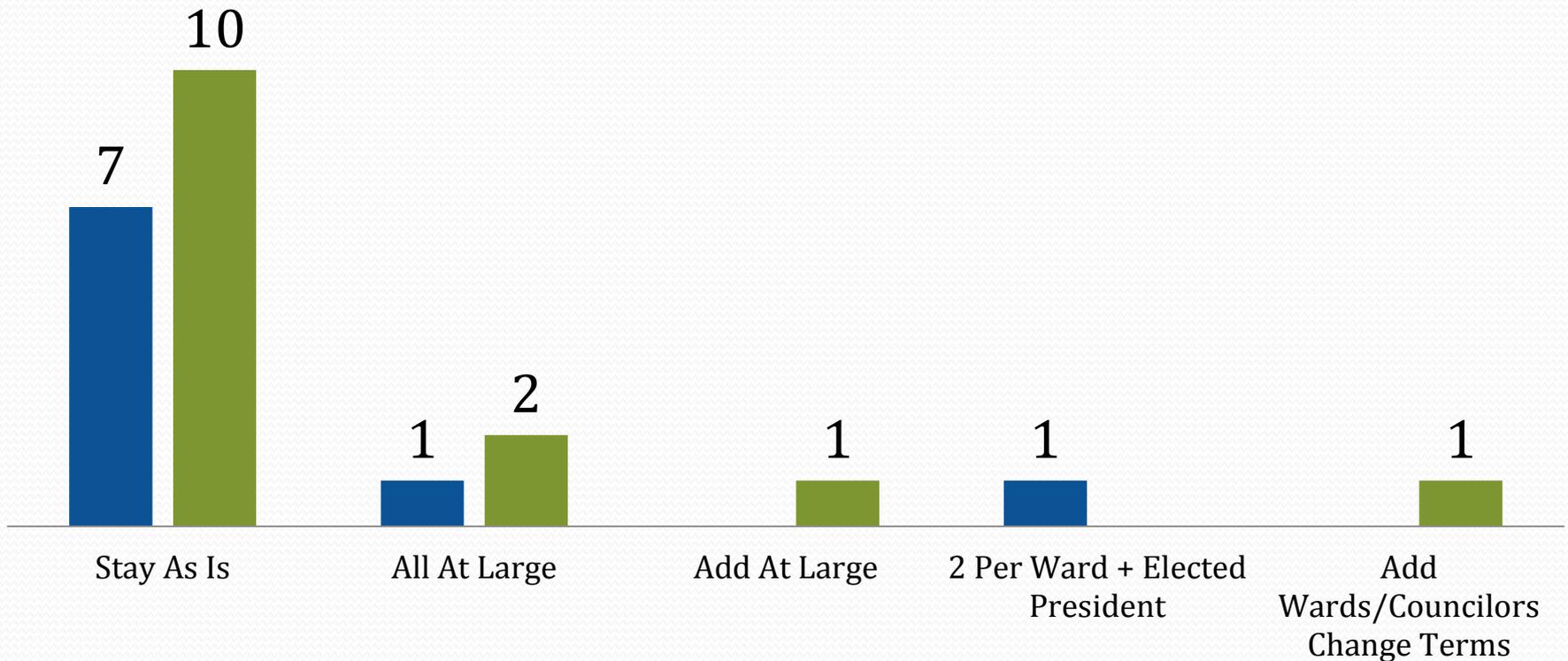
# Corporation Counsel Representation

- Most agree that there should be one Counsel that represents the city
  - Representing both executive and legislative groups can cause a problem
- There should not be a separate counsel for the governing body
  - There may be times when the Council may need to obtain their own lawyer based on circumstance
- Full Time Counsel was not directly addressed
  - Those who answered were not sure that it resulted in savings

