



## Common Council of the City of Summit

Closed Session Agenda for Tuesday, May 26, 2020

**6:50 pm – 7:15 pm**

***Via Teleconference***

(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 Update
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10:4-12.b (8)
  - Police Captain Appointment
  - Extension of Sick Leave – City Clerk’s Office Employee

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, May 26, 2020

7:30 PM

***Via Video Conference***

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

### **ADMINISTRATIVE POLICIES & COMMUNITY RELATIONS COMMITTEE**

Tuesday 5:00 pm – 6:00 pm Clerk's Law Library  
Naidu, O'Sullivan, Rogers, Licatese

### **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, Licatese, 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 preparation of the Council Meeting Notice, dated May 21, 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 is also streaming live through YouTube. To view this meeting via YouTube, please visit the city's website at [cityofsummit.org](http://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 this meeting through public notice, dated May 21, 2020, which provided information for those wishing to participate during Public Comment periods at this council meeting. Public comment will be permitted at specified times as outlined in the agenda. Please refrain from commenting until solicited by the Council President.*

*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.)

## **REPORTS**

- Mayor, City Administrator and Council President
- COVID-19 Update – Office of Emergency Management

## **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

*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 [cityclerk@cityofsummit.org](mailto:cityclerk@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.*

## **PRESENTATION**

- 2020 Municipal Operating Budget Amendments - Michael Rogers, City Administrator

**BUDGET HEARING** *(Public comment on the budgets will be solicited by the Council President before the close of each hearing.)*

- 2020 Municipal Operating Budget
- 2020 Special Improvement District Budget

## **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.) Prior to the start of each Committee's Chair's presentation, the Council President will ask if there are any questions or comments from the public regarding any of the resolutions for that specific Committee. If there are questions or comments on a particular resolution, they will be permitted prior to Council's vote on that resolution.*

## **ADMINISTRATIVE POLICIES & COMMUNITY RELATIONS**

*(Public comment on Administrative Policies & Community Relations resolutions will be solicited by the Council President.)*

- |             |  |
|-------------|--|
| (ID # 7199) | Amend 2020 Council Rules - Establish Procedure for Public Comment at Virtual Common Council Meetings |
|-------------|--|

## **FINANCE**

*(Public comment on Finance resolutions will be solicited by the Council President.)*

- |             |  |
|-------------|--|
| (ID # 7186) | 1. Amend 2020 Municipal Operating Budget ( <b>Roll Call Vote</b> )   |
| (ID # 7171) | 2. Summary of General Revenues and Appropriations - 2020 Special Improvement District (SID) Budget ( <b>Roll Call Vote</b> ) |
| (ID # 7178) | 3. Authorize Emergency Temporary Appropriations - Municipal Operating Budget ( <b>Roll Call Vote</b> )                       |
| (ID # 7182) | 4. Authorize Emergency Temporary Appropriations - Sewer Utility ( <b>Roll Call Vote</b> )                                    |
| (ID # 7174) | 5. Authorize Schedule of School Levy Payments  |
| (ID # 7176) | 6. Authorize Estimated 3rd Quarter 2020 Tax Bills  |
| (ID # 7156) | 7. Amend Petty Cash Management - Police Department   |
| (ID # 7157) | 8. Authorize Amend Payroll   |

## **SAFETY & HEALTH**

*(Public Comment on Safety & Health resolutions will be solicited by the Council President.)*

- |             |    |  |
|-------------|----|--|
| (ID # 7138) | 1. | Confirm Appointment of Police Captain <i>(Pending Closed Session)</i>  |
| (ID # 7153) | 2. | Accept Donation of Funds to Police Department - Temple Sinai - \$1,200.00  |
| (ID # 7173) | 3. | Authorize Grant Application Submission - US Department of Justice (DOJ) – Bulletproof Vest Partnership (BVP) Program - Police Department |

## **COMMUNITY PROGRAMS & PARKING SERVICES**

*(Public comment on Community Programs & Parking Services resolutions will be solicited by the Council President.)*

- |             |  |
|-------------|--|
| (ID # 7175) | Authorize Extension of Temporary Parking Rules Through June 30, 2020 - During State of Emergency |
|-------------|--|

## **LAW & LABOR**

*(Public comment on Law & Labor resolutions will be solicited by the Council President.)*

- |             |    |   |
|-------------|----|---|
| (ID # 7180) | 1. | Authorize Execution of Annual License Agreement - Use of Sidewalk, All My Friends LLC                   |
| (ID # 7181) | 2. | Authorize Execution of Annual License Agreement - Use of Sidewalk, All My Friends LLC t/a Bar Bacoa     |
| (ID # 7179) | 3. | Authorize Extension of Sick Leave With - City Clerk's Office <i>(Pending Closed Session discussion)</i> |

## **CONSENT AGENDA**

*(Public comment on Consent Agenda items will be solicited by the Council President.)*

