



Common Council of the City of Summit

Closed Session Agenda for Tuesday, December 18, 2018



6 : 4 5 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 - Settlement Agreement Addendum
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 Temporary Municipal Court Judge
 - Extend Leave With pay – Parking Services Agency Employee
 - Extend Injury Leave With Pay - DPW Employee
 - Declare Vacancy - DCS – Division of Public Works

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.

ADJOURN CLOSED SESSION



Common Council of the City of Summit

**Regular Meeting Agenda for Tuesday, December 18, 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, Licatense, 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 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. 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 29, 2018
- Regular and Closed Session Meetings of December 4, 2018
- Capital Budget Workshop of December 12, 2018

REPORTS

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

PRESENTATIONS

- GRACE Program (Giving and Receiving Assistance for our Community's Essentials)
 - Amanda Parrish Block, Founder & Executive Director
 - James W. Horne, CEO & President - United Way of Greater Union County
- Broad Street West Redevelopment Update – Phil Abramson, Topology, LLC
- Crime and Pedestrian Safety Statistics Report - Robert Weck, Chief of Police

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. 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>
<u>SAFETY</u>		
18-3179	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 <i>(Designate stop intersections and install stop signs)</i>	12/4/18
<u>SAFETY</u>		
18-3180	AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.7, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS <i>(Parking Prohibited At All Times on Chapel Street, west side, entire length)</i>	12/4/18
<u>BUILDINGS AND GROUNDS</u>		
18-3181	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 <i>(Amend affordable housing multi-family set-aside)</i>	12/4/18

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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SAFETY

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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.)*

BUILDINGS AND GROUNDS

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|-------------|--|
| (ID # 6126) | 1. Addendum to Mt. Laurel Settlement Agreement with Fair Share Housing Center <i>(Pending Closed Session discussion)</i> |
| (ID # 6103) | 2. Authorize Deer Culling at Reeves Reed Arboretum |
| (ID # 6131) | 3. Authorize Amendment to Free Market Center Construction and Use Agreement |

LAW

- | | |
|-------------|--|
| (ID # 6130) | Appoint Temporary Municipal Court Judge <i>(Pending Closed Session discussion)</i> |
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WORKS

- (ID # 6119) 1. Lackawanna Coalition - Create Council Liaison Position
- (ID # 6128) 2. Award Bid - Community Center & DPW Generator Project - \$316,000.00
- (ID # 6092) 3. Declare Vacancy - Department of Community Services - Division of Public Works (*Pending Closed Session Discussion*)

FINANCE/PERSONNEL

- (ID # 5916) 1. Amend Personnel Policy Manual
- (ID # 6065) 2. Authorize Transfer of Appropriations - Operating Budget
- (ID # 6079) 3. Authorize December Transfer of Appropriations
- (ID # 6094) 4. Authorize 2019 Legal Services in Excess of \$17,500.00 - City Solicitor - Not to Exceed \$200,000.00
- (ID # 6093) 5. Authorize 2019 Legal Services in Excess of \$17,500.00 - Labor Counsel - Not to Exceed \$40,000.00
- (ID # 6099) 6. Authorize Contract Execution - 2019 Grant Writing Services - Not to Exceed \$42,000.00 Per Year
- (ID # 6098) 7. Authorize Shared Service Agreement with Borough of Madison - 2019 Information Technology Support Services - Not To Exceed \$94,000.00
- (ID # 6127) 8. Authorize Professional Services Agreement In Excess of \$17,500.00 - Legal Services - 2019 Tax Appeal Counsel - Not to Exceed \$185,000.00
- (ID # 6043) 9. Extend Leave With Pay - Parking Services Agency Employee (*Pending Closed Session discussion*)
- (ID # 6111) 10. Extend Injury Leave With Pay - DPW Employee (*Pending Closed Session Discussion*)

CONSENT AGENDA

WORKS

- (ID # 6060) 1. Authorize Bid Advertisement - 2019-2020 Professional Landscape Services
- (ID # 6097) 2. Authorize Bid Re-advertisement - Winter 2018-2019 Supplemental Snow Removal Services

FINANCE/PERSONNEL

- (ID # 6089) 1. Amend Budget - Chapter 159 - Drunk Driving Enforcement Fund Grant
- (ID # 5838) 2. Cancel Outstanding Checks
- (ID # 6129) 3. Authorize 2019 Municipal, Sewer, Parking and School Debt Service Payments
- (ID # 6102) 4. Authorize Refund - Overpayment of Fourth Quarter 2018 Taxes
- (ID # 6088) 5. Refund Overpayment due to Widow of a Veteran Deduction

FINANCE/PERSONNEL

- | | | |
|-------------|-----|--|
| (ID # 6117) | 6. | Authorize Redemption - Tax Sale Certificate #18-00005 |
| (ID # 6100) | 7. | Authorize Refunds - Department of Community Programs |
| (ID # 5503) | 8. | Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits |
| (ID # 6081) | 9. | Authorize December Payment of Bills |
| (ID # 5736) | 10. | 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

Letter – Purchasing Agent, re Community Center & DPW Generator 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.)

Notices:

Summit Planning Board, re Celgene Corporation, re 86 Morris Ave hearing on December 17, 2018

Ordinances and Resolutions Other Governing Bodies:

Chatham Borough, re Resolution Opposing the Legalization of Recreational Marijuana

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