# City Council Configuration

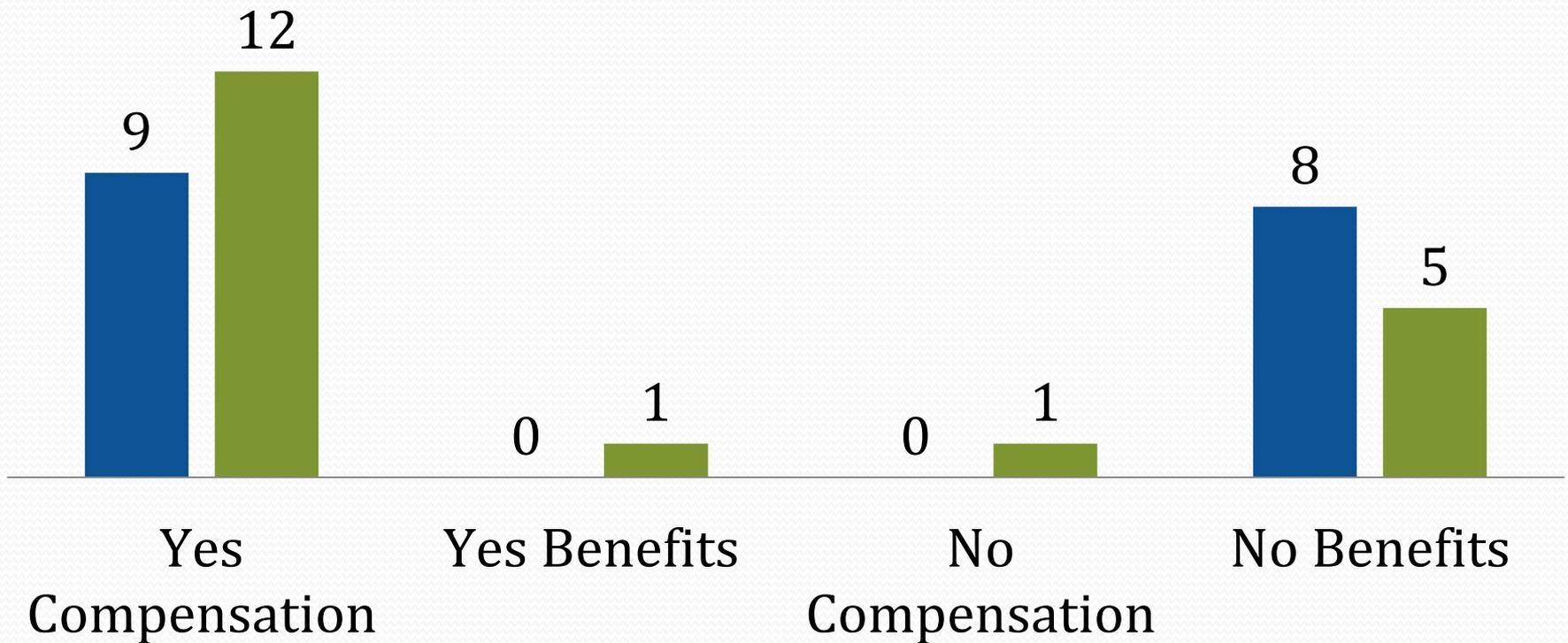
4 Wards – 2 Representing 2 Wards – 1 At Large

