

**MINUTES OF REGULAR MEETING
TUESDAY, JULY 5, 2022
COMMON COUNCIL OF THE CITY OF SUMMIT**

Distributed: 7/20/22
Approved: 7/26/22

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."

CALL TO ORDER

ROLL CALL

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

ABSENT: Fire Chief Evers

Also in attendance were Mayor Radest and staff members Michael Rogers, City Administrator; Tammie Baldwin, City Treasurer; Rosemary Licatase, City Clerk; Aaron Schrager, DCS Director; Steven Zagorski, Acting Chief of Police; Matthew Giacobbe, City Solicitor.

Minutes of this meeting are recorded on CD # 2022-014

PLEDGE OF ALLEGIANCE – Pastor Denison Harrield, Jr., Wallace Chapel

APPROVAL OF MINUTES - Upon motion of Councilmember Minegar, duly seconded, the following meeting minutes were approved by the following votes:

Special Closed Session Meeting of May 31, 2022

Regular and Closed Session Meetings of June 1, 2022

Special Regular Meetings of June 27, 2022

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

Regular and Closed Session Meetings of June 15, 2022:

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

Special Regular and Closed Session Meetings of June 21, 2022:

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

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: Moment of Silence - Mayor Radest asked for a moment of silence in memory of the precious lives lost during a shooting which took place in Highland Park, IL on July 4, 2022 at a community event celebrating Independence Day.

PRESENTATIONS

Certificates of Recognition - Volunteer Service - Mayor Radest recognized graduating high school seniors, Sophie Malik and Gillian Heimple for their volunteer service with the Summit Free Market, which both were members of since eighth grade.

Ms. Heimple was also recognized for her volunteer service on the Recycling Advisory Board.

PUBLIC COMMENTS

Affordable Housing -Denison Harrield, Jr., Pastor - Wallace Chapel, AME Zion Church, Broad Street, speaking on behalf of the current Chair of the Interfaith Council, Vernon Williams, made comments advocating for affordable housing in Summit, emphasizing the importance of providing affordable housing in the community, as well as the need to provide affordable housing as part of Broad Street West project. He encouraged council to not allow the opportunity to slip away with regard to meeting the City's affordable housing needs. He emphasized that it is the Council's moral obligation to keep the affordable housing needs in the forefront.

In response Council President Fox stated that affordable housing needs was absolutely a top priority of the council.

Broad Street West Redevelopment - In response to questions from Steve Sartorius, Tulip Street, Council President Fox commented as follows:

1. Council needed to confer and gather information from its professionals before considering to reverse the actions taken at the June 21 special meeting.
2. Council is still deliberating on how the advisory group will work and what the structure will be.

Jim Bennett, Fairview Avenue, read a statement, hereto attached.

Alison Chieffo, Laurel Avenue:

1. Shared concerns regarding the process that took place at the June 21 special council meeting.
2. Concerns regarding the Council President not responding to a request for a timeline during the June 22 Historic Preservation Commission (“HPC”) meeting.
3. Questioned why mailings regarding the project were not being sent to residents.
4. Requested information regarding forming an advisory group, emphasizing the need for transparency.

Council Communication During Public Comment - Delia Hamlet, Brantwood Drive, commented on importance of elected officials making eye contact with speakers during public comment. It was noted by the Mayor, Council President Fox and Councilmember Minegar that members of the governing body take notes during the meeting as well as follow the meeting agenda, which is only provided in a digital format.

Hybrid Council Meetings - Ms. Hamlet expressed her desire for an open dialog regarding the implementation of hybrid council meetings. In response City Solicitor Giacobbe stated that until the State of New Jersey provides guidance on the conduct of hybrid public meetings, he would not recommend same. Mr. Giacobbe pointed out that since the dissipation of the COVID-19 State of Emergency, most municipalities have returned to in-person meetings, without hybrid. Ms. Hamlet was encouraged to contact local legislators.

Broad Street West Redevelopment - Lisa Scott, Beverly Road, thanked the Council for reversing actions taken at the June 21 special meeting at the Summit Community Center and expressed appreciation for how the Council was very responsive to the community’s request.

Sue Roberts, Oakland Place, in response to questions from Ms. Roberts regarding taking recommendations from a proposed advisory group, the City Solicitor explained that the Council’s authority to make final decisions regarding any recommendations cannot be transferred to any other body or advisory group.

In response to a question from Councilmember Allen, Council President Fox confirmed that Council would not vote on Broad Street West matters in August and unlikely in September.

Clerk Licatase advised of one email received for public comment from Dorrie Gagnon of Bedford Road, which was read into the record which is hereto attached.

