

**MINUTES OF REGULAR MEETING  
TUESDAY, SEPTEMBER 20, 2016  
COMMON COUNCIL OF THE CITY OF SUMMIT**

Distributed: 9/30/16  
Approved: 10/5/16 (*Wed.*)

The meeting was called to order by Council President Mike McTernan at 7:36 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: P. Cascais, DCS Director

Also in attendance were Mayor Radest and staff members Evers, Gerba, Licatase, Schragger, Weck and Cruz.

Minutes of this meeting are recorded on CD # 2016-17: 7:36:12 pm - 9:49:18 pm

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

Regular and Closed Session Minutes of September 6, 2016 - Approved on motion of Councilman Rubino, duly carried by the following vote:

**AYES:** Lizza, McTernan, Naidu, Ogden and Rubino

**NAYS:** None

**ABSTAINED:** Hurley and Sun

**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

Summit Railroad - Council President McTernan spoke of the history of the Summit railroad and discussed the history of rail travel in Summit which started with the Delaware, Lackawanna and Western Railroad.

**PRESENTATIONS**

Certificates of Recognition - Summit Step Team - 2016 Six Flags national Champions - 1st Place

**PUBLIC COMMENTS**

Governor Christie's Fair Tax Proposal - Steve Bowman, 111 Beekman Terrace, read from a prepared statement, which is hereto attached.

**ORDINANCE(S) FOR INTRODUCTION**

The respective Committee Chairman, Committee member, or Councilmember, as indicated for the Committee, introduced, for first reading, the following ordinance(s) as it (they) came up for consideration during the meeting, which was (were) individually read by City Clerk Licatase and unanimously adopted by the vote indicated below and referred to the Law Committee for study and report with a hearing(s) scheduled as indicated under Hearing Date below.

<u>Number</u>	<u>Title</u>	<u>Hearing Date</u>
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**SAFETY**

16-3119	<b>AN ORDINANCE AMENDING "THE CODE" CHAPTER VII, TRAFFIC, SECTION 7-19, MID-BLOCK CROSSWALKS</b> <i>(Springfield Avenue at Park and Ride)</i>	10/5/16 <i>(Wed.)</i>
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<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 10/5/2016 7:30 PM</b>
<b>MOVER:</b>	Ogden	
<b>SECONDER:</b>	McTernan	
<b>AYES:</b>	Hurley, Lizza, McTernan, Naidu, Ogden, Rubino, Sun	

16-3120	<b>ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-8, PARKING, SUBSECTION 7-8.5A. PARKING TIME LIMITED ON CERTAIN STREETS</b> <i>(Two-hour parking - William Street, South Side Entire Length)</i>	10/5/16
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**RESULT:** INTRODUCED [UNANIMOUS] **Next: 10/5/2016 7:30 PM**  
**MOVER:** Ogden  
**SECONDER:** McTernan  
**AYES:** Hurley, Lizza, McTernan, Naidu, Ogden, Rubino, Sun

16-3121 ORDINANCE AMENDING THE CODE, 10/5/16  
CHAPTER VII, TRAFFIC, SECTION 7-8,  
PARKING, SUBSECTION 7-8.5A. PARKING  
TIME LIMITED ON CERTAIN STREETS –  
(Cromwell Parkway, Blair Place, Nassau Drive and  
Dorset Lane - Two-Hour Zone)

**RESULT:** INTRODUCED [UNANIMOUS] **Next: 10/5/2016 7:30 PM**  
**MOVER:** Ogden  
**SECONDER:** McTernan  
**AYES:** Hurley, Lizza, McTernan, Naidu, Ogden, Rubino, Sun

### 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:

### BUILDINGS AND GROUNDS

(ID # 4505) Authorize Execution of Settlement Agreement - Fair Share Housing Corp. *(Pending Closed Session Discussion)*

**RESULT:** TABLED

### FINANCE/PERSONNEL

- 37514 1. Approve 2015 Audit Corrective Action Plan  
37515 2. Support the Fairness Formula for Equal School funding and Property Tax Relief

John Harmon, One William Street, shared his thoughts regarding the proposed Fairness Formula and also voiced his objection to the passage of the proposed council resolution.

