MINUTES OF REGULAR MEETING
TUESDAY, MAY 17, 2016
COMMON COUNCIL OF THE CITY OF SUMMIT

Distributed: 6/2/16
Approved: 6/8/16

The meeting was called to order by Council President Mike McTernan at 7:30 PM. The City Clerk then read the following notice:

"Adequate notice of this meeting has been provided by the City Clerk in the preparation of the Council Annual Meeting Notice of Closed Session and Regular Meetings, dated January 5, 2016 which set forth the date, time, and place of this meeting and by properly posting such notice and forwarding the notice to those designated newspapers and the persons requesting meeting notices. Please be further advised that the FIRE EXITS are to my RIGHT your left, and at the BACK OF THE ROOM.

Please be further advised that the City has an Assistive Listening System for the hearing impaired. We have three (3) assistive hearing devices. If anyone needs them, please raise your hand and the device will be brought to you. Please return them to the City Clerk or leave them with the Police Dispatcher."

CALL TO ORDER

ROLL CALL

PRESENT: Council Members Hurley, Lizza, Naidu, Ogden, Rubino, Sun and Council President McTernan

ABSENT: None

Minutes of this meeting are recorded on CD # 16-11 – 7:36:51 pm – 9:52:20 pm

Also in attendance were Mayor Radest and staff members Rogers, Cascais, Evers, Gerba, Licatese, Weck and Cruz.

PLEDGE OF ALLEGIANCE – Gabi Friedman, Summit High School Senior

APPROVAL OF MINUTES

Regular and Closed Session Minutes of April 19, 2016 and May 3, 2016 – On motion of Councilman Sun, duly carried and unanimously approved.

REPORTS

Items/issues noted hereunder, if any, reflect those recommending and/or needing action by City department(s) or at a future council meeting.

Mayor, City Administrator and Council President (Summit Historical Minute)

PUBLIC COMMENTS

Union County Fiscal Responsibility - Steve Bowman, 111 Beekman Terrace, commended the City and Schools for exercising fiscal responsibility and then read from a prepared statement regarding Union County fiscal responsibility, which is hereto attached.

BUDGET HEARING

FINANCE/PERSONNEL

2016 Special Improvement District Budget Hearing

Tony Melchionna, Chairman of Summit Downtown, Inc. (SDI), discussed the proposed Budget and the reasons that attributed to this year's increase.

Members of the governing body commented as follows:

1. SDI commended for its noticeable efforts in branding.
2. There is a need for institutional data to understand number of vacancies in the downtown, how to address it. Metrics on occupancy should be shown by category.
3. Prospective tenants should be made aware of the construction permitting process.
4. Important for SDI to participate in Master Plan Re-examination process and focus on economic development in the downtown.
5. Need to define standards and explore what apps can help retailers and businesses in the downtown.

In answer to questions from the governing body, Mr. Melchionna responded as follows:

1. Described the concept of a floating board and what the member categories would be for the Board of Trustees.
2. Currently there is a 95% occupancy rate in the downtown.
3. Described spending in the past year and what efforts were associated with same.

Kathryn Werlein, 28 Morris Avenue and former SDI Board Trustee and Chairs of the Marketing Committee, described SDI's branding and marketing plan and the efforts in promoting the downtown including the hiring of marketing consultant Jessica Hobson to assist retailers.

No one else wished to be heard and the hearing was declared closed.

Proof of publication of the introduction of the SDI budget was published in the Union County Local Source of April 28, 2016 was made part of the record.

RESOLUTIONS

(Resolutions, which were not identified on the agenda as same, do not appear in the minutes in the actual order in which they were addressed at the meeting, but under the proper committee heading after those that were on the agenda. Those with the name of another committee in italics after it indicate the other committee might have had some input.)