In response to questions from Ms. Gagnon pertaining to the school bond, Councilmember Vartan provided the following statement:

“When thinking about municipal finance, there are different buckets where money goes: the schools, the County, and the municipality. There are times when it makes more sense to think about all of these things together. For example, when you’re paying taxes and you want to see how much more or less you’re paying than last year, you look at the whole picture. It’s important to have fiscal responsibility in each of the different buckets, but you look at them all together. This year an increase of 1.98% in the Municipality joined with 1.6% increase in the schools and a flat budget at the County caused a reduction of Summit’s apportionment, so what we owed in County taxes actually went down. But all together, you’re looking at about a 0.9% increase in overall taxes over last year. So you pay that, and then it’s split up about 50% to schools, 30% to the County, and about 20% to the City.

But there are other times when you really have to think about them separately. For example, the City could hire an additional staff member. That changes our 20% share of the budget, but it doesn't change the school budget. The debt is the same way. The schools are responsible for the school buildings, grounds, and vehicles. The schools do fewer capital improvements, less frequently than the City does because they simply manage a lot less infrastructure. The schools manage the buildings, the grounds, and their vehicles. The City manages all the City buildings, streets, sidewalks, playgrounds, parks, fields, and a much larger fleet of vehicles and equipment. The portion of the school budget dedicated to debt service is smaller than the City's. Another big difference is the frequency of these types of expenditures. The schools are not going to do another bond issuance for the next several years, while the City tries to do a minimum of at least certain road projects and essential equipment that we will replace every year.

The schools taking on debt to do these projects has really no impact on the City's budget. In this instance, and I know it's counterintuitive, it really does only make sense to think about these as separate buckets. The revenue and debt challenges we've been describing as it relates to Broad Street West will still continue to be a challenge, whether the Board of Ed takes on new debt for these projects or not.

I recognize that the timing of this as related to the Broad Street conversation adds a complex community conversation in parallel to a separate complex community conversation. And I think I speak for everyone up here when I say we encourage a high level of public scrutiny on this process, we always encourage the Board of Ed to fund only projects that are necessary and advance the quality of the education that's provided in Summit. Because at the end of the day the schools are the greatest contributing factor to our property values, and this does all come back to one tax bill. We fiercely advocate that every tax dollar spent must be done so responsibly.

Which leads me to say I agree with Ms. Gagnon more information is needed on the lower high school turf. I am largely supportive of the school projects because I believe they will differentiate the Summit school district from others, but would appreciate more information on the lower high school turf specifically, so I'll be looking to have a conversation with the BOE and BOSE members about that. I hope this is helpful."

City Administrator Rogers further explained the differences between school debt and city debt.

ORDINANCE FOR HEARING

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
<u>FINANCE</u>		
22-3261	BOND ORDINANCE PROVIDING FOR PHASE III OF THE LOCAL UNIT'S ALLOCABLE SHARE OF THE FLOOD MITIGATION FACILITIES PROJECT OF THE JOINT MEETING OF ESSEX AND UNION COUNTIES, BY AND IN THE CITY OF SUMMIT, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "LOCAL UNIT"); APPROPRIATING \$3,595,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,595,000 BONDS OR NOTES TO FINANCE THE COST THEREOF <i>(Joint Meeting Flood Mitigation Facilities Project - City's Share)</i>	07/5/22

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 16, 2022, was made part of the record.

CAPITAL PROJECTS & COMMUNITY SERVICES (cont'd)

- 40359 3. Authorize Execution Of An Agreement With The County Of Union To Modify The Cooperative Agreement Dated June 2014, As Amended On July 25, 2017
- 40360 4. Declare Vacancy - Department of Community Services - Division of Public Works - Recreation, Parks, Shade Tree Unit - Maintenance Worker

SAFETY & HEALTH

- 40361 1. Authorize Submission of U.S. Department of Justice (DOJ) Bulletproof Vest Partnership (BVP) - Replacement Body Armor Grant Application and Execution of Grant Agreement
- 40362 2. Authorize State Contract Purchase - Police Department Motor Vehicle Recording Devices - \$124,334.76

ADMINISTRATIVE POLICIES & COMMUNITY SERVICES

- 40363 Resolution Opposing A-1294/S-2103 and Urging That Such Legislation Not Advance Further

Councilmember Hairston advised that she was not in support of the resolution, stating that while Home Rule makes New Jersey “stand out,” her understanding of the legislation is that it is a way to help reach other groups of constituents in addition to addressing blighted areas.