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

- 37516 3. Authorize Extension of Sick Leave with Pay - DCS Employee
- 37517 4. Declare Vacancy - City Clerk's Office

**GENERAL SERVICES**

- 37518 1. Amend Professional Services Agreement - Tatlock Tennis Court Replacement Project Construction Administration and Inspection Services - Additional Fees - \$5,677.04
- 37519 2. Authorize Participation in National Cooperative Purchasing Program - BuyBoard National Purchasing Cooperative
- 37520 3. Authorize Special Event Parking Fee - Far Hills Steeplechase Parking
- 37521 4. Authorize Community Development Block Grant (CDBG) Year 42 Contract Execution
- (ID # 4456) 5. Declare Vacancy - Part-Time Parking Enforcement Officer *(pending Closed Session discussion)*

**RESULT: Tabled**

**SAFETY**

- 37522 1. Appoint Two New Volunteer Firefighters
- 37523 2. Authorize State Contract Purchases - 3 Year Lease/Purchase of Two (2) Police Vehicles - \$18,827.97 per year

**WORKS**

- 37524 1. Authorize National Cooperative Purchase - National Joint Powers Alliance - Purchase of Knuckle Boom Truck - \$175,270.83

Councilwoman Lizza suggested that the process for management of vehicle maintenance should be streamlined to achieve possible cost savings.

The possibility of renting the truck out to other municipalities was discussed.

- 37525 2. Cancel Assessment - 126 Fernwood Road Ordinance #14-3065 Assessment #361 *(from the floor)*

**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.*

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

**GENERAL SERVICES**

- 37526 1. Authorize Refunds - Department of Community Programs

- 37527 2. Authorize Bid Advertisement - Valet Parking Services (*introduced from the floor before Consent Agenda vote taken by Councilman Naidu*)

**SAFETY**

- 37528 1. Authorize Attendance - National Fire Academy Memorial Activities
- 37529 2. Grant Permission and Set Forth Conditions - PAL Pumpkin Launch at Transfer Station
- 37530 3. Grant Permission and Set Forth Conditions – PAL - Summit Classic Car Show
- 37531 4. Authorize Road Closure - Unitarian Church March and Ceremony

**WORKS**

- 37532 1. Amend Professional Services Agreement-Community Programs Building Expansion Site Design - Additional Fees - \$9,000.00
- 37533 2. Authorize Change Order No. 1 - Downtown Conduit Installation Project - \$77,112.00
- 37534 3. Authorize Refund Storm Sewer Connection - 23 Montrose Avenue - \$500.00
- 37535 4. Authorize Display of Pink Ribbons - Susan G. Komen Foundation - Breast Cancer Awareness Month
- 37536 5. Authorize Shaping Summit Together to Display Red Ribbons for National Red Ribbon Celebration to Raise Substance Abuse Awareness

**FINANCE/PERSONNEL**

- 37537 1. Refund Overpayment of Third Quarter 2016 Taxes
- 37538 2. Refund Overpayment 2016 Taxes
- 37539 3. Cancel 2016 Sewer Utility Charges
- 37540 4. Cancel 2016 Property Taxes, 2017 Preliminary Taxes and Refund Overpayment of Taxes/ Total Exempt Disabled Veteran
- 37541 5. Cancel 2016 Property Taxes and 2017 Preliminary Taxes
- 37542 6. Cancel 2017 Preliminary Property Taxes / Total Exempt Disabled Veteran
- 37543 7. Authorize Refund of Property Use Escrow Deposit - The Kent Place School - \$500.00
- 37544 8. Authorize Parking Refunds - Summit SmartCard, Prepaid Parking, and Overnight Parking Permits
- 37545 9. Authorize Payment of Bills - \$715,025.63

## 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.)*

- (ID # 4396)      1.    SDI and Suburban Chambers of Commerce Request Free Parking During Christmas Holiday - Dec. 12 - Dec. 24 Bagged Meters
- (ID # 4395)      2.    SDI Request for Permanent Free Parking Holiday for the Saturday after Thanksgiving - Permanent Saturday

Summit Downtown, Inc. (SDI) & Suburban Chamber of Commerce (Chamber) Request for Free Parking December 12 - 24, 2016 - Councilman Naidu advised of the joint request received from SDI and the Chamber as well as SDI's second request for free parking on the Saturday after Thanksgiving, which McNany confirmed has been granted every year it has been requested. He then commented as follows:

1. Referenced a memo prepared by Parking Services Manager Rita McNany which provided estimated cost to the City as to the loss of parking revenue for providing the requested free parking.
2. Expressed some of the concerns such as turnover of parking spaces, traffic flow and questioned whether the requests addresses these and other concerns.

McNany summarized a recent review of free parking on Saturday after Thanksgiving and commented as follows:

1. There was sufficient turnover of parking spaces.
2. For the majority of parkers, the duration of parking stay was under four hours.
3. In response to a question from Councilwoman Lizza, McNany advised that Parking Services staff does not work that holiday weekend and, therefore, there is no enforcement of time limits on the street meters.
4. Last year, although there were some, it did not appear that many employees were parking at street meters all day long.
5. Does not seem to be an issue to have free parking on the Saturday after Thanksgiving, but does not recommend free parking every Saturday.

