

**MINUTES OF REGULAR MEETING  
TUESDAY, JULY 5, 2016  
COMMON COUNCIL OF THE CITY OF SUMMIT**

Distributed: 7/20/16

Approved: 7/26/16

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 Naidu, Ogden, Sun and Council President McTernan

ABSENT: Council Members Hurley, Lizza, Rubino and Chief Evers

Minutes of this meeting are recorded on CD # 2016-14: 7:48:03 pm – 9:06:04 pm

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

**PLEDGE OF ALLEGIANCE** – Greg Vartan

**APPROVAL OF MINUTES**

Regular and Closed Session Minutes of June 21, 2016 - Approved on motion of Councilwoman Ogden, duly seconded 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)

Summit Historical Minute – Council President McTernan presented an historical minute on the naming of Hobart Avenue and DeForest Avenue, which is hereto attached.

## **PUBLIC COMMENTS**

Parklet Pilot Program - Donna Puzzella, Sweet Nothings business owner, 26 Beechwood Road, referenced the following prepared notes:

"Sweet Nothings  
26 Beechwood Road

### **PARKLET COMMENTS**

July 5, 2016

Appreciate and support improvements to the downtown and City in general

Appreciate the Common Council & Mayor

Appreciate creating an experience in our downtown

However, I don't think Parklets are the answer to creating an experience or improving the downtown

Parklets have the potential to be lovely in the appropriate downtowns, but not Summit

Ultimately hurt more than it will help

We have a bad reputation for lack of parking, complicated parking and too many parking tickets...

Parklets will take away precious parking spaces

Parklets will cause problems among business owners

#### Questions:

Has the City of Summit spoken to any business owners in towns where there are Parklets and businesses around the Parklets?

Who will pay for these?

How will they be controlled - if out in front of an eatery, but others sit there who are not buying from that eatery?

Liability - who is responsible?

How long will Parklets be in town?

#### Follow Up Questions:

How long have the Parklets been in place in Rahway? Has anyone spoken to businesses in Rahway for feedback?

At the CC meeting in April, it was stated that Morristown had Parklets.

Drove thru Morristown today and did not see any Parklets? Why? Why isn't Morristown doing them again?"

Andrea Gold, Zoom business owner, 358 Springfield Avenue, questioned the timing of the Parklet Program and shared her concerns regarding its effect on seasonal shoppers and the loss of parking spaces.

Councilman Sun, in response to questions from Ms. Puzella and Ms. Gold, commented as follows:

1. Explained how the concept came about.
2. Noted the enthusiasm expressed by downtown organizations.
3. There was a desire to create a positive experience in the downtown and encourage walking.
4. Explained the funding of the Parklet to be shared amongst the City and the two businesses where the Parklet will be located.
5. Explained how the location for the pilot program was determined.

Cascais advised that, per input from the City's Risk Manager, no additional coverage or cost for the program is required. Cascais named some communities that have introduced parklets.

In answer to a question from Greg Vartan, 15 New England Avenue, Cascais advised that the installation of the parklet would take place in a couple of weeks and would remain through approximately the first week in November, with the exception of a few days in August when milling and paving of the street would occur when the parklet structure would temporarily be removed.

Mayor Radest emphasized that the project was a pilot program and hopefully give all an opportunity to see if it is something that might work to enhance the downtown.

Cascais advised that when not in use, the parklet materials would be stored at the Public Works Garage.

Councilman Naidu explained some reasons for conducting the pilot program, such as encouraging walkability and hopefully increasing economic viability in the downtown.

### **ORDINANCE(S) FOR HEARINGS**

The Council President called for a hearing of the following ordinance(s), which the City Clerk read by title.

#### **LAW**

- 16-3112 **AN ORDINANCE AMENDING THE CODE OF THE CITY OF SUMMIT, COUNTY OF UNION NEW JERSEY, CHAPTER III, SECTION 3-8, NOISE RESTRICTIONS, SUBSECTION 3-8.1 NOISE PROHIBITIONS, TO PROVIDE FOR A WAIVER OF THE NOISE RESTRICTION HOURS DURING CONSTRUCTION AND PROHIBIT CONTRACTOR CONSTRUCTION, DEMOLITION OR REPAIRS ON SUNDAYS**  
*(Establishes noise waiver application procedure and prohibits commercial construction, demolition or repairs on Sundays)*

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

Proof of publication of the introduction of this ordinance, published in the Union County Local Source of June 23, 2016, was made part of the record.

**FINANCE/PERSONNEL**

- 16-3116 **AN ORDINANCE TO ESTABLISH THE 2016 SALARIES, WAGES OR COMPENSATIONS OF AND FOR THE OFFICERS AND EMPLOYEES OF THE CITY OF SUMMIT, IN THE COUNTY OF UNION, AND THE STATE OF NEW JERSEY** (*Establish 2016 Salaries - Union and Non-Union Employees*)

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

Proof of publication of the introduction of this ordinance, published in the Union County Local Source of June 23, 2016, was made part of the record.

**GENERAL SERVICES**

- 16-3117 **AN ORDINANCE TO AMEND THE CODE OF THE CITY OF SUMMIT, COUNTY OF UNION, NEW JERSEY, CHAPTER VII, TRAFFIC, SECTION 7-8.5 PARKING TIME LIMITED ON CERTAIN STREETS, SUBSECTION 7-8.5.B.3 TYPES OF ZONES, FEES, TIMES OF LEGAL OPERATIONS, SUBSECTION 7-8.5.B.5 PARKING REGULATIONS AND SUBSECTION 7-25.2 MUNICIPAL PARKING LOT AREAS.** (*Establish "Special Event Parking" fees*)

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

Proof of publication of the introduction of this ordinance, published in the Union County Local Source of June 23, 2016, was made part of the record.

