

**Charter Study Commission  
City of Plainfield, New Jersey  
Meeting Minutes  
February 14, 2013 Meeting  
Plainfield City Hall Library, 7:30 p.m.**

**Call to Order:** Mr. Smiley called the meeting to order at 7:36 p.m.

**Salute to the Flag:** Mrs. Davis led the Pledge of Allegiance.

**Open Public Meeting Law:** Mr. Stewart announced that the Notice Requirement provided for in the Open Public Meeting Law had been satisfied. Notice was properly given, said notice having been transmitted to the Courier–News and the Star–Ledger on 12/26/12, as well as posting on the City website and on the City Clerk's bulletin board.

**Roll Call of Commission Members:** Mr. Smiley took roll call. Commissioners Mary Burgwinkle, Secretary; Marie Davis, Assistant Secretary; Rick Smiley, Chair and John Stewart, Vice Chair were present. Jeanette Criscione, Treasurer was excused. Mr. Smiley noted that there was a quorum present.

**Minutes:** The 1/24/13 meeting minutes were adopted unanimously by voice vote, with no dissents or abstentions.

**Correspondence to the Commission:** Ms. Burgwinkle reported that there was no correspondence to the Commission, but that there was correspondence to third parties from the Commission and that discussion would be deferred to the discussion of lists of interviewees.

**Treasurer Report:** There was no Treasurer report in Ms. Criscione's absence.

**Interviews:** Ms. Elizabeth Urquhart, former City Councilor, and Mr. Harold Mitchell, former Mayor and City Counselor gave interviews. Attached as Exhibit A are the questions given to each and a very brief summary of their remarks. A verbatim recording of the meeting, including all of their remarks is available upon request.

**Discussion of persons to invite for interviews on the present form of local government:**

Ms. Burgwinkle announced that former Mayor Mark Fury, who was scheduled to be interviewed at this meeting, was on trial and requested to call in rather than attending in person late on 2/13/13. Lacking the logistics for a call in, we asked him if we could reschedule his interview. Ms. Burgwinkle distributed an updated interview contact spreadsheet and advised that former City Administrator Larry Bashe had agreed to be interviewed on 2/28, along with former City Administrator and City Councilor Harold Gibson. Mrs. Davis indicated that former City Councilor Don Davis will attend either on 2/28 or 3/14. Ms. Burgwinkle further announced that former Corporation Counsel Jacqueline Drakeford was in the process of moving from Plainfield to Georgia, and requested to answer her questions via email rather than be present for an interview. Mrs. Davis suggested that all invitees should be given the opportunity to answer the questions via email. Ms. Burgwinkle requested review of the interviewee list for persons to invite to participate via writing or email. Mr. Smiley suggested that any interviewee who lives 30 or so miles away should be invited to participate by mail. Ms. Burgwinkle and Mrs. Davis will continue to invite interviewees. Mr. Rashid Burney, former City Councilor is confirmed for 3/14 at this juncture. Mrs. Davis will attempt to reschedule Mr. Fury for 2/18 or 3/14.

**Discussion of questions to be asked of interviewees:**

Ms. Burgwinkle announced to Commissioners that their packets included the edited questions that Commissioners worked on at the 1/24/13 meeting. The questions were edited and divided into questions for employees, questions for non-employees and questions for the Commissioners to use in their own deliberations.

**Announce Next Meeting:** The next meeting will be on 2/28/13.

**Public Participation:** No members of the public requested to be heard (observers were allowed to ask questions during the interviews).

**Adjournment:** The meeting was adjourned at 8:45 p.m. by the Chair.

A Full Length Recorded Copy of this Meeting is available by contacting the Charter Commissioners at <http://plainfieldcsc.blogspot.com/>.

### Exhibit A

Following are interview questions and a very brief summary of Ms. Urquhart's and Mr. Mitchell's responses. A complete recording of the meeting and comments are available for review as described above.

Thank you so much for agreeing to an interview with the Plainfield Charter Study Commission and for your prior service to the City of Plainfield. Your interview will help us to study Plainfield's current special charter, the Plainfield Charter (1968), hereinafter described as the "Plainfield City Charter", a copy of which is attached to these questions.

Kindly review the interview questions below. These are the questions that we will ask at your interview. We want to emphasize that we are studying our form of government only. We are not auditing or questioning the acts or policies of our current or past elected or appointed officials. We ask that you limit your responses to the following questions to charter issues, exclusively. If there are questions that you prefer not to answer, just let us know that during the interview and thank you again.

#### **Interview Questions-February 14, 2013**

1. Please briefly introduce yourself and describe your present or former role in Plainfield's government.

Ms. Urquhart: Lifetime Plainfielder, married a Plainfielder, Plainfield Schools, retiree from AT&T, City Councilor for 16 years, among other things, acting mayor, deputy mayor, suggested last charter study.

Mr. Mitchell: Former Mayor, City Councilor, PMUA Commission Chair, PASA, PJM, among other things, goal is to reduce garbage rates, bring business in and to serve the community.

2. Have you read Plainfield's City Charter?

Ms. Urquhart: yes

Mr. Mitchell: yes

3. What do you consider to be the most important advantages of Plainfield's present form of local government, the Plainfield City Charter? What are its disadvantages, in your opinion?

