



## Common Council of the City of Summit

Closed Session Agenda for Tuesday, July 10, 2018

**6:30 p m – 7:20 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)
  - Parkline Foundation
  - Recycling Contract
  - Council Committee Structure
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10.4-12.b (8)
  - Department of Community Programs Succession Plan
  - Police Department – Declare Vacancy – One (1) Police Officer
  - Parking Services Agency – Declare Vacancy – Parking Enforcement Officer
  - Parking Services Agency – Extend Leave With Pay – Parking Services Employee
  - Housing Authority
  - Memo - R. Licatese, re Unfilled Appointments
  - Mayor’s Appointments:  
**(confirmation required)**
    - Arts Committee (7)
    - Community Programs Advisory Board (1)
    - Rent Commission (2P) (1L)
    - Technology Advisory Committee (1)
  - Council Appointments:
    - \*Economic Development Advisory Committee (3 At-large)
    - Parking Advisory Committee, Summit (1)
    - \*Recycling Advisory Committee (1 Scout Troop Rep, 1 citizen-at-large)
    - Shade Tree Advisory Board (1 Bldr/ Developer Rep.)

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 Tuesday, July 10, 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)**

## **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, 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 – 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 Meetings of June 19, 2018

## **REPORTS**

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

## **PRESENTATIONS**

- Capital Improvement Plan and Flood Mitigation Project Report - Joint Meeting of Essex and Union Counties

## **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.*

## **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**

18-3171	An Ordinance Amending The Code Chapter XXXV, Development Regulations Ordinance, Article 1, General Provisions, Subsection 35-1.6, Definitions, And Article 4, Zoning, Subsection 35-4.3-9, CRBD Central Retail Business District Zone. <i>(Add definition of "museum and revise principal permitted uses in the CRBD Zone)</i>	06/06/18
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### **SAFETY**

18-3172	Amend the Code, Chapter VII, Traffic, Section 7-11 Through Streets, Stop Intersections and Yield Intersections, Subsection 7-11.2 Stop Intersections Designated. <i>(additional stop sign locations)</i>	06/19/18
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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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## **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 # 5796)	1. Authorize 2018 Salaries Effective July 1, 2018
(ID # 5822)	2. Extend Leave With Pay - Parking Services Agency Employee <i>(Pending Closed Session discussion)</i>
(ID # 5811)	3. Appoint Members - Summit Economic Development Advisory Committee <i>(Pending Closed Session discussion)</i>

## **GENERAL SERVICES**

(ID # 5782)	1. Authorize Execution of Agreement with Union County to Modify the Cooperative Agreement Dated June 17 2014, as Amended July 25, 2017
(ID # 5805)	2. Authorize Professional Services Agreement in Excess of \$17,500.00 - 2018 Social Services - \$35,600.00
(ID # 5817)	3. Declare Vacancy - One (1) Part-Time Collections Assistant <i>(Pending Closed Session discussion)</i>

## **WORKS**

(ID # 5828)	1. Award Bid - 2018 Curb and Sidewalk Project - \$127,84.50
(ID # 5787)	2. Authorize Execution of Deed Restriction - Division of Public Works Facility at 41 Chatham Road
(ID # 5816)	3. Authorize Extension of Shared Services Agreement with New Providence - Wastewater Operations and Maintenance - July 1, 2018 through December 31, 2018
(ID # 5781)	4. Authorize Change Order #1 & Final - 2017 Curb and ADA Ramp Project - (-\$25,193.00)
(ID # 5780)	5. Authorize Change Order #1 & Final - Alley Way Improvement Project (-\$13,134.92)
(ID # 5809)	6. Appoint Recycling Advisory Committee Members <i>(Pending Closed Session discussion)</i>

## **BUILDINGS AND GROUNDS**

(ID # 5565)	1. Acknowledging Encroachment of Arborvitaes Into the Public Right-of-Way - Block 2806, Lot 1.01 - 36 Blackburn Place
(ID # 5806)	2. Professional Planner Services - Broad Street West Re-Development
(ID # 5762)	3. Establish Transfer Station Task Force
(ID # 5830)	4. Support Year 2 - Hometown Heroes Banner Project

## **SAFETY**

(ID # 5807)	1. Authorize State Contract Purchases - 3 Year Lease/Purchase of (4) Police Vehicles - \$41,079.15 Per Year
(ID # 5812)	2. Authorize State Contract Purchase - Police Department Radios - \$175,991.45
(ID # 5808)	3. Declare Vacancy - One (1) Police Officer ( <i>Pending Closed Session discussion</i> )

## **CONSENT AGENDA**

### **BUILDINGS AND GROUNDS**

(ID # 5801)	Authorize Refunds for Withdrawn Construction Permits - 5 Plain Street - #18-68760
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### **WORKS**

(ID # 5754)	1. Authorize Bid Advertisement - Hobart Avenue Section 1 Improvement Project
(ID # 5707)	2. Refund Performance Bond Release and Cash Portion - 767 Springfield Avenue (PB 15-234) - \$217,734.88
(ID # 5799)	3. Authorize Refund of Storm Sewer Connection Deposit - 8 Friar Tuck Circle

### **FINANCE/PERSONNEL**

(ID # 5791)	1. Amend Budget - Chapter 159 - Clean Communities Grant
(ID # 5797)	2. Amend Budget - Chapter 159 - Emergency Management Assistance Grant
(ID # 5798)	3. Amend Budget - Chapter 159 - Alcohol Education Rehab & Enforcement
(ID # 5800)	4. Amend Budget - Chapter 159 - NJ DOT Deforest Avenue Improvement Grant
(ID # 5803)	5. Cancel 2018 Sewer Utility Charges
(ID # 5819)	6. Refund Overpayment of 2018 Sewer Utility Charge

(ID # 5802)	7. Authorize Refund Overpayment of Second Quarter 2018 Taxes
(ID # 5810)	8. Authorize Refund of Property Use Escrow - Our House Foundation and American Legion
(ID # 5804)	9. Authorize Refunds - Department of Community Programs
(ID # 5493)	10. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
(ID # 5727)	11. 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).*

**CORRESPONDENCE**

Purchasing Letter - 2018 Curb and Sidewalk Project

RECEIVED AND FILED

**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.)*

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

Joint Meeting of Essex & Union Counties - 2017 Annual Audit Report

## **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