



Common Council of the City of Summit

Closed Session Agenda for *Monday, November 14, 2022*

Whitman Community Room

6:30 p m – 7:30 p m



(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)
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10.4-12.b (8)
 - 2023 Appointments
 - Declare Vacancy – Fire Department
 - Police Department Appointments

ADJOURN CLOSED SESSION



Common Council of the City of Summit

Regular Meeting Agenda for *Monday, November 14, 2022*

Council Chamber

7:30 PM

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

ADMINISTRATIVE POLICIES & COMMUNITY RELATIONS COMMITTEE

Wednesday 4:00 pm – 5:00 pm *Zoom*
Allen, O’Sullivan, Rogers, Licatese

CAPITAL PROJECT & COMMUNITY SERVICES COMMITTEE

Monday 8:30 am – 10:00 am *Zoom*
O’Sullivan, Levine, Schrager

COMMUNITY PROGRAMS & PARKING SERVICES COMMITTEE

Thursday 8:30 am – 9:30 am *Zoom*
Minegar, Vartan, McNany, Ozoroski

FINANCE COMMITTEE

Monday 4:00 pm – 5:00 pm *Zoom*
Vartan, Hairston, Fox, Mayor Radest, Rogers, Baldwin

LAW & LABOR COMMITTEE

Council Meeting 11:30 am – 12:30 pm *Zoom*
Days
Hairston, Minegar, Rogers, Licatese, Giacobbe, Kavanagh

SAFETY & HEALTH COMMITTEE (Police and Fire)

Wednesday 8:30 am – 10:30 am *Zoom*
Levine, Allen, Mayor Radest, Rogers, Evers, Zagorski, Avallone

**** Committee meetings shall be conducted via video, teleconferencing
or in-person at the discretion of the committee chair.**

(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 30, 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.

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.

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. 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 November 1, 2022

REPORTS

- Mayor, City Administrator and Council President

PRESENTATIONS

Affordable Housing Update - Nancy Holm, Esq.

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 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.*

ORDINANCE(S) FOR HEARING

Comments are solicited from Council members and the public.

Number Title Introduction Date

SAFETY & HEALTH

22-3267 **AN ORDINANCE AMENDING THE CODE, CHAPTER II, ADMINISTRATION, ARTICLE IV, DEPARTMENTS CREATED, SECTION 2-15, DEPARTMENT OF POLICE, SUBSECTIONS 2-15.9 (ELIGIBILITY FOR PROMOTIONAL EXAMINATIONS), 2-15.10 (PROMOTIONS) AND 2-15.11 (Qualifications of Superior Officers)** 11/1/22

ORDINANCE(S) FOR FINAL CONSIDERATION

No comments are permitted at this point since the hearing is closed.

Number Title Introduction Date

SAFETY & HEALTH

22-3267 **AN ORDINANCE AMENDING THE CODE, CHAPTER II, ADMINISTRATION, ARTICLE IV, DEPARTMENTS CREATED, SECTION 2-15, DEPARTMENT OF POLICE, SUBSECTIONS 2-15.9 (ELIGIBILITY FOR PROMOTIONAL EXAMINATIONS), 2-15.10 (PROMOTIONS) AND 2-15.11 (Qualifications of Superior Officers)** 11/1/22

ORDINANCE(S) FOR INTRODUCTION

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

Number Title Hearing Date

COMMUNITY PROGRAMS & PARKING SERVICES

(ID # 9594) **AN ORDINANCE AMENDING THE CODE CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.5, PARKING TIME LIMITED ON CERTAIN STREETS** *(Broad Street, Add Employee Only Parking on Portion of Broad Street, north side, from Walnut St. to Park Ave.)* 12/6/22

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>
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COMMUNITY PROGRAMS & PARKING SERVICES

(ID # 9962)	<p>AN ORDINANCE AMENDING THE CODE CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.5, PARKING TIME LIMITED ON CERTAIN STREETS (<i>Union Place, North Side, Change 90-Min Time Limit to 30-Min Time Limit. Meters # 21-33 and 40-49</i>)</p>	12/6/22
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COMMUNITY PROGRAMS & PARKING SERVICES

(ID # 9565)	<p>AN ORDINANCE AMENDING THE CODE CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.5, PARKING TIME LIMITED ON CERTAIN STREETS (<i>Change Time Limit from 90 minutes to 15-minute Express at various locations in the Downtown</i>)</p>	12/6/22
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FINANCE

