

**MINUTES OF REGULAR MEETING
TUESDAY, JANUARY 18, 2022
COMMON COUNCIL OF THE CITY OF SUMMIT**

Distributed: 1/27/22
Approved: 2/1/22

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’s Office in the preparation of the Council Annual Meeting Notice, dated December 30, 2021, 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.

The City has a Listening System to assist the hearing impaired. If anyone needs hearing assistance, please obtain the system at the Dais and return it thereafter.”

ROLL CALL

PRESENT: Councilmembers Lisa Allen, Susan Hairston, Beth Little (*virtual*), Andy Minegar, Danny O’Sullivan, Greg Vartan (*virtual*) and Council President Marjorie Fox.

ABSENT: None

Also in attendance were Mayor Radest and staff members Michael Rogers, City Administrator; Tammie Baldwin, City Treasurer; Eric Evers, Fire Chief; Rosemary Licatese, City Clerk; Aaron Schrager, DCS Director; Steven Zagorski, Acting Chief of Police; Ronald Kavanagh, Acting City Solicitor; Matthew Giacobbe, City Solicitor (*arrived at 7:50 pm*).

Minutes of this meeting are recorded on CD # 2022-02

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Regular and Closed Session Meetings of December 14, 2021 Upon motion of Councilmember Hairston, duly seconded, minutes were hereby approved, with Councilmember Minegar abstaining from the vote.

January 4, 2022 Organization Meeting - Upon motion of Councilmember Hairston, duly seconded, 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

Mayor's Report:

Motor Vehicle Theft – “On the topic of motor vehicle thefts, I would like to start by saying that I am extremely pleased with and thankful for the job our Acting Chief is doing. His expertise in criminal investigations is valued here. He and his command team have the resources they need from mayor and council to work the problem, but it is a statewide issue. Westfield Mayor Shelley Brindle recently wrote in an email to me: If cars remain unlocked these criminals will continue to come into our neighborhoods. I could not agree with her more.

To that end, earlier in the week, I sent an email to the mayors and Police chiefs of the surrounding municipalities inviting them to a joint conversation to share best practices and work toward a solution to combatting this unacceptable criminal activity. In the last five years 98% of the car thefts in Summit were unlocked with the key fobs accessible. By doing so, we have succeeded in making our city a ready target for this organized crime. In 2018, a year in which we had 13 car thefts, then Chief Robert Weck stated the following at a council meeting, and I quote: I only ask those that continue to put all of us in harm's way to please stop thinking of only yourselves and instead, think about your neighbors and your own family members whose safety you are compromising by leaving your keys in your unlocked vehicle. If you think that I'm trying to scare you, I am, because enough is enough. We also heard from Chief Andrew Bartolotti asking much the same. I agree with the chiefs.

I am not blaming residents, but I am urging individual responsibility. Later this evening, Chief Zagorski will address the important steps the Summit Police Department is taking to combat this problem.”

Council President's Report:

Motor Vehicle Thefts – “On the subject of the recent motor vehicle thefts in Summit, my opinion mirrors what Mayor Radest just stated. I look forward to hearing from members of the public and from Acting-Chief Zagorski on the role of the Summit Police Department in combatting criminal activity in Summit.”

PRESENTATIONS

Summit Free Market Certificates of Recognition - Volunteer members of the Summit Free Market and recipient's of the Governor's Excellence Award, Christine Lijoi, Christopher Harrison, Gillian Heimple, Sophie Malik, and retired member Amy Cairns, provided a short video presentation of the Summit Free Market, showcasing the facility as well as the operation of same.

After the video presentation, each member introduced themselves and said a few words about their respective roles and their accomplishments.

Mayor Radest and Council President Fox then presented Certificates of Recognition to each volunteer thanking them for their hard work and dedication to the establishment and operation of the Summit Free Market building and program.

PUBLIC COMMENTS

Car Thefts and Safety Concerns - Members of the public, as listed, shared their thoughts, suggestions and concerns regarding the recent car thefts in Summit.

