



## Common Council of the City of Summit

Closed Session Agenda for Tuesday, September 5, 2023



6 : 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)
  - Redevelopment
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10:4-12.b (8)
  - Vacancy - Councilmember – Ward 1
  - President Pro Tempore
  - Fire Department
    - Declare Vacancies:
      - Firefighter
      - Fire Lieutenant
  - Department of Community Services
    - Appoint Building Subcode Official - Uniform Construction Code Division (UCC)
    - Declare Vacancies:
      - UCC Division - Fire Subcode Official
      - Division of Public Works, Roads Unit (2)
      - Part-Time Property Maintenance Inspector
  - Mayor's Appointments:
    - (confirmation required)
    - Arts Committee (11)
    - Rent Commission (2 Public Reps.)
    - Health, Board of (1 Public Rep.)
    - Technology Advisory Cmte (3)(no confirmation required)
    - Planning Board (Alt. II)
    - Known for discussion
    - \* Known for consideration
  - Council Appointments:
    - Economic Development Advisory Committee (Chair)
    - Historic Preservation (1)
    - Recycling Advisory Committee (1)
    - Transportation Advisory, UC (Alt.)
  - Unfilled Appointments

### ADJOURN CLOSED SESSION



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

### **Regular Meeting Agenda for Tuesday, September 5, 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, Licatense

#### **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, Licatense, 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 July 18, 2023

## **REPORTS**

- Mayor, City Administrator and Council President

## **RESOLUTION / CEREMONIAL AWARD**

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

(ID # 10591)

Honor, Recognize and Celebrate the 100th Anniversary of Wallace Chapel A.M.E. Zion Church

## **CEREMONIAL AWARDS**

### **Mayoral Proclamations**

- Wallace Chapel AME Zion Church 100th Anniversary - Reverend Dr. Denison Harrield, Jr., Pastor
- First Aid Squad Month - John Buscaino, President

## **PRESENTATIONS**

- Council Chamber A/V Equipment Upgrade - Ramon Ronquillo, Spruce Technology, Inc.

## **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>
---------------	--------------	---------------------

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

(ID # 10539)	<b>ORDINANCE OF THE CITY OF SUMMIT, COUNTY OF UNION, NEW JERSEY, REPEALING ORDINANCE NO. 19-3188 ADOPTING THE “BROAD STREET WEST REDEVELOPMENT PLAN” DATED MARCH 20, 2019, IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ. (Repeal BSW Redevelopment Plan)</b>	10/03/23
--------------	--	----------

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

(ID # 10593)	<b>AN ORDINANCE TO AMEND THE CODE, APPENDIX A, SCHEDULE OF FEES, CONTAINED IN THE REVISED GENERAL ORDINANCES OF THE CITY OF SUMMIT - (Amend Certain Fees – Department of Community Services)</b>	09/19/23
--------------	--	----------

### **LAW & LABOR**

(ID # 9805)	<b>AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF NEW JERSEY II, LLC, TO CONSTRUCT, CONNECT, OPERATE, AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF SUMMIT, UNION COUNTY, NEW JERSEY (Comcast Cable Franchise Renewal Agreement)</b>	09/19/23
-------------	--	----------

## **ORDINANCE(S) FOR INTRODUCTION** (cont'd)

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

<u>Number</u>	<u>Title</u>	<u>Hearing Date</u>
---------------	--------------	---------------------

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

(ID # 10612)	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.6, ALL NIGHT PARKING PROHIBITED, EXCEPT FOR CERTAIN MUNICIPAL STREETS WITH MULTIPLE DWELLING UNITS OF 10 OR MORE UNITS, AND SUBSECTION 7-25.4, REGULATIONS.</b> <i>(Overnight on-street parking -Beauvoir Ave and Beauvoir Pl.)</i>	09/19/23
--------------	---	----------

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

(ID # 10613)	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.5, PARKING TIME LIMITED ON CERTAIN STREETS</b> <i>(remove meters on Beauvoir Avenue and establish 5 hour parking)</i>	09/19/23
--------------	---	----------

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

(ID # 10614)	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.5, PARKING TIME LIMITED ON CERTAIN STREETS</b> <i>(Walnut St. from 12 hrs. to 3 hrs.)</i>	09/19/23
--------------	---	----------

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

(ID # 10615)	<b>AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.5, PARKING TIME LIMITED ON CERTAIN STREETS</b> <i>(Maple/Euclid by K-Lot)</i>	09/19/23
--------------	---	----------

