

**MINUTES OF REGULAR
MEETING OF COMMON
COUNCIL HELD TUESDAY,
OCTOBER 7, 1997, CITY HALL,
512 SPRINGFIELD AVENUE,
SUMMIT, NEW JERSEY.**

(Distributed: 10/10/97)
(Approved : 10/21/97)

The meeting was called to order by Council President Clark at 8:00 P.M.

President Clark then read the following notice:

“Adequate notice of these meetings have been provided by the City Clerk in the preparation of the Meeting Notices, dated January 6, 1997, which set forth the dates, times and places of these meetings, 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 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.”

Present on Roll Call: President Clark, Councilmembers Dill, Hatfield, Martin, Muñoz, Ogden and Rosen. Also present were Mayor Long and staff members Angelo, Burkholder, Chandross, Cotter, Hughes, Osmun, Schneller and Townley.

Minutes of this meeting are recorded on Cassette Tapes #97-47, Section, 0000-End, #97-48, Section 0000-1310 and Section 1670-1689.

President Clark then led the flag salute.

APPROVAL OF MINUTES

On motion of Councilmember Muñoz, the minutes of the Regular meeting of 8/12/97 and Closed Session meeting of 8/12/97(2) were approved.

Councilmember Rosen said that usually there is a two-month period before the minutes are adopted and advised that the Clerk many years ago was told to delay the approval of minutes to allow the Council to study them. He felt that approval should be done as close as possible to the meeting.

President Clark suggested the following policy: “if the minutes are distributed by Friday of the week of the meeting, that approval be considered at the next meeting. Otherwise, approval would be at a subsequent meeting”. There was no disagreement with this policy.

REPORTS

Mayor:

SDI Beautification Plan Presentation - Reminded the public and Council of same to take place on October 22nd at the Middle School Cafeteria.

Playing Fields - Said there will be a resolution on the October 21st agenda appointing a Sports Advisory Group.

President:

Commended Ron Angelo and Marion Sexton for their input regarding recent conferences.

Administrator:

Parking - As a result of the September 23rd meeting, work has been parceled out to the staff to accomplish the needs as directed from said meeting.

DEPARTMENT HEAD'S PRESENTATION

Christopher J. Cotter, Fire Directory/Chief, made his presentation which is attached hereto.

ORDINANCE(S) FOR HEARING

President Clark called for a hearing on the following ordinances which the Clerk read by title:

LAW

#2332

AN ORDINANCE AMENDING CHAPTER I, GENERAL PROVISIONS, SECTION 2-69, FEES FOR MUNICIPAL SERVICES, OF THE "REVISED GENERAL ORDINANCES OF THE CITY OF SUMMIT 1996." (*Parking fees for construction and utility work*)

Proof of publication of introduction of the ordinance, published in the Summit Herald on September 13, 1997, was attached to the ordinance.

No one wished to be heard and the hearing was declared closed.

SAFETY

#2333

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING SPECIAL TRAFFIC CONDITIONS AND THE CONTROL AND USE OF PARKING METERS ON CERTAIN STREETS AND OTHER PUBLIC PLACES IN THE CITY OF SUMMIT AND APPROVING PENALTIES FOR VIOLATION THEREOF," passed May 3, 1988, as amended and supplemented. *No Parking Wilson Drive)*

Proof of publication of introduction of the ordinance, published in the Summit Herald on September 13, 1997, was attached to the ordinance.

No one wished to be heard and the hearing was declared closed.

ORDINANCE(S) FOR FINAL CONSIDERATION

The Chairman of the various Committee(s), introduced the following ordinance(s) which was (were) individually read by title by Clerk Hughes for final passage and on motion, duly seconded and on roll call, unanimously adopted or adopted by the following vote:

LAW

#2332

AN ORDINANCE AMENDING CHAPTER I, GENERAL PROVISIONS, SECTION 2-69, FEES FOR MUNICIPAL SERVICES, OF THE "REVISED GENERAL ORDINANCES OF THE CITY OF SUMMIT 1996." *(Parking fees for construction and utility work)*

SAFETY

#2333

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING SPECIAL TRAFFIC CONDITIONS AND THE CONTROL AND USE OF PARKING METERS ON CERTAIN STREETS AND OTHER PUBLIC PLACES IN THE CITY OF SUMMIT AND APPROVING PENALTIES FOR VIOLATION THEREOF," passed May 3, 1988, as amended and supplemented. *No Parking Wilson Drive*)

