



## Common Council of the City of Summit

Closed Session Agenda for Tuesday, April 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)
  - City Clerk Appointment
  - Deputy Tax Assessor Appointment
  - Declare Vacancy - Finance Department - Full Time Senior Account Clerk
- Memo - R. Licatense, re Unfilled Appointments
  - Mayor's Appointments:  
(**confirmation required**)
    - Arts Committee (6)
    - Community Programs Advisory Board (1)
    - Rent Commission (2P)
  - (**no confirmation required**)
    - None
- Known for discussion
- \* Know for consideration

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.

- ♦ Council Appointments:
  - Economic Development Advisory Committee (7 At-large)
  - Parking Advisory Committee, Summit (1)
  - Recycling Advisory Committee (1) *new*
  - Shade Tree Advisory Board (1 Bldr/Developer Rep.)

### ADJOURN CLOSED SESSION



## Common Council of the City of Summit

**Regular Meeting Agenda for Tuesday, April 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**

Monday 6:00 pm – 7:00 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**

Tuesday 6:00 pm – 6:30 pm Clerk's Law Library  
McTernan, Gould, Rogers, Licatese, Giacobbe, Augello

(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 33 and rebroadcast on Thursdays and Saturdays on HomeTowne TV – also 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 [rlicatese@cityofsummit.org](mailto:rlicatese@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 April 3, 2018

### **REPORTS**

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

## **PRESENTATIONS**

- Mayor's Partnership for Public Arts/Summit Arts Committee Report – Co-Chairs Vivian Furman & Estelle Fournier

## **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 [rlicatese@cityofsummit.org](mailto:rlicatese@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.*

## **BUDGET HEARINGS**

- Budget Hearing - 2018 Municipal Operating Budget
- Budget Hearing - 2018 Special Improvement District (SID) Budget

## **RESOLUTION**

### **FINANCE/PERSONNEL**

(ID # 5691)      Minor Amendment - 18-3163 - Ordinance Amending Chapter XXV, Sewage and Wastewaters, Section 25-6 Sewer User Charges, of the Code of the City of Summit - Effective Date of Ordinance

## **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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### **GENERAL SERVICES**

18-3161	An Ordinance Amending the Code, Chapter VII, Traffic, Section 7-8, Parking, Subsection 7-8.5, Parking Time Limited on Certain Streets ( <i>Rate Increase, 90-minute meters in Zone A</i> )	04/3/18
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### **FINANCE/PERSONNEL**

18-3163	An Ordinance Amending Chapter XXV, Sewage and Wastewaters, Section 25-6 Sewer User Charges, of the Code of the City of Summit, <b>as amended</b> ( <i>Set sewer user fees by resolution and change payment due date to June 15</i> )	04/3/18
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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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### **GENERAL SERVICES**

18-3161	An Ordinance Amending the Code, Chapter VII, Traffic, Section 7-8, Parking, Subsection 7-8.5, Parking Time Limited on Certain Streets ( <i>Rate Increase, 90-minute meters in Zone A</i> )	04/3/18
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### **FINANCE/PERSONNEL**

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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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### **SAFETY**

(ID # 5627)	An Ordinance Amending the Code, Chapter VII, Traffic, Section 7-8, Parking, Subsection 7-8.5, Parking Time Limited on Certain Streets ( <i>Lowell Avenue, north side, no parking at certain times</i> )	05/1/18
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### **FINANCE/PERSONNEL**

(ID # 5677)	An Ordinance to Establish the 2018 Salaries, Wages or Compensations of and for the Officers and Employees of the City of Summit, in the County of Union, and the State of New Jersey ( <i>Establish 2018 Salaries - Union and Non-Union Employees</i> )	05/1/18
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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.)*