■ Appointed Officials    ■ Elected Officials



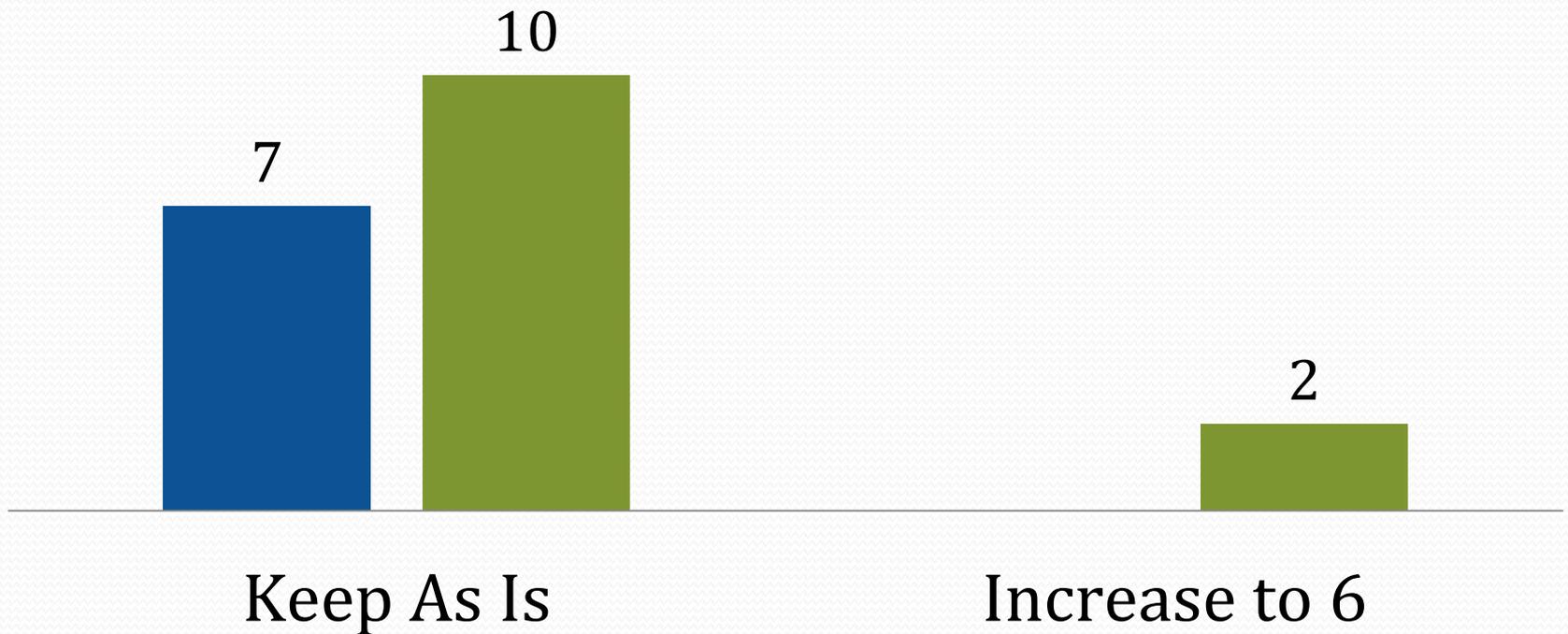
# City Council Compensation

■ Appointed Officials    ■ Elected Officials

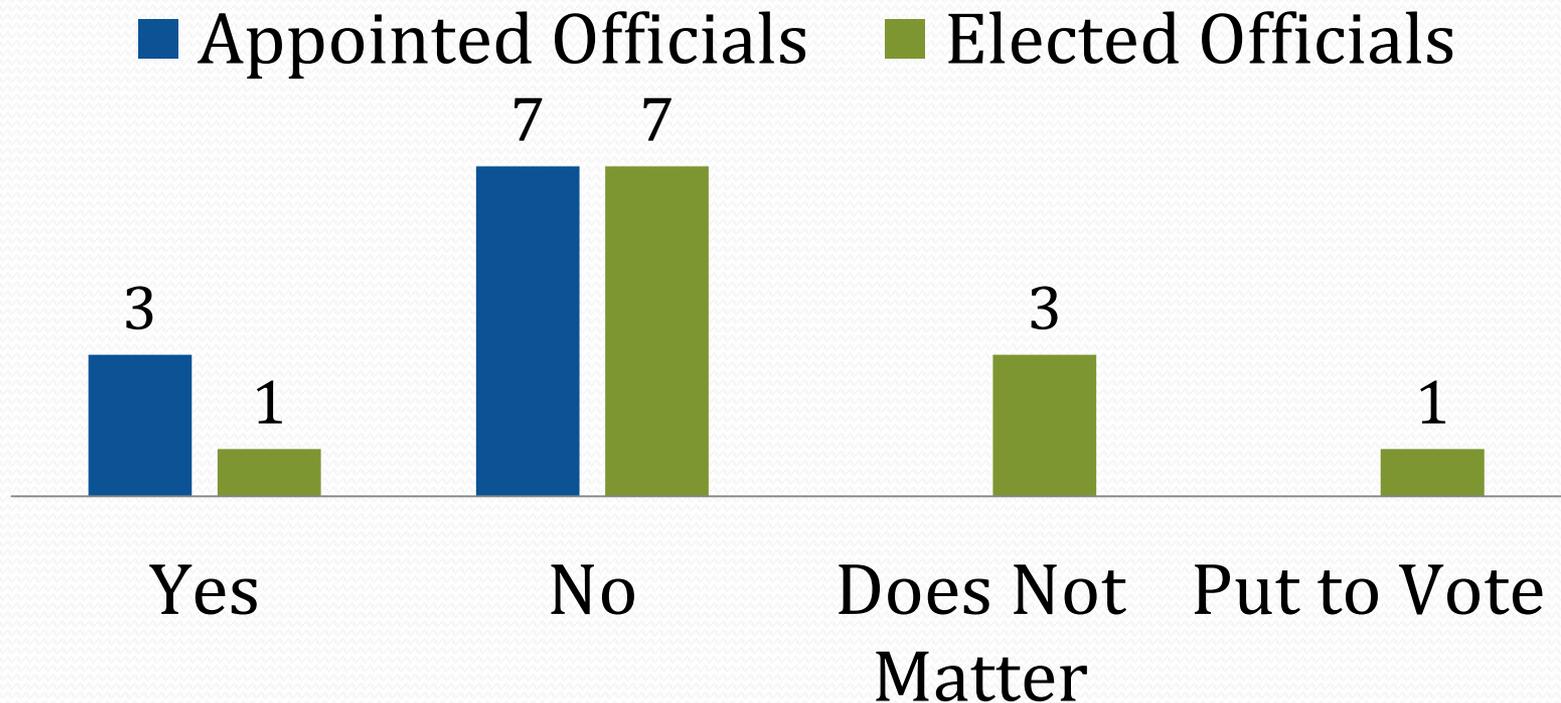


# Increase Number of Wards

■ Appointed Officials    ■ Elected Officials

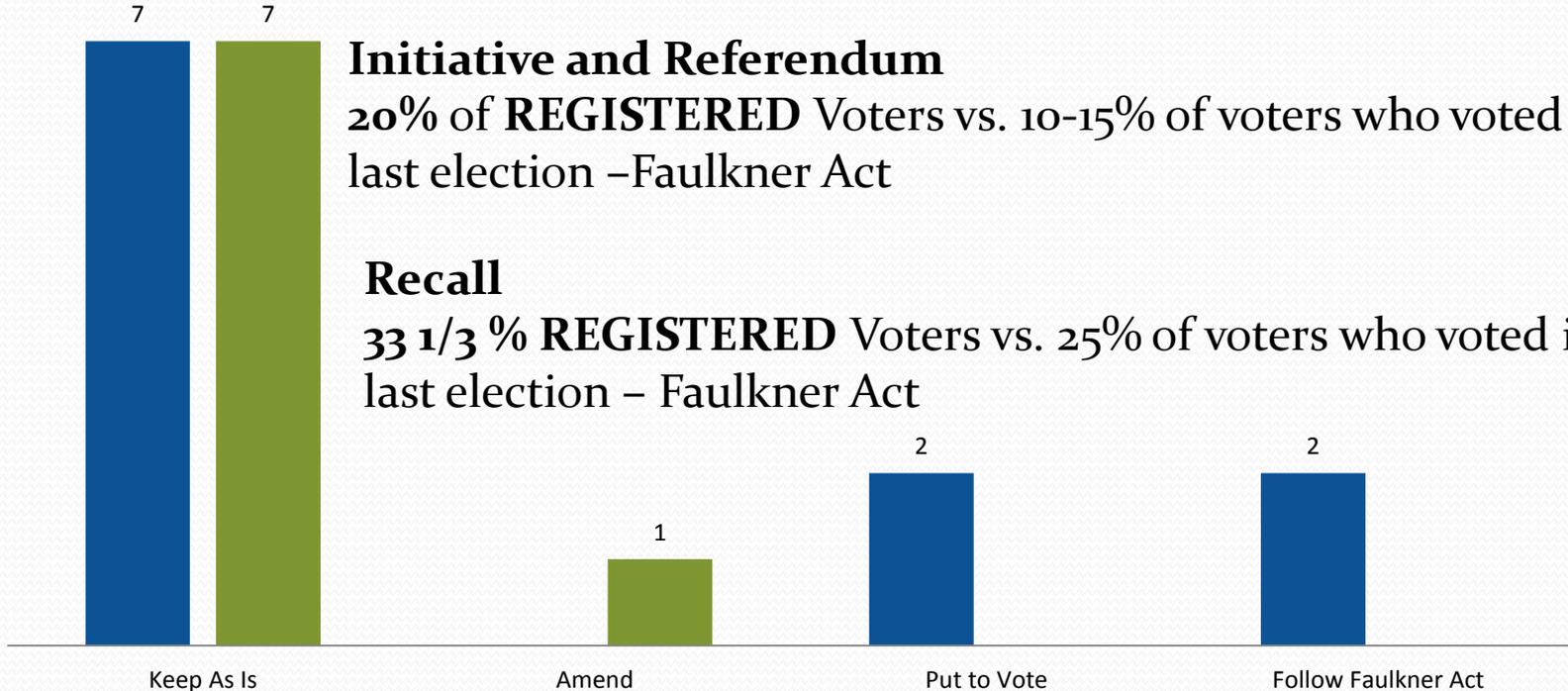


# Non-Partisan Elections



# Referendum and Recall Percentages - Current or Faulkner Act or Different Percentages

■ Appointed Officials ■ Elected Officials



## Initiative and Referendum

20% of **REGISTERED** Voters vs. 10-15% of voters who voted in the last election –Faulkner Act

## Recall

33 1/3 % **REGISTERED** Voters vs. 25% of voters who voted in the last election – Faulkner Act

# Suggestions to Improve the Charter

- Section 2.8, regarding investigations. Provides ability to fine \$200 and give 30 day jail time
  - Fine should be higher and enforceable
- Section 2.11, Expenses of City Councilors
  - Expenses should be approved by Council as a whole
- City Council should be empowered to reinstate Corporate Counsel if necessary
- Stricter provisions dealing with the preparation and submission of the budget
  - Date for budget submission should be included
- Governing body and mayor should have educational requirements (as required of the City Administrator)

# Suggestions to Improve the Charter

- Revise Department Structure
  - No more than 9 departments, each with its own director
  - The departments should be as follows:
    - ✓ Administration
    - ✓ Corporation Counsel
    - ✓ *Finance*
    - ✓ *Health and Human Services*
    - ✓ *Municipal Court*
    - ✓ *Planning and Economic Development*
    - ✓ Public Affairs and Safety
    - ✓ *Public Works and Maintenance*
- City council to appoint the Municipal Clerk and to appoint its own counsel on an as needed basis
- Title of City Administrator should be changed to the Business Administrator to be consistent with most NJ municipalities.

