



# Common Council of the City of Summit

Closed Session Agenda for Tuesday, March 1, 2022

**6:45 p m – 7:20 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)
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10.4-12.b (8)
  - Declare Vacancy – Department of Community Services
  - Declare Vacancy - Fire Department
  - Memo – City Clerk, re Unfilled Appointments

- Known for discussion

Mayor’s Appointments:  
(confirmation required)

- Arts Committee (3)
- Community Programs Advisory Board (1 Seniors Rep.)
- Rent Commission (2 Public Reps.)

(no confirmation required)

None

- \* Known for consideration

Council Appointments:

- Historic Preservation Comm (Alt. II)
- Lackawanna Coalition (1)
- Parking Advisory Committee (2)
- Shade Tree Advisory Committee (1)
- Transportation Advisory Board, UC (Alt.)

### ADJOURN CLOSED SESSION



## **Common Council of the City of Summit**

**Regular Meeting Agenda for Tuesday, March 1, 2022  
7:30 PM**

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

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

Thursday 4:30 pm – 5:00 pm Clerk’s Law Library  
Naidu, Allen, Rogers, Licatese

### **CAPITAL PROJECT & COMMUNITY SERVICES COMMITTEE**

Monday 8:30 am – 10:00 am DCS Conference Room  
Little, Naidu, Schragger

### **COMMUNITY PROGRAMS & PARKING SERVICES COMMITTEE**

Thursday 8:30 am – 9:30 am Large Conference Room  
O’Sullivan, Little, McNany, Ozoroski

### **FINANCE COMMITTEE**

Monday 4:00 pm – 5:00 pm Large Conference Room  
Vartan, O’Sullivan, Fox, Mayor Radest, Rogers, Baldwin

### **LAW & LABOR COMMITTEE**

Tuesday 2:00 pm – 3:00 pm Clerk’s Law Library  
Allen, 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, Vartan, Mayor Radest, Rogers, Evers, Bartolotti, Avallone

***\*Due to current COVID-19 protocols, all meetings shall be conducted via video or teleconferencing.***

(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 Annual Meeting Notice, dated December 31, 2021, 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 Summit YouTube Channel and Comcast Channel 36 and Verizon Channel 30 and rebroadcast on Thursdays and Saturdays on HTTV 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 [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 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 of February 15, 2022

### **REPORTS**

- Mayor, City Administrator and Council President

## CEREMONIAL AWARDS

- Volunteer of the Year - Annette Dwyer - Presented by Mayor Nora Radest

## PRESENTATIONS

- Broad Street West Redevelopment Financial Advisor Presentation - Dr. Robert S. Powell, Jr., Managing Director - Nassau Capital Advisors LLC

## 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](mailto: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>
<b><u>LAW &amp; LABOR</u></b>		
22-3252	AN ORDINANCE AMENDING THE CODE, CHAPTER 2, ADMINISTRATION, SECTION 2-43, RENT COMMISSION, SUBSECTION 2-43.5 POWERS AND DUTIES. (Remove subpoena powers)	02/15/22

## 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>		
22-3252	AN ORDINANCE AMENDING THE CODE, CHAPTER 2, ADMINISTRATION, SECTION 2-43, RENT COMMISSION, SUBSECTION 2-43.5 POWERS AND DUTIES. (Remove subpoena powers)	02/15/22

## 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.)

### **ADMINISTRATIVE POLICIES & COMMUNITY SERVICES**

(ID # 9514) Urge Swift Passage of S-330 Which Restores Energy Tax Receipts

### **FINANCE**

- (ID # 9503) 1. Authorize Emergency Temporary Appropriations - Parking Utility  
(roll call vote)
- (ID # 9487) 2. Authorize Execution of the New Jersey Library Construction Bond Grant Agreement with the New Jersey State Library

**FINANCE (cont'd)**

- (ID # 9512) 3. Authorize Submission of Grant Application to the Union County 2022 Infrastructure and Municipal Aid Grant Program and Execute Grant Agreement – City Hall Records Storage Improvement Project

**CAPITAL PROJECTS & COMMUNITY SERVICES**

- (ID # 9472) 1. Award Bid - Storm Sewer Clean & Inspection - Section M - \$62,518.00
- (ID # 9509) 2. Declare Vacancy - Land Use Assistant Position - Department of Community Services (*Pending Closed Session discussion*)

**SAFETY & HEALTH**

- (ID # 9491) Declare Vacancy – One (1) Firefighter - Fire Department (*Pending Closed Session Discussion*)

**CONSENT AGENDA**

**COMMUNITY PROGRAMS & PARKING SERVICES**

- (ID # 9500) Authorize Parking Services Director Attendance - International Parking and Mobility Conference (IPMI)

**SAFETY & HEALTH**

- (ID # 9489) 1. Grant Permission and Set Forth Conditions - 2022 Summit Downtown Inc. Events
- (ID # 9465) 2. Grant Permission and Set Forth Conditions - 2022 Department of Community Programs Coordinated Events

**CAPITAL PROJECTS & COMMUNITY SERVICES**

- (ID # 9478) 1. Authorize Bid Advertisement - Park Avenue Improvement Project 2022
- (ID # 8070) 2. Authorize Bid Ad - Curbside Collection & Marketing of Recycling Materials July 2022 - June 2024

**FINANCE**

- (ID # 9439) 1. Authorize Refund - Overpayment of 2020 Taxes
- (ID # 9438) 2. Authorize Refund - Overpayment of 2021 Taxes
- (ID # 9486) 3. Authorize Refund - Overpayment of First Quarter 2022 Taxes
- (ID # 9384) 4. Authorize Payment of Bills and Payroll \$

**DISCUSSION, ACTION OR REFERRAL**

**CAPITAL PROJECTS & COMMUNITY SERVICES**

- (ID # 9518) Memo – A. Schragger, re Gas Leaf Blower Pilot Program

**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**

Purchasing Letter - Storm Sewer Clean & Inspection Section M

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:

NJ American Water Company - Notice of Public Hearing for Wastewater Treatment Cause on March 3, 2022

Minutes, Reports, etc. from the following:

Education, Board of - Minutes of January 13, 2022

### **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.