

1. 09-17-2018 Common Council Agenda

Documents:

[09-17-18 COUNCIL AGENDA ONLY 1492.PDF](#)



# Common Council of the City of Summit

Closed Session Agenda for *Monday, September 17, 2018*

**7 : 0 0 p m – 7 : 2 0 p m**

(Produced by the Office of the Secretary to the Mayor and Council)

## ADEQUATE NOTICE

### RESOLUTION – Authorize Closed Session

1. Collective Bargaining Matters - NJSA 10:4-12.B (4)
2. Purchase, lease or acquisition of property with public funds - NJSA 10:4-12.b (5)
3. Public safety tactics and techniques - NJSA 10:4-12.b (6)
4. Litigation and/or attorney-client privilege matters - NJSA 10:4-12.b (7)
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10.4-12.b (8)

- Extension of Injury Leave With and Without Pay - DPW Employees (2)

- Memo - R. Licatase, re Unfilled Appointments

- Mayor's Appointments:

- (confirmation required)**

- Arts Committee (7)
- Community Programs Advisory Board (1)
- Rent Commission (2P) (1L)
- Technology Advisory Committee (1)

- (no confirmation required)**

- None

- Known for discussion
- \* Known for consideration

- ◆ Council Appointments:

- Economic Development Advisory Committee (1 At-large)
- Parking Advisory Committee, Summit (1)
- Recycling Advisory Committee (1 citizen-at-large)
- Shade Tree Advisory Board (1 Bldr/ Developer Rep.)
- \*Transfer Station Task Force At-Large (5); Council (3); DCP (1) and DCS (1); CPAB (1), RAC (1) and EC (1)

Only matters that have bullet points under them were known to need discussion at the time of agenda creation. The other subjects are those permitted for discussion and are listed in case they are needed.

## ADJOURN CLOSED SESSION



**Common Council of the City of Summit**  
**Regular Meeting Agenda for Monday, September 17, 2018**  
**7:30 PM**

(Produced by the Office of the Secretary to the Mayor and Council)

**COMMITTEE MEETING SCHEDULE**

Committee - Time - Attendees - Office

**BUILDINGS AND GROUNDS COMMITTEE**

**Thursday (9/13)**                      **4:00 pm – 5:00 pm**                      Dept. of Community Services  
Fox, McTernan, Cascais

**FINANCE and PERSONNEL COMMITTEE**

**Monday**                                      5:00 pm – 6:00 pm                      Large Conference Room  
Little, Ogden, Naidu, Mayor Radest, Rogers, Gerba

**GENERAL SERVICES COMMITTEE**

**Monday**                                      4:00 pm – 5:00 pm                      Large Conference Room  
Ogden, Little, McNany, Leblein Josephs

**SAFETY COMMITTEE (Police and Fire)**

**Thursday**                                      8:00 am – 9:00 am                      Police Chief's Conf. Room  
9:00 am – 10:00 am                      Police Chief's Conf. Room  
Gould, Bowman Mayor Radest, Rogers, Evers, Weck

**WORKS COMMITTEE**

**Monday**                                      1:30 pm – 2:30 pm                      Dept. of Community Services  
Bowman, Fox, Cascais

**LAW COMMITTEE**

**Monday**                                      5:15 pm – 6:00 pm                      Clerk's Law Library  
McTernan, Gould, Rogers, Licatase, Giacobbe, Kavanagh

(STAFF REMINDER: Please provide Committee Agendas for the Council President, City Administrator, and the Secretary for distribution on Wednesday.)



**ASSISTIVE LISTENING DEVICES AVAILABLE. SEE CITY CLERK.**



## **CALL TO ORDER**

### **ADEQUATE NOTICE COMPLIANCE STATEMENT**

*Adequate notice of this meeting has been provided by the City Clerk's Office in the preparation of the Council Annual Meeting Notice, dated January 8, 2018, which was properly distributed and posted per statutory requirements.*

*Please be advised that the FIRE EXITS are to my RIGHT, your left, and at the BACK OF THE ROOM.*

*The City has a Listening System to assist the hearing impaired. If anyone needs hearing assistance, please obtain the system at the Dais and return it thereafter.*

## **ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

#### **EXPLANATORY NOTE REGARDING CLOSED SESSION**

*A closed session meeting, as authorized by State statute, was announced and held prior to the start of this meeting and the known items for discussion were listed on the published Closed Session agenda.*

