



## Common Council of the City of Summit

Closed Session Agenda for Tuesday, December 4, 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)
  - Affordable Housing
  - 71 Summit Avenue – Old Town Hall
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10.4-12.b (8)
  - Re-Appoint City Treasurer/Chief Financial Officer
  - Re-Appoint Tax Collector

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.

*\*At this point in the year only specific, requested and as-needed appointments are made and vacancies filled. The rest are dealt with through the special appointments meetings on Monday, 11/12/18 and Thursday, 11/29/18.*

### **ADJOURN CLOSED SESSION**



## Common Council of the City of Summit

**Regular Meeting Agenda for Tuesday, December 4, 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, Licatiese, 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 [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**

- Closed Session Appointments Meeting of November 12, 2018
- Regular and Closed Session Meetings of November 19, 2018

## **REPORTS**

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

## **PRESENTATIONS**

- Lawton C. Johnson Summit Middle School - Public Policy Presentations
  - Teachers: Theresa Martin and Laurie McCormack
  - Students: Spencer Nicely; Grady Borst; Gabriel Malik; Deeda Mohammadi; Lena Sharma; Elizabeth Puskar; Ines Lopez Silvero; Ravi Naidu; Zachary Siegal; Bennett Harvey
- Recycling Advisory Committee Report to Council - Karen Raihofer, Chair

## **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>
<b><u>FINANCE/PERSONNEL</u></b>		
18-3178	<b>BOND ORDINANCE APPROPRIATING \$1,050,000, AND AUTHORIZING THE ISSUANCE OF \$999,000 BONDS OR NOTES OF THE CITY, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF SUMMIT, IN THE COUNTY OF UNION, NEW JERSEY. (Pool Resurfacing Project &amp; Fire Department Headquarters Project)</b>	11/19/18 (Mon.)

## **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>
<b><u>FINANCE/PERSONNEL</u></b>		
18-3178	<b>BOND ORDINANCE APPROPRIATING \$1,050,000, AND AUTHORIZING THE ISSUANCE OF \$999,000 BONDS OR NOTES OF THE CITY, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF SUMMIT, IN THE COUNTY OF UNION, NEW JERSEY. (Pool Resurfacing Project &amp; Fire Department Headquarters Project)</b>	11/19/18 (Mon.)

## 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 # 6084)	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-11, THROUGH STREETS, STOP INTERSECTIONS AND YIELD INTERSECTIONS, SUBSECTION 7-11.2, STOP INTERSECTIONS DESIGNATED</b> <i>(Designate stop intersections and install stop signs)</i>	12/18/18
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### SAFETY

(ID # 6085)	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.7, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS</b> <i>(Parking Prohibited At All Times Chapel Street, west side entire length)</i>	12/18/18
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### BUILDINGS AND GROUNDS

(ID # 6066)	<b>AN ORDINANCE AMENDING CHAPTER XXXV, DEVELOPMENT REGULATIONS ORDINANCE, ARTICLE 11, AFFORDABLE HOUSING MULTIFAMILY SET-ASIDE, SUBSECTION 35-11.1, QUANTIFICATION OF AFFORDABLE HOUSING OBLIGATION FOR MULTI-FAMILY DEVELOPERS</b> <i>(Amend affordable housing multi-family set-aside)</i>	12/18/18
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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.)*

### LAW

(ID # 6034)	Approve Year 2019 Council Meeting Schedule
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### SAFETY

(ID # 6076)	Authorize Professional Services Agreement in Excess of \$17,500.00 - New Fire Headquarters Architectural Design Services - \$1,082,500.00
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### BUILDINGS AND GROUNDS

(ID # 6054)	1. Approve Amended Temporary Art Placement Process - Mayor's Partnership for Public Art/Summit
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(ID # 6005) 2. Resolution Adopting An Affirmative Marketing Plan for the City of Summit

(ID # 6063) 3. Authorize Expenditure from Affordable Housing Trust Fund for Rehabilitation of Affordable Housing Units

(ID # 6095) 4. Authorize Execution of One-Year Lease Extension with Family Promise, Inc. - 71 Summit Avenue *(Pending Closed Session discussion)*

#### **FINANCE/PERSONNEL**

(ID # 6096) 1. Amend Resolution No. 38607 - "Amend 2018 Municipal Capital Plan"

(ID # 5864) 2. Authorize Annual Salaries

(ID # 6064) 3. Authorize Transfer of Appropriations - Operating Budget

(ID # 6046) 4. Authorize Execution of Cooperative Pricing Membership Agreement - Hunterdon County Educational Services Commission #34HUNCCP

(ID # 5974) 5. Re-Appoint Tax Collector *(Pending Closed Session discussion)*

(ID # 5973) 6. Re-Appoint City Treasurer/Chief Financial Officer *(Pending Closed Session discussion)*

#### **WORKS**

(ID # 6086) 1. Authorize Change Order #1 and Final - Lenox & Whittredge Road Improvement Project - \$19,864.07

(ID # 6050) 2. Authorize Execution of Shared Services Agreement with New Providence - Wastewater Operations and Maintenance - \$138,000.00 Per Year

(ID # 6062) 3. Authorize Execution "Greening Union County" Grant Agreement - Spring 2019 Tree Supply and Installation

#### **GENERAL SERVICES**

(ID # 6045) Authorize Execution of Union County Kids Recreation Trust Fund 2018 Grant Agreement - \$55,000

#### **CONSENT AGENDA**

##### **SAFETY**

(ID # 6067) Authorize Fire House Christmas Party - December 8, 2018

##### **WORKS**

(ID # 5892) 1. Authorize Bid Advertisement - Oakland Place and Linden Place Improvement Project

(ID # 5891) 2. Authorize Bid Advertisement - Larned Road & Laurel Avenue Improvement Project

## **FINANCE/PERSONNEL**

(ID # 6061)	1. Authorize Schedule of School Levy Payments
(ID # 6069)	2. Authorize Refund - Overpayment of Fourth Quarter 2018 Taxes
(ID # 6083)	3. Authorize Redemption Refund - 2018 Tax Sale Certificate
(ID # 6048)	4. Authorize Refund of Property Use Escrow - The Summit Area YMCA - Santa's North Pole Party
(ID # 5502)	5. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
(ID # 6055)	6. Authorize Refunds - Department of Community Programs
(ID # 5735)	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**

#### 1. Chatham Township Pending Ordinances, hearings on 12/13/18:

- Adoption of Redevelopment Plan for Development of Low and Moderate Income Housing
- Smoke Shops, Vape Shops Zoning Regulations
- Amend Land Use Districts

## **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