RESULT: APPROVED [6 TO 1]
MOVER: Allen
SECONDER: O'Sullivan
AYES: Allen, Fox, Little, Minegar, O'Sullivan, Vartan
NAYS: Hairston

LAW & LABOR

- 40364 Authorize Extension of Sick Leave With Pay - Finance Department 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: Vartan
SECONDER: Minegar
AYES: Allen, Fox, Hairston, Little, Minegar, O'Sullivan, Vartan

CAPITAL PROJECTS & COMMUNITY SERVICES

- 40365 Authorize Refund - Storm Sewer Deposit - 17 Kenneth Court

FINANCE

- 40366 1. Authorize Amend Payroll
- X 2. Authorize Redemption Refund - 2021 Tax Sale Certificate (*Pulled*)
- 40367 3. Amend Budget - Chapter 159 - Clean Communities Grant
- 40368 4. Authorize Refunds - Department of Community Programs
- 40369 5. Authorize Payment of Bills and Payroll \$4,390,620.81

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 - Upon motion of Councilmember O'Sullivan, duly carried and unanimously approved, the meeting was adjourned at 9:15 pm.

Respectfully submitted,

Rosalia M. Licatese
City Clerk

MINUTES ATTACHMENTS – JULY 5, 2022 COUNCIL MEETING *(Private email addresses and phone numbers have been redacted)*

1. Public Comment - J. Bennett, Fairview Avenue, re Broad Street West Redevelopment
2. Public Comment - D. Gagnon, Bedford Road, re Broad Street West Redevelopment

COMMENTS BY JAMES M. BENNETT CONCERNING BROAD STREET WEST
REDEVELOPMENT
JULY 5, 2022

Good evening, Mayor Radest and Members of Common Council. I am Jim Bennett, 38 Fairview Avenue, Summit.

I congratulate and applaud Council for its action on June 27, 2022, to rescind the ordinance amending the redevelopment plan and rescind the resolution referring the ordinance to the Planning Board. Whatever epiphany brought this sudden course reversal about, I'll take it!

But Summit residents need now more than ever to keep up the pressure. The public needs to be vigilant to preserve the integrity of the current redevelopment plan. And public pressure can help Council when it negotiates with L&M/Toll Brothers.

Council has been working on this plan for several years with a steering committee and substantial outreach to the public. But the public was asleep. That's normal. Former Council President and Mayor Frank Lehr once told me, "We work relentlessly, and nobody knows we're here." Most people go about their business paying little attention to happenings at City Hall.

This year, the public got its first true look at the project's details. At the public meeting on February 19, 2022, in the Community Center, public outrage was immediate. And the shock waves radiated beyond the public forum as more Summit residents woke up and learned about the L&M/Toll Brothers proposal. Opposition organized instantly.

L&M/Toll Brothers needs to hear from you that Summit residents will not tolerate yet another retread of their old project. Residents expect to see a revision that is in line with the current redevelopment plan. Such a revision can still provide a transit hub, partially offset the cost of a new fire headquarters, and help Summit towards its affordable housing goal.

If our demand means that Toll Brothers walks, they are welcome to leave. Bedford Road resident Dorrie Gagnon spoke with a developer who is willing to color inside the lines.

Thank you.

~Jim Bennett

Public Comment
7/5/22 Council Meeting

Licatese, Rosemary

Subject: FW: tonights council meeting

From: Dorrie Gagnon
Sent: Tuesday, July 5, 2022 10:24 AM
To: Licatese, Rosemary <RLicatese@cityofsummit.org>
Subject: tonights council meeting

Dear Council Members and Mayor Radest,

I have a few concerns and questions for tonight's meeting as I am not able to be present.

I would like to continue the conversation about the parking lot between the Library and the YMCA. I was part of this very first conversation when it was brought to the Residents of Summit that something was going to be built these 2 buildings. I stressed that it was important for parking to be there for both buildings to thrive and for the ease of people using the buildings. I also want to stress that residents do not want ANY building to be placed there. It was brought to our attention that apartments are no longer going to be put there but "something else" is. Please keep that parking lot just the way it is. There is no reason to clutter that area and put a 3,4,or 5 story building between the Y and Library. Please keep in mind as you redesign this project that this redevelopment project was supposed to be for the people of Summit.

The board of Education passed a 37mm bond last week. I would like to understand how council plans on addressing this huge amount of money into the city's budget when Mr. Rodgers has stated that we have a huge financial problem are in need of money. We are selling Broad Street West for 8mm to create additional tax source for the town but now we are taking on more debt? If Mr. Rodgers could explain to me the school debt and the city debt and who this all plays into the tax payers dollars, that would be wonderful as I am truly confused.

I would also like the council to look at the lower high school turf plans and the lack of parking put in place for the entrance onto the new proposed entrance by Morris Ave. Before agreeing to this new bond, I would like to hear how this lack of parking, once again a serious issue in this town, is going to be addressed.

Truly,

Dorrie Gagnon
27 Bedford Rd