



Common Council of the City of Summit

Closed Session Agenda for Tuesday, March 5, 2019

6 : 3 0 p m – 7 : 2 0 p m

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

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.

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)
 - Tax Appeal Settlement
 5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
 6. Personnel and Appointments matters - NJSA 10.4-12.b (8)
 - Authorize Accrued Time Payout – Department of Community Programs Employee
 - Extend Injury Leave Without Pay – Division of Public Works Employee
 - Extend Sick Leave Without Pay – Division of Public Works Employee
 - Memo - R. Licatase, re Unfilled Appointments
 - Mayor’s Appointments:
 - (confirmation required)
 - *Arts Committee (2)
 - *Community Programs Advisory Board (3)
 - Council Appointments:
 - *Economic Development Advisory Committee (1)
 - Historic Preservation Commission (1)
 - Lackawanna Coalition (1)
 - Parking Advisory Committee (1)
 - *Recycling Advisory Committee (1)
- Known for discussion
 - * Known for consideration

ADJOURN CLOSED SESSION



Common Council of the City of Summit

Regular Meeting Agenda for Tuesday, March 5, 2019
7:30 PM

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

COMMITTEE MEETING SCHEDULE

Committee - Time - Attendees - Office

ADMINISTRATIVE POLICIES & COMMUNITY RELATIONS COMMITTEE

Monday 4:00 pm – 5:00 pm Large Conference Room
McTernan, Fox, Rogers, Licatase

CAPITAL PROJECT & COMMUNITY SERVICES COMMITTEE

Thursday 9:00 am – 10:00 am DCS Conference Room
Fox, Gould, Cascais

COMMUNITY PROGRAMS & PARKING SERVICES COMMITTEE

Thursday 8:00 am – 9:00 am DCS Conference Room
Gould, Vartan, McNany, Leblein Josephs

FINANCE COMMITTEE

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

LAW & LABOR COMMITTEE

Tuesday 6:00 pm – 6:30 pm Clerk's Law Library
Bowman, Little, Rogers, Licatase, Giacobbe, Kavanagh

SAFETY & HEALTH COMMITTEE (Police and Fire)

Thursday 4:00 pm – 5:00 pm Police Chief's Conf. Room
5:00 pm – 6:00 p Police Chief's Conf. Room
Vartan, McTernan, Mayor Radest, Rogers, Evers, Weck, Avallone

(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 3, 2019, 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. 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 February 5, 2019

REPORTS

- Mayor, City Administrator and Council President

CEREMONIAL

- Mayoral Certificate of Recognition – Quinn Butler
- Mayoral Proclamation - American Red Cross Month - Christi Hodde, Executive Director - American Red Cross

PRESENTATIONS

- Sidewalk Master Plan Update - Aaron Schragger, City Engineer/Deputy 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. 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 INTRODUCTION

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

| <u>Number</u> | <u>Title</u> | <u>Hearing Date</u> |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <u>SAFETY & HEALTH</u> | | |
| (ID # 6264) | AN ORDINANCE TO AMEND THE CODE, CHAPTER II, ADMINISTRATION, ARTICLE VII – ADMINISTRATIVE POLICIES AND PROCEDURES, SECTION 2-69, FEES FOR MUNICIPAL SERVICES, SUBSECTION 2-69.3, FEES TO BE COLLECTED BY CHIEF OF POLICE. (Police Extra Duty Fee Hourly Wage Revision) | 03/19/19 |
| <u>SAFETY & HEALTH</u> | | |
| (ID # 6293) | AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-18, TRAFFIC LANE USE RESTRICTIONS. (Passaic Ave And River Road Lane Use Restrictions) | 03/19/19 |
| <u>SAFETY & HEALTH</u> | | |
| (ID # 6292) | AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-13, TURN PROHIBITIONS, SUBSECTION 7-13.1, TURN PROHIBITIONS DESIGNATED AND SUBSECTION 7-13.2, NO RIGHT TURN ON RED. (Right Turns Prohibited and No Right Turn on Red Passaic/River) | 03/19/19 |
| <u>FINANCE</u> | | |
| (ID # 6326) | ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) (Establish CAP Bank) | 03/19/19 |

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

- (ID # 6267) 1. Authorize Transfer of Appropriations - Operating Budget - *(Roll Call vote)*
- (ID # 6279) 2. Authorize Emergency Temporary Appropriations - Parking Utility *(Roll Call vote)*
- (ID # 6284) 3. Cancel Improvement Authorization Funds - Capital Accounts
- (ID # 6285) 4. Authorize 2019 Salaries Effective January 1, 2019
- (ID # 6320) 5. Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"
- (ID # 6324) 6. Authorize Execution of Annual License Agreement - Use of Sidewalk, Select Restaurants, Inc.
- (ID # 6272) 7. Authorize Tax Appeal Settlement Agreement - *(Pending Closed Session discussion)*
- (ID # 6299) 8. Appoint Member - Summit Economic Development Advisory Committee *(Pending Closed Session discussion)*

