

**MINUTES OF REGULAR MEETING
TUESDAY, MARCH 7, 2023
COMMON COUNCIL OF THE CITY OF SUMMIT**

Distributed: 3/16/23

Approved: 3/21/23

The meeting was called to order by Council President Pro Tem Susan Hairston at 7:30 PM. The City Clerk then read the following notice:

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.

CALL TO ORDER

ROLL CALL

PRESENT: Councilmembers Lisa Allen, Marjorie Fox, Jaime Levine, Andy Minegar, Delia Hamlet, and Council President Pro Tem Susan Hairston.

ABSENT: Council President Vartan

Also in attendance were Mayor Radest and staff members Michael Rogers, City Administrator; Rosemary Licatase, City Clerk; Aaron Schrage, DCS Director; Eric Evers, Fire Chief, Steven Zagorski, Chief of Police and Matthew Giacobbe, City Solicitor.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Regular and Closed Session Meetings of February 21, 2023 - Upon motion of Councilmember Minegar, duly seconded, the minutes were 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

ORDINANCE(S) FOR HEARINGS

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

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
<u>SAFETY & HEALTH</u>		
23-3275	AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-11.2, STOP INTERSECTIONS DESIGNATED (4-Way Stop: Prospect Street and Blackburn Road)	02/21/23

Councilmember Fox advised that Ordinance #23-3275 for hearing did not include the traffic study in the March 7 agenda packet, explaining that the study supports the recommendation for the four-way stop. She explained that all who were present for the hearing at this council meeting would have the opportunity to speak.

She further advised that after all members of the public have had the opportunity to speak during the hearing, she planned to make a motion to continue the hearing to the next council meeting on March 21, 2023, when the hearing will be re-opened to the public for comment, followed by final consideration of the ordinance.

In addition, Councilmember Fox advised that the traffic study would be included in the March 21 council agenda packet so that the public would have an opportunity to review it before the continued hearing on March 21.

In response to a question from Councilmember Allen, DCS Director/City Engineer Aaron Schragger explained the process of notification to neighbors advising them of the improvement project.

In response to a question from Councilmember Allen, Chief Zagorski responded as follows:

1. The four-way stop is used to modify behavior rather than for enforcement.
2. The Police Department plans daily coordination with the Parking Services Agency for enforcement.

Steve Biasio, Prospect Street:

1. Shared concerns regarding noise generated by four-way stops.
2. Cars stopping and going increase energy consumption and creates carbon footprint.
3. Recommended pause in moving forward with ordinance.
4. Parking rules in the area are frequently violated, attributed to private school students and staff.
5. Oak Knoll is planning to build a garage on its property which may alleviate parking issues.
6. Raised concerns with site line issues at the Prospect/Blackburn intersection.
7. Suggested no parking 100 feet from corner to reduce illegal parking and increase safety, instead of installing four-way stop.

Councilmember Hamlet advised that she would share Mr. Biasio's suggestions to the City's Parking Advisory Committee.

Councilmember Fox:

1. Shared the benefits of a four-way stop.
2. Explained some of the challenges at all schools during pickup and drop-off.

Claire Toth, Sunset Drive, expressed her support for the four-way stop and read a prepared statement, which is hereto attached.

Dorrie Gagnon, Bedford Road:

1. Many stop signs have been installed but not changing behavior.
2. Drivers are not noticing the four-way stops.
3. Schools are not following parking regulations.
4. Spoke of noise generated by four-way stops.
5. Asked for clarification of notice regarding area improvement project.

In response, Mr. Schragger reiterated that notification was sent to all neighbors on Prospect Street.

Councilmember Hamlet questioned various aspects of the traffic study.

Richard Avery, Valley View Avenue:

1. Questioned if local guidelines are consistent with federal guidelines.
2. Shared experiences with coming through the intersection of Prospect and Blackburn and expressed support for the proposed four-way stop.
3. Enforcement of parking rules is needed.
4. Carefully consider noise pollution generated by four-way stop.

