

**MINUTES OF SPECIAL MEETING
MONDAY, JUNE 29, 2020
COMMON COUNCIL OF THE CITY OF SUMMIT**

Distributed: 7/29/2020, 8/27/2020
Approved: 9/1/2020

The meeting was called to order by Council President Marjorie Fox 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 Special Meeting Notice, dated June 22, 2020 which set forth the date, time, and place of this meeting which was properly posted and distributed per statutory requirements.

Note: This meeting was held via video conference by all attendees.

CALL TO ORDER

ROLL CALL

PRESENT: Councilmembers Bowman, Hairston, Little, Naidu, O’Sullivan, Vartan and Council President Fox

ABSENT: M. Rogers, City Administrator; T. Baldwin, City Treasurer, A. Bartolotti, Chief of Police

Also in attendance were Mayor Radest and staff members Paul Cascais, DCS Director; Eric Evers, Fire Chief; Rosemary Licatase, City Clerk; Steven Zagorski, Police Captain; R. McNany, Parking Services Manager; Matthew Giacobbe, City Solicitor and N. Sarna, Deputy Clerk.

PLEDGE OF ALLEGIANCE

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:

LAW & LABOR

- 39387 1. Authorize Execution of Lease/License Agreement - Use of Sidewalk at 34, 38, 40, 42 and 44 Maple Street by Truhaven Enterprises, Inc., DBA Fiorino Ristorante

Davin Czuckoski, 34 Maple Street:

1. Wanted to understand what the conflict resolution would be between local businesses on Maple Street.
2. Shared concerns that the area on Maple Street used by restaurants will be so large that it will not work well for competing businesses.
3. Concerned about how drive-up to his business will occur.

Council President Fox:

1. Advised that the resolution authorizing the Maple Street road closure was considered and adopted at the last council member on June 23.
2. Clarified that when Maple closed, sidewalks will be open, so it will not interfere with customers accessing competing businesses on Maple.
3. The area in front of 34 Maple is not a loading zone or pickup spot.
4. City is doing whatever it can to accommodate competing needs.

Councilmember Little stated that under sidewalk café plans, it is specified that the restaurants must comply with the maintenance of a 4 ft. pedestrian walkway.

Matthew Dikovics, 47 Maple Street, questioned the formula used by the city for calculating liquor license fee associated with sidewalk cafes/ outdoor dining

In response, Council President Fox commented as follows:

1. Explained that the regular calculation to determine the liquor license lease fee would normally be determined by the square footage of the area being used for sidewalk café / outdoor dining.
2. The goal here is not for the City to make money, but to help businesses re-open, so the governing body chose to apply the sidewalk cafe fee structure instead of using the square footage formula.

Councilmember Vartan:

1. Calculating the fee using the sidewalk café seating fee structure allows the City to impose a lesser fee.
2. Advised what the fee structure was in an effort to assist in anticipating what the lease fee will be for liquor license holders in lieu of the square footage formula, which, he advised, is significantly less.

39388 2. Authorize Execution of Lease/License Agreement - Use of Sidewalk in Front of UPS Store, 55 Union Place by The Office of Summit, LLC, DBA The Office Tavern Grill

Councilmember Naidu wished to clarify that it was his understanding that the use of the sidewalk in front of the UPS store by the Office Restaurant would only be allowed when the UPS store is closed. He expressed the need to amend the resolution if the hours of operation were not specified.

In response Councilmember Bowman advised that the resolution does not speak to any condition for hours of sidewalk cafe operation in front of the UPS store sidewalk.

Parking Services Manager, Rita McNany agreed that permission for use of the sidewalk in front of the UPS store by the Office Restaurant would be only be allowed when the UPS store is closed.

Councilmember Little concurred with the need for clarification and said that the Office Restaurant would only be allowed to operate the sidewalk cafe during the UPS store's off hours -
- 1) after 6:30 pm on weekdays; 2) after 3:30 pm on Saturdays; 3) Anytime on Sundays.
Councilmember Little asked the City Solicitor if it was necessary to amend the resolution to reflect the allow hours of operation.

In response, City Solicitor Giacobbe advised that The Office Restaurant and UPS have a separate agreement which specifies the allowed hours of operation, and therefore, it not necessary to amend resolution to reflect same and that the city was authorizing the use of the sidewalk for a sidewalk café.

In response Councilmember Naidu pointed out that although an agreement may exist between the two parties, the City has an interest and obligation in ensuring the flow of the number of people in the area and felt that the hours of operation should be documented by the City.

City Clerk Licatese suggested that if acceptable, the allowed hours of operation could be included on the actual sidewalk café permit, as a special condition, pointing out that the permit would have to be on display during the operation of the sidewalk café.

The City Solicitor advised that the City Clerk's suggestion was acceptable and that the resolution should include the language authorizing the sidewalk café subject to the restrictions as specified on sidewalk cafe permit, to which no disagreement was put forth.

CAPITAL PROJECTS & COMMUNITY SERVICES

- 39389 1. Authorize Use of Maple Street and Execution of Lease/License Agreement - Truhaven Enterprises, Inc., DBA Fiorino Ristorante
- 39390 2. Authorize Use of Maple Street and Execute Lease/License Agreement - All My Friends LLC, DBA Summit House Restaurant and DBA Bar Bacoa
- 39391 3. Authorize Use of Maple Street and Execute Lease/License Agreement - Harvest Restaurants T/A Roots Steakhouse
- 39392 4. Approve Temporary Parklet Location, Authorize Installation of Same at 61 Union Place & Execute Lease/License Agreement - The Office of Summit, LLC DBA The Office Tavern Grill
- 39393 5. Authorize Temporary Parklet Location & Authorize Installation & Execute Lease/License Agreement for Extension of Liquor License Premises - Villa Restaurant Group, DBA Piattino at 67 Union Place
- 39394 6. Approve Temporary Parklet Location at 7 Union Place & Authorize Installation of Same - Pizza Vita

- 39395 7. Approve Temporary Parklet Location at 10-12 Bank Street & Authorize Installation of Same - Serra Restaurant
- 39396 8. Approve Temporary Parklet Location at 427 Springfield Ave & Authorize Installation - Ani Ramen
- 39397 9. Approve Temporary Parklet Location at Bank Street & Authorize Installation of Same - Summit Greek Grill

ADJOURNMENT SPECIAL MEETING

Upon motion of Councilmember Naidu, duly seconded and unanimously approved, the special meeting was adjourned at 8:25 pm.

Respectfully submitted,

Rosalia M. Licatese
City Clerk