- Amy DiSibio, Essex Road (read prepared statement, attached)
- Tim Swope, Hobart Avenue
- Monica Richter, Fernwood Road
- Lisa Glasband, Fernwood Road (read prepared statement, not provided)
- Dennis Cole, Fernwood Road
- Angela Schroeder, Essex Road
- Haley Telling, Oak Ridge Avenue
- Delia Hamlet, Brantwood Drive

Key points were as follows:

1. Lack of police presence on Hobart, need more pro-active policing.
2. Disappointment in lack of public service announcement after attempted car theft on Fernwood last week.
3. Suggest closing access points leading to Rte. 24.
4. Criminal activity seen at least once per day. Police are under reporting the statistics.
5. Implore Council to have a plan to combat crime/theft in the town.
6. Incident of strong-arm robbery involving Summit resident still has not been processed by Union County eight months later.
7. Suggest police patrol shifts/resources be re-allocated.
8. What is being done by the police department currently is not working.
9. Criminal activity occurs almost every night on Fernwood Road.
10. New technology available to safeguard residents against crime and suggest police department and council explore it.

Children - Required to Wear Masks at Daycare - Irwin Miller, Knob Hill Drive, introduced himself as a new resident to Summit and spoke of his concerns regarding his day care provider making it mandatory that his 3-year old wear a mask at the daycare facility.

Virtual Attendance at Council Meetings - Eileen Loschert, Lenox Road, questioned why council members were attending the council meeting virtually.

Safety Concerns Regarding Recent Car Thefts - The City Clerk advised that several emails were received for public comment from the individuals listed below.

Clerk Licatase summarized the emails as follows and are attached hereto.

“The following residents sent in emails for public comment this evening, which were similar in nature. These residents shared concerns regarding the recent uptick in car thefts and asked what the City and the police department are doing to address the issue, asking about what safety measures are being implemented and if there are plans for public service announcements by the Mayor to raise public awareness.

- Debbie Lyons, Greenbriar Drive
- Nora Shaila Dwyer McLaughlin, “North Side Resident”
- Cathy and John McDonald, address not provided
- Matthew Sloane, address not provided
- Lauren Smith, address not provided
- Myung Bondy, address not provided

Loud Cars on Park Avenue - Edward Dougherty, Park Avenue resident, sent in an email, summarized by the City Clerk and hereto attached, regarding the level of noise generating from cars in his neighborhood that have after-market exhaust systems.

In response to comments made regarding recent car thefts, Chief Zagorski asked for the public’s cooperation by not leaving key fobs and always locking cars. He advised that the police department is addressing policing and emphasized the importance of the police and the community working together.

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:

CAPITAL PROJECTS & COMMUNITY SERVICES

- 40129 1. Authorize Execution of Second Amendment to The Access Agreement by and Between the City of Summit and Broad Street West Managers I LLC - Broad Street West Redevelopment Area
- X 2. Execute Memorandum of Understanding with Summit Public Art - Promenade Fountain *(pulled)*
- 40130 3. Authorize On-Line Auction of Unneeded City Equipment and Unneeded Vehicles
- 40131 4. Summit Economic Development Advisory Committee - Amend Membership and Appoint New Member
- 40132 5. Declare Vacancy - Department of Community Services - Division of Public Works - Buildings & Grounds Unit - Part Time Custodian
- 40133 6. Declare Vacancy - Department of Community Services - Division of Public Works - Roads Unit - Maintenance Worker

LAW & LABOR

- 40134 1. Authorize Execution of Annual License Agreement - The Office of Summit, LLC d/b/a The Office Tavern Grill
- 40135 2. Authorize Execution of Annual License Agreement - Use of Sidewalk, Select Restaurants, Inc.
- 40136 3. Authorize Execution of Annual License Agreement - The Office of Summit, LLC d/b/a Piattino Neighborhood Bistro

FINANCE

- 40137 1. Authorize Transfer of Appropriations - Operating Budget

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Vartan
SECONDER:	Hairston
AYES:	Allen, Fox, Hairston, Little, Minegar, O'Sullivan, Vartan

- 40138 2. Approve One-Year Contract Extension - Grant Writing Services - Millennium Strategies, LLC Not to Exceed \$42,000.00 Per Contract Year
- 40139 3. Establish Procedure Authorizing Special Tax Appeal Attorney, Upon Advice of and After Request from the Tax Assessor, to File Corrective Appeals, Counter Petitions and Counter Claims, and Stipulations of Settlement with the Union County Tax Board and the New Jersey Tax Court
- 40140 4. Authorize Accrued Time Payout - Department of Community Services - Uniform Construction Code (UCC) Employee