### **FINANCE/PERSONNEL**

- |             |    |                                                                                                                                                                            |
|-------------|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (ID # 5661) | 1. | Setting Forth Summary of 2018 Revenues and Appropriations - 2018 Municipal Operating Budget, 2018 Sewer Utility Operating Budget and 2018 Parking Utility Operating Budget |
| (ID # 5662) | 2. | Summary of General Revenues and Appropriations - 2018 SID Budget                                                                                                           |
| (ID # 5583) | 3. | Certify Budget Compliance Requirements                                                                                                                                     |
| (ID # 5657) | 4. | Accept 2018-2023 Capital Plan                                                                                                                                              |
| (ID # 5645) | 5. | Concur 2018 Board of School Estimate Certification of Required Funds                                                                                                       |
| (ID # 5551) | 6. | Appointment of City Clerk ( <i>Pending Closed Session Discussion</i> )                                                                                                     |
| (ID # 5534) | 7. | Appointment of Part-Time Deputy Tax Assessor ( <i>Pending Closed Session Discussion</i> )                                                                                  |
| (ID # 5655) | 8. | Declare Vacancy - Finance Department - Full Time Senior Account Clerk ( <i>Pending Closed Session Discussion</i> )                                                         |

### **BUILDINGS AND GROUNDS**

- |             |                                                                                                                              |
|-------------|------------------------------------------------------------------------------------------------------------------------------|
| (ID # 5647) | Authorize Acceptance of Public Donations through the Summit Area Public Foundation (SAPF) for Hometown Heroes Banner Program |
|-------------|------------------------------------------------------------------------------------------------------------------------------|

### **WORKS**

- |             |                                                                                                                                                                                                                                                         |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (ID # 5650) | Authorize Execution of Agreements to Permit Three Rectangular Rapid Flashing Beacon Installations on County Roads Intersection of Broad Street & Elm Street Intersection of Morris Avenue & Weaver Street Intersection of Morris Avenue & Aubrey Street |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **GENERAL SERVICES**

- |             |                                                                                |
|-------------|--------------------------------------------------------------------------------|
| (ID # 5659) | Set 2018 Fee Schedule - Department of Community Programs - Recreation Programs |
|-------------|--------------------------------------------------------------------------------|

## **CONSENT AGENDA**

### **WORKS**

- (ID # 5626) 1. Authorize Bid Advertisement - 2018 Curb and Sidewalk Project
- (ID # 5681) 2. Authorize Bid Advertisement - Summit City Cooperative Pricing System #192SCCPS - 2018 Annual Micro-Surfacing Program

### **FINANCE/PERSONNEL**

- (ID # 5658) 1. Authorize Attendance at NJ Government Finance Officers Association (GFOA) Conference
- (ID # 5656) 2. Authorize Refund Overpayment of First Quarter 2018 Taxes
- (ID # 5652) 3. Authorize Zoning Board Escrow Refund - 21 West End Avenue - ZB-18-1917
- (ID # 5670) 4. Authorize Zoning Board Escrow Refund - 12 Dunnder Drive - ZB-17-1888
- (ID # 5678) 5. Authorize Planning Board Escrow Refund - 767 Springfield Avenue -Goldberg Realty- PB-15-234
- (ID # 5663) 6. Authorize Refunds - Department of Community Programs
- (ID # 5487) 7. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
- (ID # 5671) 8. Authorizing Payment of Bills \$ 674,620.15

## **PENDING ORDINANCE**

### **BUILDINGS AND GROUNDS**

<u>Number</u>	<u>Title</u>	<u>Hearing Date</u>
18-3164	<b>AN 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</b> <i>(Declare portion of property on Summit Avenue - known as 1000 Summit Avenue-- as no longer needed for public use and authorize sale of same)</i>	5/1/2018

## **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.)*

#### **Notices:**

Millburn Planning Board, re Public Hearing on April 18, 2018, regarding proposed Amendment to Millburn Township Master Plan including adoption of the Housing Element and Fair Share Plan of the Master Plan

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

Fire Department - January 2018

### **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.

#### **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