The respective Committee Chairman, Committee member, or Councilmember, as indicated for the Committee, introduced the following resolution(s) and on motion, duly seconded and on roll call, unanimously adopted or adopted by the vote shown, if any:

FINANCE/PERSONNEL

37365 1. Summary of General Revenues and Appropriations - 2016 Special Improvement District Budget

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Lizza
SECONDER:	Rubino
AYES:	Hurley, Lizza, McTernan, Naidu, Ogden, Rubino, Sun

FINANCE/PERSONNEL

37366 2. Authorize Tax Appeal Settlement Agreement - 509-517 Springfield Avenue

RESULT:	**APPROVED [5 TO 2]**
MOVER:	Lizza
SECONDER:	Rubino
AYES:	Hurley, Lizza, McTernan, Ogden, Rubino
NAYS:	Naidu, Sun

37367 3. Amend Revised Minimum Standard Vendor Insurance Requirements

BUILDINGS AND GROUNDS

37368 1. Amend Conference Room Use Policy

37369 2. Authorize Competitive Contracting for the Naming & Sponsorship of the Tier Garage Concession

37370 3. Authorize Additional Contribution to Municipal Shared Services Defense Agreement – Fair Share Housing Obligations

GENERAL SERVICES

37371 1. Authorize Contract Execution - Parking Assessment - Level G Associates, LLC - $14,000.00

In answer to a comment from Councilwoman Lizza, Rogers estimated that a draft report could be available by the summer and a final report could be available by the end of September.

Councilman Rubino commented spoke of the redundancies of the proposal. He suggested that the proposal should include an "end date" for receiving the report. He advised that he supports the focus on financial audit as part of the study.

Councilwoman Ogden advised that she agreed with the fiscal analysis but not with other parts of the proposal.

RESULT:	**APPROVED [5 TO 2]**
MOVER:	Naidu
SECONDER:	Hurley
AYES:	Hurley, Lizza, McTernan, Naidu, Sun
NAYS:	Ogden, Rubino

GENERAL SERVICES

37372 2. Award Bid - Tier Garage Structure Repairs and Elevator Modernization Project - $993,500.50

Councilman Naidu expressed his concerns regarding the bond ordinance process for this project.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Naidu
SECONDER:	Hurley
AYES:	Hurley, Lizza, McTernan, Ogden, Rubino, Sun
NAYS:	Naidu

GENERAL SERVICES

37373 3. Authorize Waiver of Noise Ordinance - Tier Garage

Councilman Rubino advised that he was recusing himself from this matter and exited the room during the discussion and vote.

Prior to the vote, it was recommended that the proposed end date of the waiver period be changed to Saturday, September 10, 2016 rather than September 11, to which no disagreement was put forth.

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Naidu
SECONDER:	Hurley
AYES:	Hurley, Lizza, McTernan, Naidu, Ogden, Sun
RECUSED:	Rubino

GENERAL SERVICES

37374 4. Authorize "Level the Playing Field" Equipment Drive at Memorial Field

37375 5. Authorize and Execution of Design Contract - Summit Community Center (Pending closed session discussion)

Councilman Naidu advised that he was recusing himself from this matter, stating that while he had no financial interest in the project, an individual from one of the firms under consideration for the contract serves on the same board as he does. He then exited the room during the discussion and vote.

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Hurley
SECONDER:	Ogden
AYES:	Hurley, Lizza, McTernan, Ogden, Rubino, Sun
RECUSED:	Naidu

WORKS

37376 1. Award Bid - Downtown Conduit Installation Project - $385,600.00

Mark Yeager, 355 Springfield Avenue, commented as follows:

1. Felt that the project would attract and maintain businesses in the downtown.
2. Asked if fiber providers were approached about sharing in the funding of the infrastructure project.

In answer to questions from Council and Mr. Yeager, Rogers and Schrager advised as follows:

1. Schrager advised that the conduit would be installed from Springfield Avenue to Waldron and described next steps in the project.
2. Rogers expressed the need for an advisory committee to further research the next steps in addressing needs over the next year and explore possible revenue.
3. Rogers confirmed that two major providers were approached to partner and share in the funding of the project and they expressed no interest.