#### **EXPLANATORY NOTE REGARDING HEARINGS AND COMMENTS**

*Please be advised that council meetings are broadcast live on Comcast Channel 36 and Verizon Channel 30 and rebroadcast on Thursdays and Saturdays on HomeTowne TV – on Comcast 36 and Verizon 33.*

*When invited to speak, please come to the lectern, clearly state your name and address, spell your last name, and speak into the podium microphone so that your comments can be understood by all and properly recorded. Whenever an audience or Council member reads from a prepared statement, please give or email a copy to the City Clerk's Office at [rlicatase@cityofsummit.org](mailto:rlicatase@cityofsummit.org). To help facilitate an orderly meeting and to permit all to be heard, speakers are asked to limit their comments to approximately 3 minutes or so in length.*

*Unless you are using an electronic device to follow the meeting agenda or need it for professional emergency contact purposes, please turn it off. Thank you.*

(The following matters were known at agenda deadline. Other matters may arise thereafter that need timely consideration or reaction.)

### **APPROVAL OF MINUTES**

- Regular and Closed Session Minutes of September 4, 2018

### **REPORTS**

- Mayor, City Administrator and Council President (Summit Historical Minute)

## CEREMONIAL AWARDS

- Mayor's Proclamation - Constitution Week – Lois Hageman, 1<sup>st</sup> Vice Regent – Daughters of the American Revolution - Summit Beacon Chapter

## PRESENTATIONS

- Wallace Road Improvement Update - Aaron Schrager, City Engineer/Dep. DCS Director
- Traffic Signal Update - Aaron Schrager, City Engineer/Dep. DCS Director

## PUBLIC COMMENTS

*At this point in the meeting Council welcomes comments from any member of the public about issues that are **not** topics on tonight's business agenda. Whenever an audience or Council member reads from a prepared statement, please provide a copy to the City Clerk at [rlicatase@cityofsummit.org](mailto:rlicatase@cityofsummit.org). To help facilitate an orderly meeting and to permit all to be heard, speakers are asked to limit their comments to 3 minutes.*

## ORDINANCE(S) FOR HEARING

*Comments are solicited from Council members and the public.*

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
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### BUILDINGS AND GROUNDS

18-3173	<b>AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED: "ORDINANCE GRANTING PERMISSION TO HOLD A PRIVATE SALE OF A PORTION OF THE REAL PROPERTY ON BLOCK 3204, LOT 7, LOCATED ON 1000 SUMMIT AVENUE, IN THE CITY OF SUMMIT, COUNTY OF UNION, AND STATE OF NEW JERSEY." TO INCLUDE THE MINIMUM PRICE OF THE PROPERTY</b> <i>(amend ordinance 18-3164 to include minimum price of property known as 1000 Summit Avenue, Block 3204, Lot 7)</i>	09/4/18
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## ORDINANCE(S) FOR FINAL CONSIDERATION

*No comments are permitted at this point since the hearing is closed.*

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
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### BUILDINGS AND GROUNDS

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## ORDINANCE(S) FOR INTRODUCTION

*\*Hearings will be at the meeting indicated below, unless otherwise noted*

<u>Number</u>	<u>Title</u>	<u>Hearing Date</u>
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### WORKS

(ID # 5888)	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-14, LOADING ZONES</b>	10/2/18
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### BUILDINGS AND GROUNDS

(ID # 5927)	<b>AN ORDINANCE TO DECLARE AIR RIGHTS NO LONGER NEEDED FOR MUNICIPAL USE AND GRANT PERPETUAL AIR RIGHTS EASEMENT AT 300 ALLEY IN THE CITY OF SUMMIT, COUNTY OF UNION AND STATE OF NEW JERSEY AND RELEASE ALL PUBLIC RIGHTS AND INTERESTS THEREIN RESULTING FROM ANY DEDICATION THEREOF. (Grant Air Rights at 300 Alley to Owner of Real Property at 40 Beechwood Road)</b>	10/2/18
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## RESOLUTIONS

*(Staff reports are attached as appropriate. Items are listed according to Council Committees, those in **italics** indicate secondary committee reference. Unless otherwise indicated, or desired by Committee Chair, or a Council member advises that they will be voting in the negative, all Committee resolutions may be voted on at once.)*

### GENERAL SERVICES

(ID # 5909)	Authorize Change Orders #5 through #12 - Community Center Renovation Project - \$133,598.00
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### BUILDINGS AND GROUNDS

(ID # 5887)	Appoint Transfer Station Task Force Members <i>(Pending Closed Session Discussion)</i>
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### WORKS