David Hallenborg, Prospect Street:

1. Expressed his hope that the city will wait for Oak Knoll School to complete its parking garage plan.
2. Shared concerns regarding his driveway on Blackburn and it being blocked with cars cuing up to the four-way stop.
3. Shrubs on his property are high to slow down traffic.
4. Traffic condition is more of an enforcement issue, asked City to consider other options.

Upon motion of Councilmember Fox, duly seconded by Councilmember Hairston, the hearing was continued to March 21, 2023.

Proof of publication of the introduction of this ordinance, published in the Union County Local Source of February 23, 2023, 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:

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
<u>SAFETY & HEALTH</u>		
23-3275	AN ORDINANCE AMENDING THE CODE, CHAPTER VII, TRAFFIC, SECTION 7-11.2, STOP INTERSECTIONS DESIGNATED (4-Way Stop: Prospect Street and Blackburn Road)	02/21/23

RESULT:	TABLED	Next: 3/21/2023 7:30 PM
----------------	---------------	--------------------------------

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

40651 1. Authorize Emergency Temporary Appropriations - Municipal Operating Budget

RESULT: APPROVED [UNANIMOUS]
MOVER: Minegar
SECONDER: Allen
AYES: Allen, Fox, Hairston, Hamlet, Levine, Minegar
ABSENT: Vartan

40652 2. Authorize Emergency Temporary Appropriations - Parking Utility

RESULT: APPROVED [UNANIMOUS]
MOVER: Minegar
SECONDER: Allen
AYES: Allen, Fox, Hairston, Hamlet, Levine, Minegar
ABSENT: Vartan

CAPITAL PROJECTS & COMMUNITY SERVICES

40653 1. Reject Bids and Authorize Re-advertisement - Rowan Road and Oak Ridge Avenue Improvement Project

40654 2. Award Bid - 2023-2024 Professional Landscape Maintenance Services - \$195,580.00

COMMUNITY PROGRAMS & PARKING SERVICES

40655 1. Authorize Grant Application Submission - 2023 American Platform Tennis Association Grant

40656 2. Amend 2023 Council Liaison Assignments to Add Council Liaisons to GRACE Board of Trustees

40657 3. Appoint Summit Parking Advisory Committee Member

SAFETY & HEALTH

40658 1. Declare Vacancies - Police Department - Police Lieutenant, Sergeant, and Officer

40659 2. Confirm Appointments - Police Department - Police Lieutenant & Sergeant

LAW & LABOR

40660 1. Authorize Extension of Sick Leave With Pay - Department of Community Services - Division of Public Works

40661 2. Authorize Extension of Sick Leave With Pay - Department of Community Services - Code Division Employee

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: Fox
SECONDER: Minegar
AYES: Allen, Fox, Hairston, Hamlet, Levine, Minegar
ABSENT: Vartan

COMMUNITY PROGRAMS & PARKING SERVICES

40662 Authorize Parking Services Director Attendance - International Parking and Mobility Conference (IPMI)

LAW & LABOR

40663 Authorize Deputy Clerk Attendance - 2023 Municipal Clerks Association of New Jersey Annual Conference

CAPITAL PROJECTS & COMMUNITY SERVICES

- 40664 1. Authorize Planning & Zoning Board Escrow Refunds
- 40665 2. Authorize Refund - Construction Permit Fee - Permit #22-76760
- 40666 3. Authorize Change Order #3 & Final - City Hall AC Chiller Replacement Project - (-\$412.05)

FINANCE

- 40667 1. Authorize Refund - Overpayment of First Quarter 2023 Taxes (-\$31,028.04)
- 40668 2. Authorize Payments - 2023 Shared Dispatch Center Quarterly Assessments
- 40669 3. Authorize Payment of Bills and Payroll - \$1,307,376.55

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.)