At 9:35 pm, after the vote on this resolution, Councilman Hurley left the meeting.\

WORKS

(ID # 3985) X — 2. Authorize Execution of Shared Services Agreement with New Providence Wastewater Operations and Maintenance ***(pulled)***

37377 — 3. Authorize Execution of Grant Agreement - 2016 Union County Infrastructure and Municipal Aid Grant

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sun
SECONDER:	Lizza
AYES:	Lizza, McTernan, Naidu, Ogden, Rubino, Sun
ABSENT:	Hurley

WORKS

37378 — 4. Award Bid - Ashwood Avenue Roadway Improvement Project - $330,196.00

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sun
SECONDER:	Lizza
AYES:	Lizza, McTernan, Naidu, Ogden, Rubino, Sun
ABSENT:	Hurley

WORKS

(ID # 4075) X — 5. Award Bid - Beechwood Road Decorative Pavement Project - $38,175.00 ***(pulled)***

WORKS

37379 — 6. Declare Vacancy – Department of Public Works – Garbage and Trash Division

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sun
SECONDER:	Lizza
AYES:	Lizza, McTernan, Naidu, Ogden, Rubino, Sun
ABSENT:	Hurley

SAFETY

37380 Authorize Installation of New Fire Hydrant - Hillview Terrace

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Ogden
SECONDER:	McTernan
AYES:	Lizza, McTernan, Naidu, Ogden, Rubino, Sun
ABSENT:	Hurley

CONSENT AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sun
SECONDER:	Naidu
AYES:	Lizza, McTernan, Naidu, Ogden, Rubino, Sun
ABSENT:	Hurley

BUILDINGS AND GROUNDS

37381 1. Refund Payment - Zoning Certificate of Occupancy Application Fee - 450 Springfield Avenue

37382 2. Authorize Refund of Construction Permit Fee - 129 Hobart Avenue

37383 3. Authorize Refund of Construction Permit Fee - 119 Pine Grove Avenue

WORKS

37384 Authorize Change Order No. 1 - Downtown Wayfinding Sign Project - $9,006.00

GENERAL SERVICES

37385 1. Authorize Bid Advertisement - Purchase and Installation of Sound System - Investors Bank Field at Tatlock Park

37386 2. Authorize Refunds - Department of Community Programs

37387 3. Authorize Competitive Contracting Process - Dynamic Ridesharing Program Pilot Program Concession

SAFETY

37388 1. Authorize Placement of Banner at City Hall – Summit Police Department Food Drive

37389 2. Grant Permission & Set Forth Conditions - Shakespeare on the Village Green - Summit Free Public Library

37390 3. Grant Permission and Set Forth Conditions - Home for Good Dog Rescue 2016 "Bark-a-que" Event

37391 4. Amend Overlook Medical Center 2016 5k Run Event Date

FINANCE/PERSONNEL

37392	1.	Amend Budget - Chapter 159 - 2016 Union County Infrastructure Municipal Aid Grant Award
37393	2.	Refund 2016 Homestead Benefit Credit
37394	3.	Pay Quarterly County Taxes, SID Taxes and Open Space Taxes - 2nd Quarter
37395	4.	Refund Overpayment of 2011 Taxes - Tax Court Judgment
37396	5.	Refund Overpayment of 2012 Taxes - Tax Court Judgment
37397	6.	Refund Overpayment of 2013 Taxes - Tax Court Judgment
37398	7.	Refund Overpayment of 2014 Taxes - Tax Court Judgment
37399	8.	Refund Overpayment of 2015 Taxes - Tax Court Judgment
37400	9.	Authorize Payment of Bills - $995,880.75

COUNCIL MEMBERS' COMMENTS/NEW BUSINESS

Items/issues noted hereunder, if any, reflect those recommending and/or needing action by City department(s) or at a future council meeting which are not already being addressed by a committee.

Downtown Conduit Infrastructure Discussions - Councilman Naidu recommended that going forward discussion regarding the infrastructure schedule be listed on the council agenda as a Discussion, Action, Referral item (DAR). No disagreement was put forth.

Union County 2016 Budget and Board of Education Appointments – Councilwoman Lizza read from a prepared statement which is attached hereto.

ADJOURNMENT REGULAR MEETING

Respectfully submitted,

Rosalia M. Licatese, City Clerk

MINUTES ATTACHMENTS:

1. Summit Historical Minute - History of the Summit Jewish Community Center, presented by Gabi Friedman, Summit High School Senior
2. Statement - Steve Bowman, 111 Beekman Terrace, re Union County Fiscal Responsibility
3. Statement - Councilwoman Lizza, re Union County Budget and Board of Education Appointment

CORRESPONDENCE

Purchasing Department Letters:

- Beechwood Road Decorative Concrete Pavement Project
- Downtown Roads Conduit Installation Project
- Ashwood Avenue Roadway Improvement Project
- Tier Garage Structural Repair & Elevator Modernization Project

