



Common Council of the City of Summit

Closed Session Agenda for Tuesday, February 21, 2023

Large Conference Room

7 : 0 0 p m – 7 : 2 0 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)
 - Fire Department Promotion – Lieutenant
 - Police Department Promotions – Captain, Lieutenant, Sergeant
 - Memo – City Clerk, re Unfilled Appointments

 - Mayor’s Appointments:
(confirmation required)
 - *Arts Committee (11)
 - Health, Board of (1)
 - Technology Advisory Cmte (3)(no confirmation required)
None

 - Council Appointments:
 - Economic Development Advisory Committee (Chair)
 - Historic Preservation (Alt)
 - Parking Advisory Cmte (1)
 - *Recycling Advisory Committee (3)
 - Transportation Advisory, UC (Alt.)
- Known for discussion
 - * Known for consideration

ADJOURN CLOSED SESSION



Common Council of the City of Summit

Regular Meeting Agenda for Tuesday, February 21, 2023

Council Chamber

7:30 PM

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

ADMINISTRATIVE POLICIES & COMMUNITY RELATIONS COMMITTEE

Tuesday 2:00 pm – 3:00 pm *Zoom*
Allen, Levine, Rogers, Licatese

CAPITAL PROJECT & COMMUNITY SERVICES COMMITTEE

Thursday 8:30 am – 10:00 am *Zoom*
Levine, Fox, Schrager

COMMUNITY PROGRAMS & PARKING SERVICES COMMITTEE

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

FINANCE COMMITTEE

Monday 4:00 pm – 5:00 pm *Zoom*
Minegar, Allen, Vartan, Mayor Radest, Rogers, Baldwin

LAW & LABOR COMMITTEE

Council Meeting Days 1:00 pm – 2:00 pm *Zoom*
Hairston, Hamlet Rogers, Licatese, Giacobbe, Kavanagh

SAFETY & HEALTH COMMITTEE (Police and Fire)

Wednesday 1:30 pm – 3:30 pm *Zoom*
Fox, Hairston, 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 15, 2022, 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 February 7, 2023

REPORTS

- Mayor, City Administrator and Council President

RESOLUTION

SAFETY AND HEALTH

(ID # 10150) Authorize Fire Department Promotion - Lieutenant (*Pending Closed Session Discussion*)

SWEARING-IN

Newly Appointed Fire Lieutenant – by Mayor Radest

ORDINANCE(S) FOR HEARING

Comments are solicited from Council members and the public.

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
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FINANCE

23-3274	BOND ORDINANCE PROVIDING FOR PHASES II(B), III(B), IV, V AND VI OF THE LOCAL UNIT’S ALLOCABLE SHARE OF THE FLOOD MITIGATION FACILITIES PROJECT OF THE JOINT MEETING OF ESSEX AND UNION COUNTIES, BY AND IN THE CITY OF SUMMIT, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE “LOCAL UNIT”); APPROPRIATING \$4,920,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,920,000 BONDS OR NOTES TO FINANCE THE COST THEREOF (<i>Joint Meeting Flood Mitigation Facilities Project</i>)	02/07/23
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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>
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FINANCE

23-3274	BOND ORDINANCE PROVIDING FOR PHASES II(B), III(B), IV, V AND VI OF THE LOCAL UNIT’S ALLOCABLE SHARE OF THE FLOOD MITIGATION FACILITIES PROJECT OF THE JOINT MEETING OF ESSEX AND UNION COUNTIES, BY AND IN THE CITY OF SUMMIT, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE “LOCAL UNIT”); APPROPRIATING \$4,920,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,920,000 BONDS OR NOTES TO FINANCE THE COST THEREOF (<i>Joint Meeting Flood Mitigation Facilities Project</i>)	02/07/23
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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>
<u>SAFETY & HEALTH</u>		
(ID # 10151)	AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-11.2, STOP INTERSECTIONS DESIGNATED <i>(4-Way Stop: Prospect Street and Blackburn Road)</i>	03/07/23

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 # 10118) 1. Authorize Emergency Temporary Appropriations - Municipal Operating Budget *(Roll Call Vote)*
- (ID # 10197) 2. Authorize Emergency Temporary Appropriations - Sewer Utility *(Roll Call Vote)*

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 10146) 1. Authorize Execution of Shared Services Agreement with New Providence - 2023-2025 Wastewater Operations and Maintenance - 2023 Not to Exceed \$198,507.00
- (ID # 10158) 2. Accept Donation - Rapid Rectangular Flashing Beacon (RRFB) - Oak Knoll School
- (ID # 10211) 3. Confirm Mayor's Appoints - Mayor's Partnership for Public Arts/Summit Committee Members *(Pending Closed Session Discussion)*
- (ID # 10162) 4. Appoint Recycling Advisory Committee Member *(Pending Closed Session)*

LAW & LABOR

- (ID # 10169) 1. Authorize Execution of Annual License Agreement - Use of Sidewalk, Select Restaurants, Inc.
- (ID # 10168) 2. Authorize Execution of Annual License Agreement - The Office of Summit, LLC d/b/a Piattino Neighborhood Bistro
- (ID # 10180) 3. Authorize Execution of Annual License Agreement - The Office of Summit, LLC d/b/a The Office Tavern Grill

SAFETY & HEALTH

- (ID # 10187) 1. Confirm Mayor's Appointments - Police Department Promotions - Captain, Lieutenant, and Sergeant (*Pending Closed Session Discussion*)
- (ID # 10175) 2. Authorize Grant Application Submission and Execute Grant Agreement - Junior League of Summit Community Grants Program
- (ID # 10189) 3. Authorize Submission to the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Application and Execute Agreement

CONSENT AGENDA

SAFETY & HEALTH

- (ID # 10164) Grant Permission and Set Forth Conditions - 2023 Summit Downtown Inc. Events

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 10130) 1. Authorize Change Order #1 & Final -Summit Park Line - Morris Avenue Pedestrian Bridge - (-\$70,660.00)
- (ID # 10166) 2. Authorize Attendance - 2023 Building Safety Week Conference

FINANCE

- (ID # 10153) 1. Reimburse Retiree Health Insurance Costs
- (ID # 10096) 2. Authorize Payment of Bills and Payroll - \$ 3,484,465.35

ITEMS FOR DISCUSSION, ACTION OR REFERRAL

(Comments are solicited from Council members and the public. Staff reports are attached as appropriate. Items are listed according to Council Committees, those in italics indicate secondary committee reference.)

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 10065) Memo - M. DiLauri, DCS Assistant Director/ Municipal Housing Liaison, re Affordable Housing - 2022 Annual Status Report

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.*

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).

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. NJAWCO Notice of Virtual Public Hearing on 2-23-23
2. Summit ZB Notice of Hearing on 2-22-23, re 14 Franklin Place
3. Chatham Twp - PB Notice - Public Hearing 2-27-23

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