## **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.)*

### **LAW & LABOR**

- |              |    |  |
|--------------|----|--|
| (ID # 10644) | 1. | Appoint 2023 President Pro Tempore <i>(Pending Closed Session Discussion)</i>  |
| (ID # 10590) | 2. | Approve Implementation of On-boarding Process Including Volunteer Handbook & On-line Tutorial for Newly Appointed Volunteers |
| (ID # 10640) | 3. | Grant Person-to-Person Liquor License Transfer - OS Wine, LLC to SM Wine Rack, Inc. DBA The Wine Rack                        |

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

- (ID # 10610) Authorize Execution of Agreement with Summit Board of Education for the Purchase of Ten (10) Automated External Defibrillators (AED) Units - \$1.00

### **SAFETY & HEALTH**

- (ID # 10608) 1. Authorize Execution of Agreement with JCP&L- New Fire Headquarters Project
- (ID # 10592) 2. Authorize Auction Unclaimed Bicycles
- (ID # 10626) 3. Declare Vacancies – Fire Department - Lieutenant and Probationary Firefighter (*Pending Closed Session Discussion*)

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

- (ID # 10629) 1. Resolution Of The Common Council Of The City Of Summit Referring The Ordinance Repealing Ordinance No. 19-3188 (Adopting The “Broad Street West Redevelopment Plan” Dated March 20, 2019) To The Planning Board For Review And Report Pursuant To N.J.S.A. 40a:12a-7
- (ID # 10636) 2. Amend Professional Services Agreement - 2023 Consultant Engineering Services - Additional Fees \$100,000.00
- (ID # 10641) 3. Award Bid - Ridgedale Avenue and Colonial Road Improvement Project - \$483,955.00
- (ID # 10635) 4. Authorize Grant Execution - 2023 Infrastructure and Municipal Aid Grant Program - Hobart Avenue Sidewalk and Pedestrian Safety Project
- (ID # 10533) 5. Appoint Building Subcode Official (*Pending Closed Session Discussion*)
- (ID # 10597) 6. Declare Vacancy - Department of Community Services - Uniform Construction Code Division - Part-Time Fire Subcode Official (*Pending Closed Session Discussion*)
- (ID # 10546) 7. Declare Vacancy - Department of Community Services - Division of Public Works, Roads Unit - Full Time Maintenance Worker (*Pending Closed Session Discussion*)
- (ID # 10594) 8. Declare Vacancy - Department of Community Services - Division of Public Works, Roads Unit - Lead Foreman (*Pending Closed Session Discussion*)
- (ID # 10632) 9. Declare Vacancy - Department of Community Services - Part-Time Property Maintenance Inspector (*Pending Closed Session Discussion*)

## **CONSENT AGENDA**

### **SAFETY & HEALTH**

(ID # 10602) Authorize Bid Advertisement - 2024-2025 Animal Control Services

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

- (ID # 10642) 1. Authorize Bid Advertisement - Fall 2023 Citywide Tree Planting Project
- (ID # 10596) 2. Authorize Bid Advertisement - Transfer Station Packer #2 Reconstruction Project
- (ID # 10595) 3. Authorize Bid Advertisement - Purchase of (1) Transfer Trailer
- (ID # 10428) 4. Authorize Change Order #1 and Final - Beacon Road Improvement Project (-\$22,739.50)

### **FINANCE**

- (ID # 10630) 1. Amend Budget - Chapter 159 - NJ DOT Butler Parkway Improvement Project
- (ID # 10633) 2. Amend Budget - Chapter 159 - 2023 National Opioids Settlement Grant
- (ID # 10535) 3. Cancel 2023 Special Assessment - 9 Eaton Court
- (ID # 10628) 4. Authorize Refunds - Overpayment of Third Quarter 2023 Taxes
- (ID # 10637) 5. Authorize Refund - Overpayment of 2023 Sewer Utility Charge - (\$3,643.00)
- (ID # 10611) 6. Authorize Refund - Overpayment of 2023 Sewer Utility Charge - (\$357.77)
- (ID # 10634) 7. Authorize Planning & Zoning Board Escrow Refunds
- (ID # 10601) 8. Authorize Refund - Department of Community Programs
- (ID # 10606) 9. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
- (ID # 10599) 10. Authorizing Payment of Bills (7/11/23 - 8/15/23) - \$7,206,688.82
- (ID # 10235) 11. Authorize Payment of Bills and Payroll - \$1,672,505.03

## **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**

Purchasing Letter – Bids Received regarding Ridgedale Ave & Colonial Road 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. Notices - Millburn Twp Zoning Ordinance Nos. 2645-23 & 2646-23 - Public Hearing on 9-5-23
2. Millburn Twp. Planning Board Proposed Amendment to Master Plan, re Historic Preservation Element, Public Hearing 8/16/23
3. Notices - Millburn Twp, Adoption of Historic Preservation Element of the Master Plan
4. NJ Transit, Request for Federal Assistance - Public Input Deadline 9/16/23

### **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