# Observations

- Charter Commission should think 15 years out, when none the current leaders will be key players. We need recommendations that will stand the test of time.
- Term Limits – 4 year terms
  - ✓ 2 terms for mayor
  - ✓ 3 terms for council
- Charter should be updated for gender neutral language
- Elected officials should be a legal voter and live in the city for 4 consecutive years prior to election
- Update Charter to reflect State laws

# Special Charter and Getting Along

Suggestions were made for better camaraderie between mayor and council

- Conduct more meetings between mayor and council
- Have a separate counsel for Mayor and City Council
- Ensure mayor and council receive role appropriate education

However, the statement below sums up the sentiment of 99% of the responders:

***“Short of making it a felony that they(mayor and council) don’t get along, don’t know what to do. It is a people issue, always has been.”***

# Next Steps

- Commissioners review all information and determine what form of government to recommend
- Final report due in City Clerk's office on August 6, 2013
- Report will be available to all citizens in Plainfield in the:
  - ✓ City Clerk's Office
  - ✓ Public Library
  - ✓ City Website
  - ✓ Charter Commission Blog





# Appendix

# CONTACT WITH COUNTERPARTS

- All elected and appointed officials stated they had contact with their counterparts
- Most contact was on a sporadic or limited basis

# Schedule of Meetings

- 12/11/12 Organization meeting
- 12/18/12 Subcommittee Meeting (Budget)
- 12/21/12 Subcommittee Meeting (with Mr. Restaino on budget)
- 01/08/13 Planning Meeting, formal vote on budget
- 01/20/13 Subcommittee Meeting (Work Plan)
- 01/24/13 Final Planning Meeting and Conduct of first Interview (Dr. Yood)
- 02/14/13 Phase I Meeting with Interviews (Mr. Harold Mitchell and Ms. Elizabeth Urquhart)
- 02/28/13 Phase I Meeting with Interviews of Mr. Harold Gibson, Mr. Larry Bashe, Mr. Donald Davis
- 03/12/13 Subcommittee Meeting (with Dr. Reock to get reports from other commissions)
- 03/14/13 Phase I Meeting with Interviews of Mr. Rashid Burney and Mr. Mark Fury
- 03/28/13 Subcommittee Meeting with Interview (Interview of Mr. Ronald West)
- 03/28/13 Phase I Meeting with Interviews (Mr. Dan Williamson and Ms. Laddie Wyatt)
- 04/07/13 Subcommittee Meeting (Revised Work Plan)
- 04/11/13 Subcommittee Meeting (Interview of Ms. Jewel Thompson-Chin)
- 04/11/13 Phase I Meeting with Interviews of Mr. Rowand Clark and Mr. Hank Kita)
- 04/25/13 Phase I Meeting with Interviews of Mr. Martin Helwig, Mr. Cory Storch and Ms. Rebecca Williams)
- 04/30/13 Subcommittee Meeting (Interview of Mr. Norton Bonaparte)
- 05/02/13 Phase I and Phase II Meeting (Examine Charter, compare to Faulkner Act Mayor-Council)
- 05/09/13 Phase I Meeting with Interviews of Mr. Bill Reid, Mrs. Vera Greaves.
- 05/16/13 Phase I and II Meeting (Examine Charter, compare to Faulkner Act Mayor-Council)
- 05/23/13 Phase II Meeting with Lecture by Dr. Reock on Faulkner Act and forms available to Plainfield
- 05/30/13 Phase II Meeting with Interviews of Mr. Jim White, Township Administrator of East Brunswick (Mayor Council) and Mr. Christopher Rath, Town Manager, Roxbury (Council-Manager)
- 06/13/13 Phase I and II Meeting with Interview of Mr. Adrian Mapp, with discussion of other forms following
- 06/18/13 Subcommittee Meeting (Interview of Mr. Elliott Simmons)
- 06/20/13 Phase I and Phase II Meeting with Interviews of Mr. Eric Berry, Mr. Al Restaino, Mr. Eric Jackson and Mayor Sharon Robinson-Briggs with deliberation discussions following
- 06/27/13 Public Forum Meeting
- 07/11/13 Phase III Meeting (deliberations, review of draft report)
- 07/18/13 Phase III Meeting (deliberations, review of draft report)
- 08/01/13 Phase III Meeting (final deliberations, report review, discuss distribution)