(ID # 9769)	<p>AN ORDINANCE APPROPRIATING FUNDS FOR SCHOOL IMPROVEMENTS IN THE CITY OF SUMMIT, IN THE COUNTY OF UNION, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$37,429,555 SCHOOL BONDS OR NOTES OF THE CITY TO MEET SAID APPROPRIATION. (<i>School Improvement Bond</i>)</p>	12/6/22
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FINANCE

(ID # 9985)	<p>ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE SUMMIT FREE PUBLIC LIBRARY IN AND BY THE CITY OF SUMMIT, IN THE COUNTY OF UNION, NEW JERSEY, AND APPROPRIATING \$464,829.80 THEREFOR FROM VARIOUS SOURCES. (<i>Library Improvements</i>)</p>	12/6/22
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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 # 9971) 1. Authorize Transfer of Appropriations - Operating Budget *(Roll Call Vote)*
- (ID # 9972) 2. Resolution Authorizing Cancellation of an Emergency Appropriation Pursuant to N.J.S.A. 40a:4-46 and 40a:4-49 To Appropriate the Local Unit's Allocable Share of the Unfunded Portion of Phase I of the Flood Mitigation Facilities Project of the Joint Meeting of Essex and Union Counties in an Amount Not To Exceed \$1,849,545 *(Roll Call Vote)*
- (ID # 9964) 3. Authorize Purchase Through Educational Services Commission of NJ Cooperative Pricing System - Library Generator Project - \$405,137.00
- (ID # 9973) 4. Authorize 2023 Legal Services in Excess of \$17,500.00 - Bond Counsel - Hawkins Delafield & Wood LLP - Not to Exceed \$60,000.00

COMMUNITY PROGRAMS & PARKING SERVICES

- (ID # 9995) Approve One-Year Contract Extensions - Dynamic Ridesharing Program - January 1, 2023 through December 31, 2023 - Not to Exceed \$120,000.00 Per Contract Year -- 1.) Lyft, Inc.; 2.) Rasier LLC dba Uber Technologies

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 9950) 1. Authorize 2023 Earth Day Activities
- (ID # 9936) 2. Authorize National Cooperative Purchase - Sourcewell - Sewer Camera Truck - \$249,921.22
- (ID # 9932) 3. Amend Professional Services Agreement - Broad Street West Redevelopment Planning and Real Estate Advisory Services Phase VI - Additional Fees - \$60,043.00

SAFETY & HEALTH

- (ID # 9988) 1. Authorize Acceptance of a Subgrant Award of the Federal Fiscal Year 2022 of the Emergency Management Performance Grant and Emergency Management Agency Assistance - \$10,000.00
- (ID # 9989) 2. Appoint New Police Officer *(Pending Closing Session Discussion)*
- (ID # 9990) 3. Appointment of Police Lieutenant *(Pending Closing Session Discussion)*
- (ID # 9987) 4. Declare Vacancy - Fire Department *(Pending Closed Session discussion)*

CONSENT AGENDA

ADMINISTRATIVE POLICIES & COMMUNITY SERVICES

(ID # 9976) Authorize Holiday Display on the Village Green

SAFETY & HEALTH

(ID # 9986) Authorize Attendance - 2022 National Certification Program for Construction Code Inspectors - Fire Department

(ID # 9977) Grant Permission, Set Forth Conditions - Temple Sinai Menorah Lighting - Village Green

FINANCE

(ID # 9992) 1. Authorize Refunds - Department of Community Programs

(ID # 9991) 2. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits

(ID # 9414) 3. Authorize Payment of Bills and Payroll \$1,254,345.29

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. Letter - Mayor Radest, re Emergency Management Council Appointments
2. Letter - Mayor Radest, re Board of Health Appointment
3. Memo - P. Dougherty, Tax Collector, re Results of 10/27/22 Tax Sale

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:

1. Chatham Borough - Notice of Public Hearing on 11/14/22, re Pending Zoning Ordinance #22-14
2. City of Summit - Notice of Zoning Board Public Hearing on 11/21/22, re 90 Ashwood Avenue

COUNCIL MEMBERS' COMMENTS/NEW BUSINESS

ADJOURNMENT REGULAR MEETING

CLOSED SESSION (IF NEEDED AND AUTHORIZED)

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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