RECEIVED AND FILED

Summit Historical Minute
History of the Summit Jewish Community Center
Presented by Gabi Friedman
5/17/16

The Unity Club of Summit, the first organized Jewish group in the city, began in 1923, with a grand total of twelve families. Just four years later, the first teacher of Jewish education was hired, and a rabbi was brought to Summit to lead High Holiday services in the Knights of Columbus Hall. In 1929, the Jewish Community Centre of Summit was founded; the now twenty families purchased and remodeled a house at the corner of Morris and Kent Place. Jewish immigration picked up during World War II, and as the war drew to a close, fundraising began to update the existing facility. The congregation, now sixty families, bought out their mortgage, and made a down payment towards construction of a $120,000 new building, including a social hall, a kitchen, several classrooms, and a sanctuary. In 1962, Rabbi William Horn, now a longtime Summit resident, was hired to lead the congregation. During his tenure lasting nearly fifty years, the congregation grew from seventy-five families to more than 325 households upon his retirement in 2005, and expanded and updated the building twice more, in 1967 and 1995, and added a nursery school. Cantor Janet Roth was hired in 1991, and in 2005, was joined by Rabbi Avi Friedman, who happens to be my father. The building was

expanded once more under the 'Room to Soar' campaign in 2013, before undergoing a name change to the Congregation Ohr Shalom- Summit Jewish Community Center, one of three synagogues now present in Summit's vibrant interfaith community.

Steve Bowman, 111 Beekman Terrace
Prepared Statement Read during Public Comment
5/17/16 Council Meeting

Good Evening Madam Mayor, Council President and Common Council Representatives ...

I am Steve Bowman, 111 Beekman Terrace Summit NJ

I would like to thank all the Council Representative who have travelled to Elizabeth to call on Union County Freeholders to practice fiscal responsibility. I would also like to comment that the Summit Council along with our Board of Education has demonstrated fiscal responsibility over the last several years. I have heard percentages are presented. Between 2012-2015 Summit's combined Municipal and education taxes increased just over $2. Million dollars, we see these dollars at work Police, Fire and teachers plus all the services which Summit provide. At the same time the annual amount Summit contributed to Union County increased by 5 and half million dollars more than doubling the Summit increase. I saw a recent article where County Taxes exceed local municipal taxes by 10 million. When Summit residents experience increases in our tax bills we can point to the county taxes. The question which needs answering is what does Summit get for our county tax dollars?

I thank the Summit leadership Council and BOE for the past fiscal prudency and the anticipated continuance of said behaviors. I also strongly recommend the continual dialog current council representatives have voiced in pushing the county Freeholders to create an environment of financial discretion, also in their efforts to claim Union county assets which should be passed onto the municipalities, in particular Summit where we can direct those funds in a manner which provides the greatest returns. Additionally, we need to work with our neighbors in developing an action plan to penetrate the Union County leadership so that our voices can be heard.

Sandra R. Lizza
Common Council Meeting Comments
May 17, 2016

Last Thursday, Council President and I went to Elizabeth to speak before the Freeholders because they were voting on their budget that evening. As many Councilmembers have done before us and as we have done multiple times, we went through the reasons why we felt that they should feel at least the moral obligation to stay below the 2% cap. They chose again, as Council President mentioned at our last Council meeting, to vote a 2.9% increase in their budget which will affect Summit taxpayers even more because of the equalization formula, using every possible dollar that they were allowed to use.

That night was also the reorganization of the Board of Education. I want to congratulate David Dietze who was elected as the 2016 President of the BOE and also Richard Hanley as VP, and to thank Katherine Kalin, Celia Colbert and James Freeman for volunteering and the extensive time that they've spent with the BOE.

I also feel that I need to voice my disappointment, Mayor, that you have chosen not to reappoint Mr. Freeman. By choosing to depart from a time-honored decision by prior mayors to respect the desire of a sitting member to continue to volunteer for additional terms without disclosing the reason, you have opened the door to the conclusion that it is politically-driven. You have a big power in this type 1 school district to appoint, and I feel that you have the obligation to tell the people in the City why you did not re-appoint so they can be informed and either agree or disagree with you. I would urge you to reconsider your silence, and, respectfully, say that I think this will be helpful to the civic process.

Thank you.