Key points of Council Members' comments are as follows:

1. Would the City be achieving the results it is looking for?
2. Would there be adequate turnover, if not, is it providing an opposite effect?
3. Would free parking produce more or less activity in the downtown?
4. Can street meters be bagged and City use license recognition software to enforce time limited free parking?
5. There is free parking in town every day.
6. There is positive feedback from last year re free parking during Thanksgiving weekend.
7. There is concern that the meters will not get turnover and will have a negative impact on merchants.
8. A lot of free parking already exists in the lots on Saturdays.
10. Asked SDI asked to describe what the benefits of free parking would be.
11. Has SDI or the Suburban Chamber of Commerce considered contributing monies towards

loss of parking revenue?

12. Dynamics of merchant user types in the downtown is changing.
13. City wants to help the downtown, but not create unintended consequences.
14. The City is willing to work towards possible solutions.
15. It must be recognized that the City has made significant investments in the downtown.
16. Downtown merchants have to be prepared to be part of the financial equation.

Marin Mixon, Executive Director - Summit Downtown Inc., commented as follows regarding both requests:

Free Parking - Saturday after Thanksgiving provides a great benefit to shoppers and merchants.

Free Parking on Saturdays from 12/12 - 12/24:

1. Gives the downtown an opportunity to shine and provide a great debut of the downtown beautification work that has been done.
2. Surrounding communities give free parking, such as Cranford, Westfield, Princeton, Englewood, Morristown, West Orange, etc.
3. The Short Hills Mall provides free parking.
4. Free parking in Summit provides goodwill to shoppers.
5. Available parking is vital to the downtown.
6. SDI and the Chamber would evaluate the success of free parking after the holiday season is over.
7. Neither SDI nor the Chamber could offer monies towards parking revenue loss, but can offer to educate property owners and merchants.
9. If the City is not willing to provide free parking for two weeks in December, will it consider the Thursday, Friday and Saturday during the same two weeks?
10. SDI and the Chamber are willing to work with the City through education and enforcement to get a pilot program started this year.
11. Occupancies in the downtown consists of 40% retail and 60% offices.

Karen Hadley, Executive Director - Suburban Chamber of Commerce:

1. The Chamber supports SDI's request and Mixon's comments.
2. Berkeley Heights and New Providence have free parking and are glad that Summit does not so that shoppers go to their towns.
3. Asked if revenue from the PGA could go towards a free parking initiative.

Council President McTernan thanked everyone for their input and SDI and the Chamber for the advance request so that discussions with the Summit Parking Advisory Committee and the Parking Services Agency could take place.

### **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.

ADJOURNMENT REGULAR MEETING

Respectfully submitted,



Rosalia M. Licatese Licatese  
City Clerk

Minutes Attachments

- Governor Christie's Fair Tax Proposal - Steven Bowman, 111 Beekman Terrace

*The official copy, as approved by the Common Council including any and all amendments, and signed by the City Clerk, is on permanent file in the City Clerk's Office.*

Support for Gov. Christie's Fair Tax proposal

Good Evening Madam Mayor, Council President and distinguished members of Council

My name is Steve Bowman, 111 Beekman Terrace here is Summit.

I fully support Governor Christie's proposed Fair Tax proposal currently being discussed. We here in Summit we have a safe community and a nationally ranked school system, 79 in the nation. We have a school budget of 60 million to support our 4100 students which comes out to approximately \$ 15,000 a student. These numbers are consistent with other school districts. I realize the Board of Education is responsible for the Budget. Wouldn't it be a good thing to help them out with additional funds or lower our tax bill?

The tax plan that Governor Christie is proposing is to provide consistent funding across New Jersey to all students. We want a government that treats all equally and this plan would provide \$6,599 per student. Let's run those numbers really quick  $4,100 \times 6,599 =$  approx. 27, million dollars. In 2015 Summit received about \$400 per student or 1.6 million dollars....let that sink in. Other school districts have received over 33 K per student almost 2xs what Summit Spends! There are plenty of additional examples of outliers across the state, the question becomes where do those funds go?

Summit Common Council and Board of Education have done admirable jobs keeping our local taxes controlled, but our taxes here continue to rise. The culprits are Union County and the State of NJ. For Summit not support a plan that can start some inflows of proceeds back to Summit is irresponsible on the council's part. Council has been elected to watch our finances which means not only looking for ways to control expenses, but for ways to increase revenue.

Some quick statistics on Property taxes the national average is \$2,127 per household. New Jersey is the state with the highest an Average of \$7,335 per household, ~~Union County's Average is 10,521~~. I know my property tax number...got to love that quarterly bill don't you?

Do I think the plan will pass in the current level? Probably not, but as any negotiator knows you need to start at a high reasonable position so where we end up is fair tax plan across the board.

With that I mind I encourage everyone to support this plan which should lead to more reasonable property tax experience for City of Summit residents.

Thank you

Steve Bowman

908 410-7682