## **CAPITAL PROJECTS & COMMUNITY SERVICES**

- |             |   |
|-------------|---|
| (ID # 7168) | Authorize Change Order No. 1 and Final - New Providence Avenue Improvement Project (-\$14,113.64) |
|-------------|---|

## **COMMUNITY PROGRAMS & PARKING SERVICES**

- |             |   |
|-------------|---|
| (ID # 7161) | Request to Fly Pride Flag at Community Center |
|-------------|---|

## **FINANCE**

- |             |    |   |
|-------------|----|---|
| (ID # 7160) | 1. | Refund for Storm Sewer Connection - 77 Canoe Brook Parkway  |
| (ID # 7126) | 2. | Authorize Refund of Performance Guarantee - 68-72 Franklin Place - PB-13-212 - \$49,148.10 + Interest |
| (ID # 7132) | 3. | Authorize Refunds - Department of Community Programs  |
| (ID # 6958) | 4. | Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits          |
| (ID # 6923) | 5. | 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).*

### **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

# THE CITY OF SUMMIT

N E W J E R S E Y

CITY HALL 512 SPRINGFIELD AVENUE SUMMIT, NJ 07901

[www.cityofsummit.org](http://www.cityofsummit.org)

Rosemary Licatese  
City Clerk  
Secy. to Mayor & Council  
(908) 273-6400

Nicole Sarna  
Deputy City Clerk  
(908) 273-6400  
Fax (908) 273-2977

May 21, 2020

## NOTICE

NOTICE IS HEREBY GIVEN that the regular Closed Session Meeting of the Common Council of the City of Summit, scheduled for Tuesday, May 26, 2020, will take place at 6:50 pm via teleconferencing in lieu of meeting at Summit City Hall. At the start of the meeting, a Closed Session resolution relative to Personnel and Litigation and/or Attorney Client Privilege Matters, which calls for the exclusion of the public from the meeting, will be considered for adoption, and

NOTICE IS HEREBY GIVEN that the Regular Meeting of the Common Council of the City of Summit scheduled for Tuesday, May 26, 2020, will start at its regular time, 7:30 pm, and will be conducted virtually, via video conferencing, in lieu of meeting in the Council Chamber at Summit City Hall, Summit, NJ. As with regular Common Council meetings, this meeting will be broadcast live through HTTV on Comcast Channel 36 and Verizon Channel 30. The meeting will also be livestreamed through YouTube, accessible through the City of Summit website at

<https://www.youtube.com/channel/UCQM0aiqWmAIMUTU35kswMdQ>.

Members of the public who wish to make a comment or ask a question via email in advance of the meeting, must send the email by 12 noon on May 26, 2020 to the attention of the City Clerk at [cityclerk@cityofsummit.org](mailto:cityclerk@cityofsummit.org). The email must include the full name and address of the sender within the body of the email. In addition, the City Clerk requests that emails include the date of the council meeting in the subject line to assist in identifying such emails. Only emails properly identified with the full name of the sender will be read publicly during the meeting.

Currently Summit City Hall is closed to the public to mitigate workplace exposure to the COVID-19 virus. Therefore, in order to facilitate public participation and public comment during the meeting, members of the public are invited to join the meeting virtually.

Following are instructions and the link to this virtual council meeting.

## **CITY OF SUMMIT VIRTUAL COMMON COUNCIL MEETING MAY 26, 2020**

Due to the COVID-19 Public Health Emergency, the May 26, 2020 Regular Meeting of Summit Common Council will be held online through Zoom.

Members of the public who wish to participate in the meeting may do so by joining online or over the telephone at 7:30 P.M. Individuals will be able to provide public comment.

Webinar ID: 848 3574 1371

### **Joining the Meeting**

<https://us02web.zoom.us/j/84835741371>

Or join by Telephone: Dial (for higher quality, dial a number based on your current location:

US: +1 301-715-8592 or  
+1 312-626-6799 or  
+1 929-205-6099 or  
+1 253-215-8782 or  
+1 346-248-7799 or  
+1 669-900-6833

### **Participating during the public portion of the meeting**

During public comment portions of the meeting, if you would like to speak, please click the "Raise Hand" button, and we will be notified of your request to speak. The Council President will recognize you, and your microphone will be un-muted to allow you to speak. Once you have finished speaking your mic will be re-muted.

For security reasons anyone who is listed as "anonymous" or whose phone number is not identified cannot be recognized. When you are un-muted you must first state your name and address and spell your last name before asking your question or making your comment. Failure to do so may result in you being muted and/or disconnected.

On computers, the "Raise Hand" button can be found in the Webinar Controls section, typically at the bottom of your screen. If you accidentally raise your hand, feel free to "Lower Hand."

If you are dialing-in by telephone, press #9 on your keypad to "Raise Hand."

This is not a notice requiring publication. It is provided in compliance with the Open Public Meetings Act and should be handled at your discretion.

Rosalia M. Licatese, City Clerk