CAPITAL PROJECTS & COMMUNITY SERVICES

(ID # 10283) Effect of Downtown Road Work on Potential for Seasonal Closure of Maple Street

Councilmember Levine read from a prepared statement, which is hereto attached.

Councilmember Minegar spoke of the plan for improvements by PSEG and referenced a video on pseg.com regarding the Gas Modernization Program.

Councilmember Hamlet suggested ways to reflect on how processes can be improved and referenced an After Action Plan (AAP) process she used during her military service.

Mayor Radest:

- 1. PSEG improvements is a crucial project.
- 2. There are anticipated challenges in the downtown during the project and citizens must be patient.
- 3. This is a good time for the City to do its due diligence in considering all aspects of a potential seasonable closure, such as seeking guidance from professionals, DOT approval, associated traffic studies, as well addressing community concerns.

Councilmember Allen:

- 1. People were concerned regarding the process pertaining to a closure.
- 2. Citizens want to insure that the City is doing the right thing now.
- 3. Both sides need to be heard.

4. Good opportunity to look at process.

Mayor Radest agreed that both sides have valid concerns.

Councilmember Fox:

1. Council did follow process, seeking guidance from city attorney, DOT, professionals, Police and Fire Chiefs.
2. City would not close Maple without following process.

Council President Pro Tem Hairston:

1. Role of Council and the Mayor is to look at all sides regarding legality and safety and community input.
2. Never wrong to look at ways to improve civic engagement.
3. During PSEG project, important for the community to be patient, support local businesses and adhere to parking regulations.

Rosemarie Zotti, Shunpike Road, shared her thoughts regarding the importance of emergency response, referencing a fire in the downtown which occurred approximately 55 years ago, emphasizing that roads are not for tables and parklets.

Diego Hoic, Argyle Court:

1. It is good that City does not have to consider closure of Maple Street this year.
2. This is an opportunity to go through the proper process.
3. Council needs to keep the community informed of PSEG progress throughout project.

Mayor Radest advised that the community will be kept apprised of PSEG's progress through the City's Communications Office.

In response to Robert Pawlowski, Crest Acre Court, City Solicitor Giacobbe explained the role and process of the DOT relative to road closures.

Mayor Radest advised that now that PSEG will be working in the downtown, this is the City's opportunity to work through the application process with the DOT.

Discussion amongst Councilmembers ensued regarding the process for referring such matters through the Council's Discussion, Action, Referral process, whereby the appropriate committee receives a formal request, holds in-committee discussion and then allows for community engagement.

PUBLIC COMMENTS

Historic Preservation Commission Volunteer Position - Robert Pawlowski, Crest Acre Court, inquired about the volunteer opening on the Historic Preservation Commission ("HPC"). In response, President Pro Tem Hairston explained the volunteer process and advised that for now the HPC alternate remains vacant.

City Solicitor Giacobbe explained that the process of deliberation of volunteer appointments, advising that such matters are sensitive and discussed in Closed Session.

Open Public Records Act Requests ("OPRA") - In response to questions from Dorrie Gagnon, Bedford Road, regarding how to submit an acceptable request for access to public records (OPRA requests), relative to her recent experience with having requests not producing any responsive records. In response, City Clerk Licatese explained the difference between retrieval of records and doing research for records, relative to how OPRA requests are written.

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.

Council Committee Updates:

Councilmember Allen, as Chair of the Administrative Policies Committee (AP), advised that a representative of PSEG is scheduled to make a presentation at the next Council meeting on March 21 to provide an update on current and upcoming projects in Summit.

Councilmember Hamlet, as Chair of the Community Programs and Parking Services Committee (CPPS) provided an update on various matters being discussed in committee, such as safety sticks, as well as Community Development Block Grant projects.

Councilmember Minegar, as Chair of the Finance Committee, spoke of the committee's work on drafting the City's operating budget. Councilmember Minegar also advised that the Silver Summit Senior Citizen's Advisory Committee will be re-starting and one of the topics it will be discussing and sharing with the community is the State Senior Freeze Tax Program.

