



Common Council of the City of Summit

Closed Session Agenda for Tuesday, April 14, 2020



6:00 p m – 6:20 p m

Via Teleconference

(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)
 - Affordable Housing Update
 - Bozzi Settlement Agreement
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10.4-12.b (8)
 - Extension of Sick Leave – City Clerk’s Office Employee
 - Mayor’s Appointments:
(confirmation required)
 - Arts Committee (1)
 - Community Programs Advisory Board (1 Youth Rep.)
 - Health, Board of (1)
 - Technology Advisory Committee (3)
 - Council Appointments:
 - Athletic Field User Fees Committee (1)
 - Historic Preservation Commission (1)
 - Recycling Advisory Committee (1)
 - (no confirmation required)
 - Education, Board of (2)
 - Environmental Commission (Liaison to RAC)
 - Community Development Revenue Sharing Committee (1 Alt.)
 - PAL Board (3)
 - Known for discussion
 - * Known for consideration

ADJOURN CLOSED SESSION



Common Council of the City of Summit

Regular Meeting Agenda for Tuesday, April 14, 2020

6:30 PM

Virtual Meeting

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

ADMINISTRATIVE POLICIES & COMMUNITY RELATIONS COMMITTEE

Tuesday 2:00 pm – 3:00 pm Clerk's Law Library
Naidu, O'Sullivan, Rogers, Licatense

CAPITAL PROJECT & COMMUNITY SERVICES COMMITTEE

Thursday 7:45 am – 8:45 am DCS Conference Room
Little, Naidu, Cascais

COMMUNITY PROGRAMS & PARKING SERVICES COMMITTEE

Thursday 8:00 am – 9:00 am Large Conference Room
O'Sullivan, Vartan, McNany, Ozoroski

FINANCE COMMITTEE

Monday 5:00 pm – 6:00 pm Large Conference Room
Vartan, Bowman, Fox, Mayor Radest, Rogers, Baldwin

LAW & LABOR COMMITTEE

Tuesday 6:30 pm – 7:00 pm Clerk's Law Library
Bowman, Hairston, Rogers, Licatense, Giacobbe, Kavanagh

SAFETY & HEALTH COMMITTEE (Police and Fire)

Wednesday 8:30 am – 9:30 am Police Chief's Conf. Room
9:30 am – 10:30 am Police Chief's Conf. Room
Hairston, Little, Mayor Radest, Rogers, Evers, Weck, Avallone

Due to current COVID-19 protocols, all meetings shall be conducted via video or teleconferencing, with scheduling as determined by the respective committees.

(STAFF REMINDER: Please provide Committee Agendas for the Council President, City Administrator, and the Secretary for distribution on Wednesday.)

CALL TO ORDER

ADEQUATE NOTICE COMPLIANCE STATEMENT

Adequate notice of this meeting has been provided by the City Clerk's Office in the Open Public Meeting Notice, dated April 8, 2020, which was properly distributed and posted per statutory requirements.

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 HTTV on Comcast 36 and Verizon 33. This meeting will also be streaming live through YouTube. To view this meeting via YouTube, live, please visit the city's website, cityofsummit.org and click on the YouTube icon at the bottom of the home page.

While this council meeting is being broadcast live and members of the governing body are participating remotely, steps have been put in place to accommodate public input during the meeting. Through public notice, the City Clerk's Office was advised the public that if anyone wishes to ask a question or make a comment during these proceedings, they may do so by sending an email to the City Clerk at cityclerk@cityofsummit.org in advance of the meeting and during the meeting. We will do our best to accommodate all members of the public who wish to provide public comment. I will identify the individual providing the written comment and will read and/or summarize the comment publicly. Administration and/or members of the governing body will provide answers and/or responses when applicable.

If you are sending an email during this meeting, please include your full name and address in the body of your email. In the subject line, please include the date of this Council meeting, and if possible the matter you are commenting on. Only those emails which include the full name of the sender will be read during the meeting.

(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 March 24, 2020

REPORTS

- Mayor, City Administrator and Council President

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. The City Clerk will check for any emails received from the public at this point.*

ORDINANCE FOR INTRODUCTION

CAPITAL PROJECTS & COMMUNITY SERVICES

<u>Number</u>	<u>Title</u>	<u>Hearing Date</u>
(ID # 7106)	AN ORDINANCE AMENDING THE CODE, CHAPTER XXXV, DEVELOPMENT REGULATIONS ORDINANCE, ARTICLE 4, ZONING, SUBSECTION 4.3-16, PROD PLANNED RESEARCH OFFICE DEVELOPMENT ZONE (allow research and development of chimeric antigen receptor T-cells therapies as a permitted use in PROD Zone)	5/12/2020

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 # 7098) | 1. Change Budget Hearing Date - 2020 Municipal, Parking and Sewer Operating Budgets (<i>Roll Call Vote</i>) |
| (ID # 7099) | 2. Change Budget Hearing Date - 2020 Special Improvement District Budget (<i>Roll Call Vote</i>) |
| (ID # 7103) | 3. Authorize Emergency Temporary Appropriations - Municipal Operating Budget (<i>Roll Call Vote</i>) |
| (ID # 7105) | 4. Authorize Emergency Temporary Appropriations - Parking Utility (<i>Roll Call Vote</i>) |
| (ID #7107) | 5. Authorize Emergency Temporary Appropriations – Sewer Utility (<i>Roll Call Vote</i>) |

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 7093) 1. Authorize Change Order #1 & Final - City Hall Air Conditioning Cooling Tower Replacement Project - \$5,285.33
- (ID # 7088) 2. Authorize Change Order #2 - City Hall Air Conditioning Chiller Replacement Project - \$42,564.81

COMMUNITY PROGRAMS & PARKING SERVICES

- (ID # 6637) Authorize Change Order #14 & Final - Community Center Renovation Project - \$42,029.05 Plus \$0.21 Adjustment

SAFETY & HEALTH

- (ID # 7097) Extend 2020 Animal License Renewal Deadline to August 31, 2020

LAW & LABOR

- (ID # 7104) 1. Authorize Execution of Settlement Agreement – Ernest Bozzi
(pending Closed Session discussion)
- (ID # 7108 2. Authorize Extension of Sick Leave With Pay – City Clerk’s Office
Employee (pending Closed Session discussion)

CONSENT AGENDA

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 7100) Authorize Bond Reduction - 123-127 Summit Avenue - ZB-18-1941-2

FINANCE

- (ID # 6777) 1. Authorize Refund of Property Use Escrow - The Summit Area YMCA - Santa's North Pole Party
- (ID # 7068) 2. Authorize Refund Overpayment of 2018 Taxes
- (ID # 7066) 3. Authorize Refund Overpayment of 2019 Taxes
- (ID # 7087) 4. Authorize Refunds - Department of Community Programs
- (ID # 6955) 5. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
- (ID # 6919) 6. 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 Wednesday 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 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. 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

- Berkeley Heights Planning Board - Hearing on May 20, 2020

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