(ID # 5897)	1. Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Village Green Pedestrian Safety Project: Phase 3
(ID # 5896)	2. Approval to Submit a FY 2019 Grant Application and Execute a FY 2019 Grant Agreement with the New Jersey Department of Transportation for the New Providence Avenue- Priority 2
(ID # 5895)	3. Approval to Submit a FY2019 Grant Application and Execute a FY 2019 Grant Agreement with the New Jersey Department of Transportation for the Butler Parkway Improvement Project - Priority 1

## **WORKS**

- (ID # 5894) 4. Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the Summit Station Safe Streets to Transit Project

## **FINANCE/PERSONNEL**

- (ID # 5922) 1. Extension of Injury Leave With and Without Pay - DPW Employee #1 (*Pending Closed Session Discussion*)
- (ID # 5923) 2. Extension of Injury Leave With Pay - DPW Employee #2 - (*Pending Closed Session Discussion*)

## **CONSENT AGENDA**

### **WORKS**

- (ID # 5907) 1. Authorize Performance Bond Release - 25 Chatham Road - ZB-15-1747
- (ID # 5900) 2. Authorize Bid Advertisement - Village Green Phase II Improvement Project
- (ID # 5890) 3. Authorize Bid Advertisement - Springfield Avenue Project, City Hall Portion

### **FINANCE/PERSONNEL**

- (ID # 5937) 1. Authorize 2018 League Conference Attendance
- (ID # 5933) 2. Amend Budget - Chapter 159 - Investors Foundation Grant Award
- (ID # 5917) 3. Authorize Refund - Overpayment of Third Quarter 2018 Taxes
- (ID # 5904) 4. Refund Overpayment of 2018 Sewer Utility Charges
- (ID # 5910) 5. Authorize Refunds - Department of Community Programs
- (ID # 5496) 6. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
- (ID # 5730) 7. Authorizing Payment of Bills

## **COUNCIL MEMBERS' COMMENTS/NEW BUSINESS**

## **ADJOURNMENT REGULAR MEETING**

## **CLOSED SESSION (IF NEEDED AND AUTHORIZED)**

## **EXPLANATORY NOTE REGARDING CORRESPONDENCE, STAFF & LIAISON REPORTS, AND GENERAL INFORMATION ITEMS**

*By end of business on Friday before the meeting, unless otherwise indicated, all items on the agenda are distributed to the Mayor, Council, City Administrator, City Treasurer and City Solicitor. Department Heads and the Press are advised via email that the official agenda is available for review on the City's website. An official "Board" copy is available for public inspection in the City Clerk's Office, the Summit Free Public Library reference desk and on the City's website. Oral reports and delayed distributions are noted as needed. Information that*

*arrives after the agenda is completed and sent to the “distribution list” has only been provided to the Mayor, Council, City Administrator and affected Department Head(s).*

## **GENERAL INFORMATION**

*Includes notices, letters copied to the city, ordinances & resolutions from other governing bodies, newsletters and minutes and reports from agencies, boards and commissions. Each item does not appear to require any discussion or action. (Copies of ordinances and resolutions from other governing bodies are not provided, but are available upon request.)*

### **Ordinances and Resolutions Other Governing Bodies**

Union Township - Resolution, re private billboards

### **Minutes, Reports, etc. from the following:**

2017 Audit and Financial Statements - New Providence, Summit, Millburn Joint Dispatch  
Emergency Services Center

## **ORDINANCES AND RESOLUTIONS EXPLANATION:**

A governing body of a municipality may formally act through ordinances or resolutions. Ordinances usually encompass legislative acts. Resolutions usually deal with administrative or acts performed according to legal authority, established procedures or instructions from the Common Council.

### **Ordinances:**

An act initiated by the Common Council that becomes law. The violation of an ordinance may result in summonses being issued. Generally, an ordinance remains in effect until repealed or modified and may not be amended or modified by a resolution. It requires a public hearing and publications in the town’s legal paper before becoming effective. Examples of ordinances are those which deal with changing parking or speed limit requirements, code enforcement, implementing State mandates at the local level and creating boards or commissions.

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### **Resolutions:**

Any act or regulation that is required to be reduced to writing but may be finally passed at the meeting at which it is introduced. The legal effect of a resolution is the same as an ordinance except summonses cannot be issued for their violation. Generally, life of a resolution is permanent unless there is language to the contrary. Typical resolutions deal with: Opinion expressions; Requests for action to other elected officials or bodies or governmental agency[s]; One-time actions and Routine authorizations such as making appointments and awarding contracts.

City Clerk’s Office