ORDINANCE(S) FOR CONSIDERATION OR INTRODUCTION

The respective Committee Chairman, Committee member, or Council member, 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 Clerk Hughes and unanimously adopted or adopted by the vote indicated below and referred to the Law Committee for study and report with a hearing(s) scheduled for November 5, 1997:

WORKS

#2337

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED: "A BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF CURBS AND SIDEWALKS IN AND IN AND BY THE CITY OF SUMMIT, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$187,000 THEREFOR, DIRECTING A SPECIAL ASSESSMENT OF THE COST THEREOF, AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE CITY FOR FINANCING THE SAME", passed August 15, 1995.

Councilmember Dill advised this ordinance was necessary relative to the work added to the project at the request of Franconia, Inc.

PUBLIC COMMENTS - No one wished to be heard.

RESOLUTIONS

(Resolutions which were not on the agenda, may appear in the minutes not in the actual order in which they were addressed at the meeting, but they will appear under the proper committee heading after those which were on the agenda.)

The Chairman of the various committees, or the Council member as indicated, then read the following resolutions by title and gave appropriate explanation of same. Public comments on the resolutions, which required detailed or extensively technical answers, and the Council responses, if any, are recorded below after each committee presentation. Upon motion of the respective Committee Chairman, each Committee's resolutions were adopted unanimously or by the vote indicated.

BUILDINGS & GROUNDS

27578 - Authorize Street Lighting Improvements - 2 Walnut Street

Councilmember Ogden asked if the increased lighting would affect the neighbors and whether any shields were considered.

Townley advised that the lighting increase was in the GPU right-of-way, he did not know of any precautions being taken, but would ask that measures be taken if possible.

Councilmember Rosen stated that the increased lighting was for the Youth Center use.

Establish Policy of Acknowledgment of Improvement Contributions - Councilmember Rosen felt that acknowledgment of major contributors could be done in a tasteful way and emphasized that it helps get contributions.

There was discussion as to the details or restrictions of such a policy and Council's involvement.

Hughes commented that the contribution acknowledgment which was allowed to other groups will be remembered by new groups wishing to acknowledge contributions and presently a lack of a policy presents problems for Clerk's office and the Department of Community Services.

Councilmember Martin commented that all the issues raised tonight were discussed by the Committee.

Bruce Kaufmann expressed concern over the wording of the resolution as it may affect some project already underway by the Board of Recreation.

The Committee was asked to consider different wording for the policy.

WELFARE

- 27579 - Authorize Contract Execution - Municipal Alliance 1997 Programs - \$31,187.00
- 27580 - Authorize Bid Advertisement - Recreation Center Roof Repairs

FINANCE

- 27581 - Amend Budget - Handicap Ramp Grant - \$20,000.00
- 27582 - Amend Deferred Compensation Plan - ICMA
- 27583 - Amend Deferred Compensation Plan - The Hartford
- 27584 - Authorize Submission of Application for Municipal Incentive Award Program
- 27585 - Appoint Parking Advisory Committee Liaisons - Hatfield and Martin [Was DAR item under Finance]

SAFETY

- 27586 - Waive IRS Determination Letter Requirement - Celebration Committee re Halloween Parade
- 27587 - Authorize Installation of Fire Hydrant Tulip Street and Locust Drive
- 27588 - Authorize Execution of FMBA Contract

President Clark advised that, while he would not vote against it the resolution, he was opposed to the rate wage increase.

WORKS

- 27589 - Authorize Bid Advertisement - Handicap Ramps
- 27590 - Award Bid - Two Dump Trucks - \$142,238.00

ITEMS FOR DISCUSSION, ACTION, OR REFERRAL

(Discussion points given below only deal with matters on which action was taken or recommended or a position was established.)

BUILDINGS & GROUNDS

Parking Garage - Burkholder commented as follows:

1. More complete information will be available on October 21st regarding the pros and cons of the design and construct and guaranteed price approach.
2. Discovered 13 or 14 approaches and hoped to develop a table describing same.
3. Municipal experiences are non-existent, but State agencies have used this approach.
4. Non-profits use of this approach has generally been with happy results.
5. Alternates may emerge which will address the concerns regarding incentives to cut corners by contractors.
6. \$5.5 million figure is an estimate based on the schematic design and further design refinement is necessary to come up with a more accurate figure.