**WORKS**

- 16-3118 **AN ORDINANCE TO ESTABLISH 2016 FEES FOR OPERATING AND MAINTAINING THE SANITARY SEWER SYSTEM IN THE CITY OF SUMMIT, COUNTY OF UNION, NEW JERSEY** (*Establish 2016 sewer user fees*)

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

Proof of publication of the introduction of this ordinance, published in the Union County Local Source of June 23, 2016, was made part of the record.

**ORDINANCE(S) FOR FINAL CONSIDERATION**

*The respective Committee Chairman, Committee member, or Councilmember, as indicated for the Committee, introduced the following ordinance(s) which was (were) individually read by title by the City Clerk for final passage and on motion, duly seconded and on roll call, unanimously adopted or adopted by the vote shown, if any:*



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

**WORKS**

16-3118 AN ORDINANCE TO ESTABLISH 2016 FEES 06/21/16  
FOR OPERATING AND MAINTAINING THE  
SANITARY SEWER SYSTEM IN THE CITY OF  
SUMMIT, COUNTY OF UNION, NEW JERSEY  
*(Establish 2016 sewer user fees)*

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

**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:

**SAFETY**

37437 Acceptance Elks Club of Summit Donation to Fire Department -  
Value of \$250

**LAW**

37438 Renew 2016-2017 Liquor License - Summit Beverage King

**BUILDINGS AND GROUNDS**

37439 Authorize Use of Public Property - Parklet Pilot Program

**FINANCE/PERSONNEL**

37440 1. Authorize 2016 Salaries Effective January 1, 2016

37441 2. Advertise Four Assessment Hearings:

- Essex Road Curb and Sidewalk Improvements
- Magnolia Place, Primrose Place, Montview Road, and Surrey Road Curb and Sidewalk Improvements
- Fairview Avenue Curb and Sidewalk Improvements
- Fernwood Road and Ridge Road Curb and Sidewalk Improvements

- 37442 3. Authorize Execution of Membership Renewal Agreement With Morris County Cooperative Pricing System October 1, 2016 Through September 30, 2021
- 37443 4. Authorize 2016-2021 Participation in Union County Cooperative Pricing System
- 37444 5. Grant Extension of Injury Leave With Pay - Division of Public Works - Roads Unit Employee (Pending Closed Session discussion)

**GENERAL SERVICES**

- 37445 1. Authorize Submission of Letter of Interest to Union County for the Seniors in Motion Initiative

Council President McTernan remembered Miles MacMahon and his efforts in promoting services for seniors and senior transportation. Council President McTernan suggested that if the City receives the van from the County that it should be named after Miles MacMahon.

- 37446 2. Authorize Professional Services Agreement in Excess of \$17,500.00 - 2016 Social Services - \$34,587.91
- 37447 3. Authorize Professional Services Agreement in Excess of \$17,500 - Cornog Field House Roof Replacement Architectural Services - Not to Exceed \$42,475.00
- 37448 4. Reject Bids and Authorize Re-advertisement - Purchase and Installation of Sound System - Investors Bank Field at Tatlock Park
- 37449 5. Authorize Special Event Parking Fee - Overflow PGA Parking

**WORKS**

- 37450 1. Authorize Execution of 2016 Greening Union County Grant Application - Spring 2017 Tree Supply and Installation

Councilman Naidu stated that he hoped that the trees obtained through this grant would be native species. He noted that with Planning Board applications, applicants are asked to plant trees that are native to the area.

- 37451 2. Authorize Professional Services Agreement in Excess of \$17,500 - City Forester - Not to Exceed \$28,500.00

Councilman Naidu suggested that the role of the City Forester be enhanced to address urban ecology.

**CONSENT AGENDA**

*Staff reports are attached, as appropriate, when resolution is not self-explanatory. Matters authorizing action, licenses, or granting permission have met all department qualifications.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Sun
<b>SECONDER:</b>	Naidu
<b>AYES:</b>	McTernan, Naidu, Ogden, Sun
<b>ABSENT:</b>	Hurley, Lizza, Rubino

**GENERAL SERVICES**

37452 Authorize Refunds - Department of Community Programs

**WORKS**

37453 Authorize Change Order No. 1 - Design and Installation of SCADA System - \$14,262.00

**FINANCE/PERSONNEL**

- 37454 1. Pay Joint Meeting Quarterly Assessment - \$489,082.94
- 37455 2. Refund Overpayment of 2014 Taxes - Tax Court Judgment
- 37456 3. Authorize Redemption - Tax Sale Certificate #15-1
- 37457 4. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
- 37458 5. Authorize Payment of Bills - \$1,184,225.48

**COUNCIL MEMBERS' COMMENTS/NEW BUSINESS**

None

**ADJOURNMENT REGULAR MEETING**

Respectfully submitted,

Rosalia M. Licatese  
City Clerk

**CORRESPONDENCE**

- 1. Purchasing Letter - Purchase and Installation of Sound System - Investors Bank Field at Tatlock Park
- 2. Letter - Assemblywoman Nancy F. Munoz, NJ General Assembly re Senate Bill S2254 and Assembly Bill A3821

**RECEIVED AND FILED**

**MINUTES ATTACHEMENTS:**

Summit Historical Minutes - William DeForest and Bishop John Hobart - Presented by Council President McTernan