Councilmember Fox, as a member of the Capital Projects and Community Services Committee, advised that federal grant funding in the amount of \$250,000 was received for the Parkline project.

Councilmember Fox, as Chair of the Safety/Health Committee spoke of pedestrian improvements as well as the Police Department's efforts in schools to raise awareness of the importance of vehicle and pedestrian safety.

President Pro Tem Hairston, as Chair of the Law/Labor Committee, advised of the committee's joint efforts with the AP Committee and the City Clerk regarding a volunteer training initiative.

ADJOURNMENT REGULAR MEETING - Upon motion of Councilmember Allen, duly seconded and unanimously approved, the meeting was adjourned at 10:45 pm.

Respectfully submitted,

Rosalia M. Licatese, City Clerk

MINUTES ATTACHMENTS

1. Comment - C. Toth, Sunset Drive, re Hearing on Pending Ordinance #23-3275
2. Statement – Councilmember Levine, regarding Effect on Downtown Roadwork by PSEG on Potential for Seasonal Closure of Maple Street

Comment - Ordinance for Hearing #23-3275

3/7/23 Council Meeting

Claire Toth

11 Sunset Drive

Good evening. I'd like to speak in favor of installing a four way stop, or some other traffic control measure, at the corner of Blackburn Road and Prospect Street.

Like many of us, I've developed convoluted driving routes to get me through town with the least congestion and the most right of ways.

A few years ago, Summit took away my right-of-way at Blackburn Road and Pine Grove Avenue. That was the right decision—cars on Blackburn Road flew through that intersection.

More recently, Summit took away my right-of-way at Prospect Street and Tulip Street. That was the right decision—getting through that intersection had become a game of chicken.

Now Summit wants to take away my right-of-way at Prospect Street and Blackburn Road. It's the right decision. Driving east towards town in the morning, cars backed up on Blackburn Road push through the intersection too close to cross traffic. Driving west away from town in the evening, light from the sun—or from headlights—hits at such an angle that a left turn onto Blackburn Road is almost blind. Controlling traffic at the intersection may lengthen drive time, but it will be a significant safety upgrade.

Thank you.

CAP DAR – March 7, 2023
Levine Statement

As Mayor Radest shared in her report, the next phase of the PSE&G project to replace aging gas pipes in locations throughout Summit is scheduled to begin later this month and continue through the end of June 2023. This phase will heavily involve our Central Retail Business District, also known as our downtown. Specifically the work will involve:
Parts of Springfield Ave, Maple St, Beechwood Rd, Woodland Ave, Deforest Ave, and Kent Place Blvd

This critical infrastructure must progress as scheduled as because the underground gas lines we have are outdated and dangerous. They are subject to leakage as well as suboptimal functionality regarding delivery of gas power. At our next Council meeting, a representative from PSE&G will be here to answer questions. We cannot stand in the way of utility projects. We have to accommodate them. But as long as we maintain a good relationship, which we have, we accommodate each other.

Many of our streets are already torn up, awaiting repair. We, as are you, are frustrated by this and not pleased to learn that there is talk of more tearing up streets before existing open areas are rehabilitated and re-paved from curb to curb. As a reminder, the Utility Companies or the County of Union are responsible for these repairs, not the City of Summit. And as I just stated, we have to accommodate the utilities; but as long as we maintain a good relationship, we accommodate each other.

As I stated at the last Council Meeting, we have been actively tracking the arrival of PSE&G to our downtown. They are scheduled for the absolute worst time with respect to outdoor enjoyment of our downtown during the Spring and Summer months. While this didn't come as a surprise, we were hoping that their estimated timeline for project completion would allow for the possibility of a short window for Maple Street closure, but the recommendation of the Capital Projects and Community Services committee is that the outlined project scope and dates precludes any closure of Maple Street for the 2023 outdoor dining season.

The purpose of this DAR is to discuss publicly as a Council the possibility of a Maple Street closure given this information from PSE&G.