SAFETY & HEALTH

- 40141 1. Appoint Probationary Firefighter
- 40142 2. Appoint Police Officer

ADMINISTRATIVE POLICIES & COMMUNITY SERVICES

- 40143 Establish Ward Commission

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:	Hairston
SECONDER:	O'Sullivan
AYES:	Allen, Fox, Hairston, Little, Minegar, O'Sullivan, Vartan

CAPITAL PROJECTS & COMMUNITY SERVICES

- 40144 1. Grant Permission and Set Forth Conditions - Placement of Promotional Sign on Village Green - Summit High School Spring Musical
- 40145 2. Refund Storm Sewer Connection Deposit - 124 Hobart Avenue

FINANCE

- 40146 1. Authorize Payments - 2022 Joint Meeting Quarterly Assessments - \$2,259,522.00
- 40147 2. Authorize Refunds - Department of Community Programs
- 40148 3. Confirm Payment of Bills and Payroll - December 14 - 31, 2021
- 40149 4. Authorize Payment of Bills and Payroll \$2,063,490.90

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.

Car Theft Statements During Public Comment - Councilmember Allen commented as follows:

- 1. Shared what attracted her to Summit.
- 2. Speaking as a parent, she shared concerns regarding safety due to the recent increase in crime.
- 3. Stated that she looks forward to working with council and Chief Zagorski to address the concerns shared during Public Comment this evening.

Councilmember Hairston commented as follows:

- 1. Served on the Safety & Health Committee in 2021 and during her time on the committee heard about crime issues repeatedly.
- 2. There is no one on council who is not concerned with community safety.
- 3. Acknowledged the professionalism of the police department and emphasized that the thefts are not just a Summit problem.
- 4. The county, state and car manufacturers all have responsibility in this issue.
- 5. The seven places of egress (access points) referenced earlier have existed for a very long time.
- 6. Resident fear needs to be addressed.
- 7. Police Department strategies should not be made public and doing so will impede on the police department's ability to police effectively.
- 8. Applauds the Mayor for reaching out to mayors in neighboring towns to discuss the issue.

Councilmember Little:

1. The Summit Police Department is the best department she has worked with. The department is very well run and police are very well trained and professional.
2. She has worked with three Chiefs of Police and assured everyone that this problem is being taken very seriously.
3. Let the police do their job.
4. Agrees that this problem is not just a Summit problem.
5. Car theft is easier when key fobs are left in the car.
6. Crime is being dealt with by the Summit Police Department and not being ignored.
7. The Safety & Health Committee is working on this issue and needs a partnership with the residents.

Councilmember Vartan:

1. When the police department asks for resources, Council never denies its requests.
2. Simple solution is to lock cars.
3. City is proactive in relieving the burden on police department resources.

ADJOURNMENT REGULAR MEETING

Upon motion of Councilmember Hairston, duly seconded and unanimously approved, the meeting was adjourned at 9:12 pm.

Respectfully submitted,

Rosalia M. Licatese, City Clerk

MINUTES ATTACHMENTS

1. Public Comment - A. DiSibio, re Car Thefts
2. Public Comment - D. Lyons, re Car Thefts
3. Public Comment - N. McLaughlin, re Car Thefts
4. Public Comment - C. & J. McDonald, re Car Thefts
5. Public Comment - M. Sloane, re Car Thefts
6. Public Comment - L. Smith, re Car Thefts
7. Public Comment - M. Bondy, re Car Thefts
8. Public Comment - E. Dougherty, re Loud Cars on Park Avenue

Amy DiSibio, 1 Essex Road

Public Comment 1/18/21: Crime in Summit

I'm hopeful that the attitude towards crime and the criminals committing crime in our city will change. It needs to be more honest. Our residents don't feel secure because what we're hearing from our leaders doesn't really feel right. It doesn't feel accurate and it doesn't feel supportive. In fact, it sometimes feels like the victims themselves are the "bad guys".