Ms. Urquhart: Advantages are flexibility; city can organize internal affairs, establish and abolish offices and define their functions and

exercise all powers of local government in such fashion as Council believes necessary. Disadvantage is revisions must be approved by 2/3 vote of legislature. For example, Mayor could be made fulltime by local ordinance, however, three departments can only be changed with legislative approval.

Mr. Mitchell: Advantages are need for legislative approval of any charter changes, and Public Safety Director to work with Mayor and City Council rather than Police Chief. Disadvantage is that Council does not have its own Counsel.

4. Is there anything in the Plainfield City Charter that hindered you from carrying out your role in Plainfield's government?

Ms. Urquhart: No

Mr. Mitchell: No

5. If your answer to Question 4 was yes, were the provisions of the Plainfield City Charter the problem or do you believe that the Charter was being interpreted incorrectly?

Ms. Urquhart: n/a

Mr. Mitchell: n/a

6. If you have had experience with forms of municipal government other than Plainfield's City Charter, how did the operation of the municipal government under those forms compare?

Ms. Urquhart: No other experience

Mr. Mitchell: Must adhere strictly to the charter, but "wiggle room" on some items under Faulkner Act Forms.

7. What is your opinion on the number of City Council members under the Plainfield City Charter? Is the City Council too large or too small? Should there be one City Councilor from each ward, and three elected at large from the whole City, rather than 1-4, 2-3 and one at large? Should all City Councilors be elected at large?

Ms. Urquhart: Satisfied with status quo

Mr. Mitchell: City Council is too small, would prefer 3 at large Councilors, but thinks that all wards should be represented, not in favor of all Councilors elected at large.

8. Should City Councilors be compensated or should they receive \$1 per year for their services as in some other municipalities? Should the council receive benefits?

Ms. Urquhart: Council should be compensated, with benefits

Mr. Mitchell: Council should be compensated because of the work that they do at meetings and in the community

9. In your opinion, should the City Clerk, who acts as clerk of the City Council, be appointed by the Mayor or by the City Council?

Ms. Urquhart: City Council

Mr. Mitchell: Mayor, but should be a working relationship.

10. Do you think that the Special Charter could be improved in any way that would enhance the working relationship between the Mayor and City Council?

Ms. Urquhart: No

Mr. Mitchell: Possible, but should have a cooperative working relationship

11. The Plainfield City Charter provides for three City Departments, Administration and Finance, Public Works and Public Affairs and Safety.

(a) Do you believe that the current city divisions are assigned to the appropriate Departments for peak efficiency?

(b) Should the Plainfield City Charter be changed to allow for between 3 and 6 Departments, to be established by ordinance?

(c) Does Plainfield need the Department of Public Affairs and Safety in its current form?

Ms. Urquhart: Ms. Urquhart could not receive the information she needed to answer this in time for the meeting.

Mr. Mitchell: Does not have a current opinion on assignment of divisions, was satisfied in his administration. Does not have an opinion of number of departments. Is in favor of Public Safety Department in its present form, key is qualified people with cooperative attitudes.

12. Do you believe that the Office of Corporation Counsel can properly represent both the Mayor and City Council as provided in the Plainfield City Charter? Should there be a provision for separate counsel for the governing body? Should there be full time in-house Corporation Counsel?

Ms. Urquhart: Counsel should have its own attorney, no attorney can serve two masters.

Mr. Mitchell: Counsel should have its own attorney, should be full time in-house corporation counsel.

13. The Plainfield City Charter provides for initiative and referendum upon petitions with signatures of 20% of registered city voters, and for recall of elected officials with signatures of 33 1/3 % of registered voters. Should the Plainfield City Charter be amended to follow the Faulkner Act (10%-15% of voters who voted in the last election for initiative and referendum under circumstances described in the law and 25% for recall)? Should the recall percentage be less than 25%?

Ms. Urquhart: maintain status quo

Mr. Mitchell: maintain status quo, should be a high percentage of voters to recall any elected official.

14. In your opinion, should Plainfield have more or fewer Wards? Would more or fewer Wards provide better representation for all constituencies?

Ms. Urquhart: 4 wards

Mr. Mitchell: 4 wards

15. What is your opinion of non-partisan local elections (for Mayor and City Council) rather than primaries and partisan local elections?

Ms. Urquhart: Her opinion is that there must have more than 50,000 in population for non-partisan and she objects to cost of elections in May, believes that current system provides for seasoned candidates after screening.

Mr. Mitchell: Partisan

16. How does the Plainfield City Charter work with the Plainfield Municipal Code? Were they used together consistently in your experience? If NO, what is your recommendation?

Ms. Urquhart: Must work together, in her experience, they functioned together

Mr. Mitchell: They function together, must cooperate if there are issues

17. Are there any provisions of the Plainfield City Charter that you think can be improved? If so what do you suggest?

Ms. Urquhart: She could not get all of the information she needed to answer.

Ms. Mitchell: None other than mentioned above.

18. Do you have any other observations that you would like to share about the provisions of Plainfield City Charter?

Ms. Urquhart: Section 2.6 provides that counsel meeting must be held at city hall, that could be amended.

Mr. Mitchell: None other than already mentioned.