



## Common Council of the City of Summit

Closed Session Agenda for Tuesday, October 6, 2020

7 : 0 0 p m – 7 : 2 0 p m



***Via Video Conference***

(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)
  - Teamster Local 469 – 2020–2023 Contract
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 – 146 Morris Avenue Project
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10:4-12.b (8)
  - Extend Sick Leave With Pay - DCS 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, October 6, 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, 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, Bartolotti, 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 October 1, 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 top 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 October 1, 2020, which provided information for those wishing to participate during Public Comment periods at this council meeting. The City Clerk's Office also provided, through public notice, instructions on how the public could submit a question or comment via email or regular first-class mail in advance of the meeting. Public comment will be permitted at specified times as outlined in the agenda. Please refrain from commenting until solicited by the Council President.*

*For those members of the public who wish to make a comment during a designated public comment period, please use the "raise hand" feature and you will be called upon 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. We ask that all participants remain on "mute" unless called upon to speak. 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 of September 22, 2020

## **REPORTS**

- Mayor, City Administrator and Council President

## **MAYORAL PROCLAMATION**

- Fire Prevention Week - Don Nelson, Deputy Fire Chief & Joseph Moschello, Lieutenant - Summit Fire Department

## **PRESENTATIONS**

- Vote-by-Mail Process - Nicole DiRado, Elections Administrator - Union County Board of Elections

## **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](mailto: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 HEARING**

*Comments are solicited from Council members and the public.*

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
<b><u>LAW &amp; LABOR</u></b>		
20-3222	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER 4, GENERAL LICENSING 4-20, REGULATING OF SIDEWALK CAFES. (Various Changes)</b>	09/22/20

## **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>LAW &amp; LABOR</u></b>		
20-3222	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER 4, GENERAL LICENSING 4-20, REGULATING OF SIDEWALK CAFES. (Various Changes)</b>	09/22/20

## **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>
<b><u>CAPITAL PROJECTS &amp; COMMUNITY SERVICES</u></b>		
(ID # 7362)	<b>AN ORDINANCE TO REPEAL AND REPLACE CHAPTER XXXV OF THE GENERAL CODE OF THE CITY OF SUMMIT TO ESTABLISH THE 2020 DEVELOPMENT REGULATIONS ORDINANCE (Repeal 2019 DRO Replace with 2020 DRO)</b>	11/4/20

## **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 & LABOR**

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

- (ID # 7394)            1.    Authorize Execution of Settlement Agreement - Morris Habitat for Humanity Project - 146 Morris Ave.
- (ID # 7373)            2.    Authorize Execution of Agreement with Teamster Local 469 - January 1, 2020 - December 31, 2023 *(Pending Closed Session discussion)*
- (ID # 7374)            3.    Authorize Extend Sick Leave With Pay - DCS Employee *(Pending Closed Session discussion)*

### **CAPITAL PROJECTS & COMMUNITY SERVICES**

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

- (ID # 7372)            1.    Authorize Execution of Storm Sewer Easement Agreement - 150 Broad Street - Broad Street Portfolio, LLC
- (ID # 7294)            2.    Authorize On-Line Auction of Unneeded City Equipment and Unneeded Vehicles
- (ID # 7386)            3.    Authorize Use of Maple Street Road Closure - Kidville

## **CONSENT AGENDA**

*(The Consent Agenda is considered and voted upon as a whole.)*

### **CAPITAL PROJECTS & COMMUNITY SERVICES**

- (ID # 7365)            1.    Authorize Refund of Performance Guarantee - 45 Blackburn Road
- (ID # 7345)            2.    Authorize Bid Advertisement - 2021-2022 On-Site Vegetative Waste Grinding Services
- (ID # 7395)            3.    Grant Permission And Set Forth Conditions Village Green Promotional Sign Display - High School Theater

### **SAFETY & HEALTH**

- (ID # 7385)            Grant Permission & Set Forth Conditions - Department of Community Programs - Play in the Park

### **FINANCE**

- (ID # 7384)            1.    Authorize Amend Payroll
- (ID # 7382)            2.    Authorize Bid Advertisement - 2021-2022 On-Call Landscaping Services
- (ID # 7381)            3.    Authorize Bid Advertisement - 2021-2022 On-Call HVAC Maintenance & Repair Services
- (ID # 7380)            4.    Authorize Bid Advertisement - 2021-2022 Walk-In Hardware Supplies

## **FINANCE (cont'd)**

- |             |    |  |
|-------------|----|--|
| (ID # 7363) | 5. | Authorize Refunds - Department of Community Programs   |
| (ID # 6965) | 6. | Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits |
| (ID # 6930) | 7. | Authorizing Payment of Bills   |

## **COUNCIL MEMBERS' COMMENTS/NEW BUSINESS**

## **ADJOURNMENT REGULAR MEETING**

## **CLOSED SESSION (IF NEEDED AND AUTHORIZED)**

## **CORRESPONDENCE**

- Certification of Mailing of Tax Bills & Notice of Posting- Summit Tax Collector

RECEIVED AND FILED

## **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.

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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