Back in April, the communication from the City and the County with respect to the abduction on Fernwood was that "Summit Police THWARTED an ATTEMPTED abduction". The definition of "thwart" is "to prevent". "Attempt" means "to try", and when preceded by "thwart", the phrase implies that the situation was avoided. Now, this poses a problem since the videos from the incident were widely shared and everyone was able to see, for themselves, a girl being picked up, being stuffed into the back of a vehicle, and the vehicle driving off. "Summit Police Thwart an Attempted abduction" is an inaccurate, at best, report. Most people don't believe it's an honest account of what happened. (However, kudos to the officers who were able to apprehend the abductor a few hours later)

Along the same lines, to many of us, the messaging from the City with respect to the endless car thefts and attempted car thefts, feels wrong. The criminals cruising 24/7 are not to blame, instead, the residents are getting what we deserve.

This week's message from the city: "Again. What can we say to convince you to secure your vehicles so this criminal activity will stop? "

Is the takeaway supposed to be a warning that if you accidentally leave a key fob in your car, you're penalized, and the penalty is that you lose your vehicle?

To put this in context, these cars are parked on private property that's being trespassed upon. These vehicles are actually not "up for grabs" and our residents are not the "losers" who can't seem to get the play right in this sick game of "Keep Away". In fact, this is really more like a game of Grand Theft Auto, and we need to treat it as such.

Wouldn't it be better if the communication from the city instead included information with descriptions of the criminals? Their cars? How about photos? How large are their gangs? How are they stalking us? Would should we do if they approach us walking to or from our vehicles? How about if they try and take the key fobs from our person? Or from our kids? Are the thieves armed?

Clearly, we all need to try and be more vigilant with our key fobs, but we should not have to worry that criminals are lurking everywhere in this town 24/7, approaching us while we sit in our own cars in our own driveways, trespassing on the yard behind our homes, and even actually entering our homes

looking to take our private property. Let's treat the criminals, *and not the residents*, as criminals.

Summit residents pay a lot of taxes to the state and the county, and Summit reaps little benefit with respect to what we pay. So, perhaps it's time for our leaders to put pressure on the county and the state and ask for some of those resources to be directed our way so that our local police can better tackle this issue and put more patrol cars on the road and increase traffic stops. Perhaps we can also work with other municipalities dealing with this to implement some tactical measures to cut crime before someone gets hurt.

Public Comment
1/18/22 Council Meeting

Licatese, Rosemary

Subject: FW: Car Thefts - Council Meeting Questions

Public Comment
Deborah Lyons
January 18, 2022 Council Meeting

From: Debbie Lyons
Sent: Tuesday, January 18, 2022 7:08 AM
To: Licatese, Rosemary <RLicatese@cityofsummit.org>
Subject: Car Thefts - Council Meeting Questions

I would like to know what the Summit Police are doing to prevent these thefts- checkpoints, increased police presence, a Zoom Meeting for residents?
I would ask that the Mayor consider providing a public service announcement on her automated call system letting residents know what the town is doing to and ask for the residents to buy into the plan.

Deborah Lyons
Greenbriar Drive
Summit NJ

Public Comment
1/18/22 Council Meeting

Licatese, Rosemary

Subject: FW: Safety concerns

Public Comment - Nora Shaila Dwyer McLaughlin January 18, 2022 Council Meeting

-----Original Message-----

From: Nora Shaila Dwyer McLaughlin
Sent: Tuesday, January 18, 2022 10:58 AM
To: Licatese, Rosemary <RLicatese@cityofsummit.org>
Subject: Safety concerns

At tonight's city council meeting my family and I would appreciate the issue of theft and any new safety measures that the police are taking to keep Summit safe addressed and explained.

We think it is critical to address constant theft and perpetrators in the neighborhoods to avoid a major incident.

Thank you-
Summit North side resident

Sent from my iPhone

Public Comment
1/18/22 Council Meeting

Licatese, Rosemary

Subject: FW: Car thefts and crime in Summit

-----Original Message-----

From: Cathy MCDONALD

Sent: Tuesday, January 18, 2022 9:54 AM

To: Licatese, Rosemary <RLicatese@cityofsummit.org>

Subject: Car thefts and crime in Summit

We are writing to express our concern regarding the increase in car theft and crime in our town . It would appear that the perpetrators feel Summit is a soft target for these crimes and the theft attempts and successes appear to be more bold as time goes on . An increased police presence is required at minimum . Please help us to feel safe in our own homes and our town . Cathy and John McDonald

Sent from my iPhone

Public Comment
1/18/22 Council Meeting

Licatese, Rosemary

Subject: FW: Comments for the Common Council Meeting

From: Matt Sloane
Sent: Tuesday, January 18, 2022 11:49 AM
To: Licatese, Rosemary <RLicatese@cityofsummit.org>
Subject: Comments for the Common Council Meeting

Good Afternoon Sir/Madam,

Please pass on my concern to the City Representatives as stated below.

