



# Common Council of the City of Summit

Closed Session Agenda for Tuesday, April 4, 2023

**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)
  - Accrued Time Payout – Fire Department
  - Accrued Time Payout (2) – Police Department
  - Appoint – One (1) Probationary Police Officer
  - Memo – City Clerk, re Unfilled Appointments
  - Mayor’s Appointments:  
(confirmation required)
    - Arts Committee (9)
    - Health, Board of (1)
    - Technology Advisory Cmte (3)
  - Mayor’s Appointments:  
(no confirmation required)
    - Known for discussion
    - \* Known for consideration
  - Council Appointments:
    - Economic Development Advisory Committee  
(Chair)
    - Historic Preservation (Alt)
    - Recycling Advisory Committee (1)
    - Transportation Advisory, UC (Alt.)

### ADJOURN CLOSED SESSION



# Common Council of the City of Summit

Regular Meeting Agenda for Tuesday, April 4, 2023  
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, Schragger

## **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](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 March 21, 2023

### **REPORTS**

- Mayor, City Administrator and Council President
- New Firehouse Project Update - Eric Evers, Fire Chief

### **CEREMONIAL AWARDS**

- Mayoral Proclamation - CASA of Union County - Child Abuse Prevention Month
- Mayoral Proclamation - Mountain Valley Communication Center - Telecommunicators Week

**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**

23-3276	<b>ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)</b> <i>(Establish CAP Bank)</i>	03/21/23
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**COMMUNITY PROGRAMS & PARKING SERVICES**

23-3277	<b>AN ORDINANCE AMENDING THE CODE CHAPTER VII, TRAFFIC, SECTION 7-25, REGULATIONS FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON MUNICIPAL PROPERTY AND BOARD OF EDUCATION PROPERTY, SUBSECTION 7-25.4, REGULATIONS.</b> <i>(Add Juneteenth Parking Holiday)</i>	03/21/23
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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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**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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**CAPITAL PROJECTS & COMMUNITY SERVICES**

(ID # 10112)	# AN ORDINANCE BY THE COMMON COUNCIL OF THE CITY OF SUMMIT, COUNTY OF UNION, NEW JERSEY, REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 27, "FLOOD PREVENTION AND PROTECTION", OF THE CODE OF THE CITY OF SUMMIT TO ADOPT NEW FLOODPLAIN MANAGEMENT REGULATIONS; ASSOCIATED MAPS AND DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. <i>(Floodplain Management Regulations)</i>	04/18/23
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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 # 10280)          1. Authorize Accrued Time Payout - Fire Department Employee  
*(Pending Closed Session Discussion)*
- (ID # 10310)          2. Authorize Accrued Time Payout - Police Department Employee #1  
*(Pending Closed Session Discussion)*
- (ID # 10311)          3. Authorize Accrued Time Payout - Police Department Employee #2  
*(Pending Closed Session Discussion)*

**SAFETY & HEALTH**

(ID # 10300)          Appoint One (1) New Police Officer *(Pending Closed Session Discussion)*

**LAW & LABOR**

(ID # 10279)          Authorize Execution of Annual License Agreement - Use of Sidewalk, All My Friends, LLC, DBA Bar Bacoa and Summit House Restaurant

## **CAPITAL PROJECTS & COMMUNITY SERVICES**

- (ID # 10124) 1. Establish 2023 Fees for Operating and Maintaining the Sanitary Sewer System
- (ID # 10243) 2. Authorize 2023 Submittal of 2022 Tonnage Report Data to State
- (ID # 10125) 3. Award Bid - Prospect Street Improvement Project - \$515,469.35
- (ID # 10273) 4. Authorize Grant Application Submission - 2023 Association Of New Jersey Environmental Commissions Open Space Stewardship Grant Program and Execute Grant Agreement

## **CONSENT AGENDA**

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

- (ID # 10216) Authorize Performance Bond Release - 19 Chatham Road - ZB-05-1140

### **FINANCE**

- (ID # 10263) 1. Authorize Amend Payroll
- (ID # 10277) 2. Cancel Outstanding Checks
- (ID # 10229) 3. Authorize Refund - Overpayment of 2020 & 2022 Taxes
- (ID # 10299) 4. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
- (ID # 10099) 5. Authorize Payment of Bills and Payroll \$3,121,146.73

## **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](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.*

## **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 Appointments to Board of Education
2. Purchasing Letter - Prospect Street Improvement Project

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 Township - Notice of Adoption, Stormwater Management Plan Element of the Master Plan
2. Chatham Twp, Pending Ordinance 2023-04 Impervious Surface Amendment, Public Hearing 4-25-23
3. City of Summit, re Zoning Board Hearing Notice, re 475 Springfield Ave, Public Hearing 4-03-23
4. Special Meeting Notice - Joint Meeting of Essex and Union Counties - March 30, 2023

## **NEWSLETTERS**

Legislative Bulletin - Volume 3 - NJ League of Municipalities

## **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