# Single Commissioner Meetings and Appearances

12/14/12 Meeting with City Clerk on Dates for Meetings

12/17/12 Commissioner addressed City Council regarding budget request

12/17/12 Meeting with Chair of Hopewell 2005 Charter Study Commission

04/09/13 Commissioner spoke at FOSH Meeting

04/23/13 Commissioner spoke at Plainfield Block Association Liaison Meeting

05/14/13 Commissioner spoke at Netherwood Heights Neighbors Meeting

\*Subcommittee Meetings were attended by a maximum of two Commissioners

# List of Interviewees (in chronological order by interview date)

1. Dr. Harold Yood, local widely read blogger (Doc's Potpourri) who had written extensively about Charter and Charter Study (1/24)
2. Ms. Elizabeth Urquhart, former City Council President and City Councilor Ward 1 (2/14)
3. Mr. Harold Mitchell, former Mayor of Plainfield, former City Councilor Ward 4, current PMUA Commissioner (2/14)
4. Mr. Harold Gibson, former City Administrator and Director of Public Safety, former City Council President and City Councilor, At Large (2/28)
5. Mr. Lawrence Bashe, former City Administrator (2/28)
6. Mr. Donald Davis, former City Councilor, Ward 3 (2/28)
7. Mr. Rashid Burney, former City Council President, former City Councilor Wards 2-3 (3/14)
8. Mr. Mark Fury, former Mayor of Plainfield and Chair of Plainfield Charter Study Evaluation Committee that reported June 28, 1990 (3/14)
9. Mr. Ronald West, former Director of the Department of Administration and Finance (3/28)
10. Mr. Daniel Williamson, former Corporation Counsel, multiple administrations, current Executive Director PMUA (3/28)
11. Ms. Laddie Wyatt, former long time City Clerk (3/28)
12. Ms. Donna Vose, former City Councilor Ward 2 and Member,  
Plainfield Charter Study Evaluation Committee that reported June 28, 1990. (submitted email responses on 4/5)
13. Ms. Jewel Thompson-Chin, former City Administrator, currently Borough Administrator for Tenafly, New Jersey (4/11)
14. Mr. Henry Kita, former City Administrator, multiple administrations and Member,  
Plainfield Charter Study Evaluation Committee that reported June 28, 1990 (4/11)
15. Mr. Rowand Clark, Former Corporation Counsel (4/11)

## List of Interviewees (in chronological order by interview date)

16. Hon. Martin Hellwig, current Director of the Department of Public Safety and Urban Affairs (4/25)
17. Hon. Cory Storch, current City Councilor, Ward 2, former Board of Education member (4/25)
18. Hon. Rebecca Williams, current City Councilor, Ward 2-3 (4/25)
19. Mr. Norton Bonaparte, former City Administrator, current City Manager of Sanford, FL (4/30)
20. Hon. William Reid, current City Councilor, Ward 1, former PMUA Commissioner (5/9)
21. Hon. Vera Greaves, current City Councilor, Ward 1-4 (5-9)
22. Dr. Ernest Reock, Professor Emeritus, retired Director, Rutgers Center for Government Services. (5-23)
23. Mr. Jim White, Township Administrator, East Brunswick, NJ (Mayor-Council) (5/30)
24. Mr. Christopher Rath, Town Manager, Roxbury, NJ (Council-Manager). (5/30)
25. Hon. Adrian Mapp, current City Councilor, former City Council President, multiple administrations, former Union County Freeholder (6/13)
26. Mr. Elliot Simmons, former City Councilor 4<sup>th</sup> Ward. (6/18)
27. Hon. Sharon Robinson-Briggs, Mayor of Plainfield, former Board of Education Member. (6/20)
28. Hon. Eric Berry, City Administrator. (6/20)
29. Hon. Al Restaino, Director of the Department of Administration and Finance. (6/20)