LAW & LABOR

- (ID # 6286) 1. Authorize Accrued Time Payout - Department of Community Programs Employee *(Pending Closed Session discussion)*
- (ID # 6317) 2. Extend Injury Leave Without Pay - DPW Employee *(Pending Closed Session discussion)*
- (ID # 6235) 3. Extend Sick Leave Without Pay - DPW Employee *(Pending Closed Session discussion)*

COMMUNITY PROGRAMS & PARKING SERVICES

- (ID # 6330) Appoint Community Programs Advisory Board Member *(Pending Closed Session discussion)*

ADMINISTRATIVE POLICIES & COMMUNITY RELATIONS

- (ID # 6318) Establish Volunteer of the Year Award Selection Committee and Process

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 6301) 1. Award Bid - Larned Road and Laurel Avenue Improvement Project - \$326,950.00
- (ID # 6300) 2. Award Bid - Springfield Avenue Improvement Project – City Hall Portion - \$127,632.20
- (ID # 6202) 3. Authorize Change Order #1 and Final - 2018 Micro-Surfacing Program - \$22,402.32
- (ID # 6255) 4. Authorize Change Order #1 - City Hall Storm Water Ejector Pump Replacement Project - \$4,400.00
- (ID # 6205) 5. Authorize Execution of Agreement - Snow Removal and Lighting Reimbursement - Roosevelt Commons and Provide Reimbursement for 2017 and 2018
- (ID # 6204) 6. Authorize Execution Of Easement Agreement - Two Manor Hill Road
- (ID # 6220) 7. Authorize Renewal of Summit City Joint Purchasing System #233SCJPS
- (ID # 6289) 8. Authorize Submission of Tree City USA Recertification Application
- (ID # 6298) 9. Authorize Submission of Grant Application - Sustainable Jersey Grant Program
- (ID # 6305) 10. Authorize Submission of Grant Application - Union County 2019 Infrastructure and Municipal Aid
- (ID # 6333) 11. Authorize and Support Submission of Grant Application - Reeves Reed Arboretum, Inc. - NJDEP Green Acres Program
- (ID # 6281) 12. Appoint Mayor's Arts Committee Members (*Pending Closed Session Discussion*)
- (ID # 6294) 13. Appoint Recycling Advisory Committee Member (*Pending Closed Session discussion*)

CONSENT AGENDA

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 6278) 1. Authorize Refund of Zoning Certificate of Occupancy Fee - 211 Blackburn Road, Application Log #24270
- (ID # 6280) 2. Authorize Refunds for Overpayments For Construction Permits - 18-69299 and 18-69300
- (ID # 6314) 3. Authorize Attendance - 2019 Building Safety Week Conference
- (ID # 6303) 4. Authorize Bid Advertisement - City Hall HVAC Chiller Replacement Project

SAFETY & HEALTH

- (ID # 6271) 1. Grant Permission and Set Forth Conditions - 2019 Summit Downtown Inc. Events
- (ID # 6277) 2. Grant Permission and Set Forth Conditions - 2019 Summit Downtown Inc. Arts and Cars Event
- (ID # 6270) 3. Grant Permission & Set Forth Conditions - Summit YMCA 2019 Holi Color Fest Event - Village Green
- (ID # 6316) 4. Grant Permission and Set Forth Conditions - Summit Junior Fortnightly Club - 2019 Tot Trot Event at Memorial Field

FINANCE

- (ID # 6261) 1. Authorize Attendance - 2019 GPANJ Conference
- (ID # 6319) 2. Amend Petty Cash Management - Finance Department
- (ID # 6282) 3. Cancel Outstanding Checks
- (ID # 6325) 4. Reimburse Retiree Health Insurance Costs
- (ID # 6232) 5. Authorize Refund Overpayment of 2018 Taxes
- (ID # 6259) 6. Authorize Refund Overpayment of 2018 Taxes
- (ID # 6288) 7. Authorize Refunds - Department of Community Programs
- (ID # 6177) 8. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
- (ID # 6224) 9. Authorizing Payment of Bills - \$514,325.92
- (ID # 6225) 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

- 1. Purchasing Letter - Springfield Avenue Improvement Project - City Hall Portion
- 2. Purchasing Letter - Larned Rd and Laurel Ave Improvement 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:

NJAWCO - Notice of Hearing on 2/28/19, re Petition to Change PWA & PWSTA Clauses

Ordinances And Resolutions Other Governing Bodies

Millburn Twp - Ordinance, re Amend Zoning Regulations to Prohibit Short Term Rentals

Minutes, Reports, etc. from the following:

Summit Fire Department Monthly Reports - December 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