Good Evening Common Council,

I am very concerned about the uptick in auto thefts and attempted auto thefts in our city. I understand that residents must ensure their vehicles are safe and secured. However, I believe the city bears a large amount of responsibility in developing the strategies and policies requisite to keep our residents safe. We must adapt to this increase in crime. I fear that one of these incidents may turn violent.

Please comment on the current policies and approaches to crime and how the Council/police department plans to adapt to the new environment. Please let the residents know of policies at the city/county/state level.

Thank you.

Very Respectfully,

Matthew Sloane

Matthew J. Sloane

Public Comment
1/18/22 Council Meeting

Licatese, Rosemary

Subject: FW: Public Comment 1-18-22 - Smith, Lauren FW: Safety Concerns - Town Hall

From: Lauren Smith <
Sent: Tuesday, January 18, 2022 11:43 AM
To: Licatese, Rosemary <RLicatese@cityofsummit.org>
Subject: Safety Concerns - Town Hall

I have been a summit resident for almost 20 years. The level of theft seems to have reached new heights. I'm not alone in feeling unsafe in this town. I've actually known of some that have moved out of this area for this very reason. It's heartbreaking. I find myself nervous to walk out to my car with my 18-month old daughter. . . always looking over my shoulder. We should feel safe in this town, but it's been quite the opposite recently.

I recognize a vast majority of the recent car thefts have been due to unsecured vehicles with the key fob inside. Obviously, this does not help with the target that is already on our town's back. However, I'd like to ask what additional safety measures can be implemented to help restore some confidence in the system. Can we add cameras on the artery roads to rt. 24; increase patrolling; bait cars? (sounds crazy, but if thieves hear word that the Police are setting up bait cars, it could deter them).

This will only get worse. It takes a team effort, and, as the leaders of this town I would hope the action starts at the top.

Thank you,
Lauren

Public Comment
1/18/22 Council Meeting

Licatese, Rosemary

Subject: FW: Car Thefts

Public Comment
1/18/22 Council Meeting

-----Original Message-----

From: Myung Bondy
Sent: Tuesday, January 18, 2022 1:13 PM
To: Licatese, Rosemary <RLicatese@cityofsummit.org>
Subject: Car Thefts

Dear City Clerk,

I would like to make a suggestion to Common Council for tonight's discussion concerning the high number of car thefts and attempted car thefts in our area and town. With limited means of apprehending car thieves once the vehicle is in motion and with all of the thefts attributable to negligent car owners leaving keys in their cars, I would like to suggest a massive information campaign, beginning with postcards (with a photo of a thief in action) mailed to every resident in Summit with statistics of the number of actual and attempted car thefts in our town and the message that these numbers can be dramatically reduced if all residents make the effort to take their keys and lock their doors. This would be a simple first step in controlling and discouraging this sort of criminal activity in our town.

I am a resident of Wildwood Lane.

Thank you,
Myung Bondy

Public Comment
1/18/22 Council Meeting

Licatese, Rosemary

Subject: FW: Comment for Common Council

Public Comment – E. Dougherty, Park Avenue Resident
January 18, 2022

From: Edward Dougherty
Sent: Tuesday, January 18, 2022 11:13 AM
To: Licatese, Rosemary <RLicatese@cityofsummit.org>
Subject: Comment for Common Council

Hello,

I was notified I could submit a comment for the common council via email since I am unable to attend tonight's meeting.

For some time now, there has been excessively loud cars with after-market exhaust systems on our streets and owned by some Summit residents. These type of exhausts are not only unnecessary, but very disruptive to our quiet Summit neighborhoods. When these cars speed on our streets, the sound from their exhausts is even louder even causing houses vibrate inside. Several of my fellow neighbors on Park Ave have reported this and filed complaints with Summit Police, but the police say this is very hard to enforce. An officer did say that if the mayor and common council are supportive, then a task force or assignment could be made for the police to address the issue of excessively loud cars with after-market exhausts.

Regards,

Edward Dougherty