President Clark asked that each alternate show timelines and questioned the fire house lot ordinance status.

Burkholder advised there were engineer design issues, police meter enforcement consideration and policy issues needing direction from the Council.

Reimbursement for Relocation Costs - Councilmember Hatfield advised that the Buildings and Grounds Committee recommended, an ordinance so that the Safe Homes Project could be successful. She also recommended, as had Vito Gallo, that the appropriate Department Heads decide the money needed and how to address other code violations and develop a Workable Relocation Assistance Program.

Councilmember Ogden advised that the Safety Committee had the same feelings. There was no disagreement with proceeding with Department Heads making further recommendations on the issue.

FINANCE

Parking Advisory Committee - After some discussion as to the advisability of having an additional member as well as having a conference style meeting with the Parking Advisory Committee, it was agreed to have a meeting on November 5th starting at 7:00 p.m. in the Whitman Room. It was agreed to appoint Councilmembers Hatfield and Martin as Councilmember liaisons to the Parking Advisory Committee. [Became a Resolution under Finance]

Owren Parking Garage Proposal - President Clark expressed his desire to have the Council ask the Parking Advisory Committee take a serious look at Owren's suggestions and point out where they are good or bad.

B.J. Cohan, PAC Chairman, commented as follows:

1. Wondered if the Council had compared the PAC report to Owren's comments.
2. Referenced a memo to Owren given to the Council tonight.
3. She had been through Owren's report with some of the PAC members line by line and that Gil knows the issues have been addressed.
4. Would be happy to prepare a response memo.
5. Took seven months to get to where the Committee is and 75% of Gil's comments have already been dealt with by PAC and the rest deals with SDI issues.
6. PAC believes there are many issues that cannot be dealt with until the option of the parking garage is available.

There was further discussion as to having all parking under one management scenario and the fact that much of which Owren had requested had already been addressed.

LAW

Amending Liquor Sale Hours - Councilmember Ogden advised that the experiment was reviewed by the Chamber of Commerce and the Police Department, both of which had received no complaints. He recommended the ordinance hours become permanent. The ordinance will be introduced at the next meeting.

YMCA Handicap Parking - It was agreed that such spaces could be created for the Y in the Library lot subject to:

1. Being at no cost to the City.
2. Restoration agreement.
3. The meter cost would be paid for.

Roger Mehner, representing the YMCA, advised that the spaces are needed for ADA requirements, would be required for about 12 months and they were to be designated exclusively for YM use.

It was agreed the Osmun and Mehner would get together regarding the appropriate agreements, an ordinance relative to the parking changes would speak to the spaces reverting to the current use 30 days after all necessary approvals were made and that the fees to be paid would be those which would be generated on a daily basis from the two meters to be removed.

Russo request for Road Vacation in front of 18 Caldwell Place - It was agreed to vacate said roadway and Weber was to contact Hughes relative to the suggested ordinance language. This was to be done at not cost the City.

WORKS

American Heritage River Designation for the Passaic River - After some discussion as to whether this would involve the City in any financial or other obligations now or in the future, the fact that there is recreational pathways along the river which need work and that all but property owned by GPU and the City garage is owned by the Union County Park Commission, it was agreed that Townley would find out if there were any strings attached.

CONSENT AGENDA

(Comments listed below, if any, are only on matters needing clarification or removed from Consent Agenda.)

The following resolutions were unanimously adopted on motion of Council member Dill:

FINANCE

27591 - Amend Payroll

27592 - Pay Joint Meeting Quarterly Assessment - \$271,036.17

27593 - Zoning Board Fee Refunds - \$10,650.60

27594 - Refund Overpayment 1997 Sewer Charge - \$120.00

27595 - Refund Overpayment 1997 Taxes - \$20,244.86

27596 - Refund Overpayment Curb/Sidewalk Assessment Ordinance #2250 - \$545.75

27597 - Payment of Bills - \$293,161.54

SAFETY

27598 - Grant Raffles License - Community Pre-School at St. John's, Off- Premise 12/3/97

WORKS

27599 - Authorize Sick Leave with Pay - DCS Employee

NEW BUSINESS

Morris Avenue Bridge - Councilmember Dill advised that same was to be removed Saturday, October 11th, starting at 7:00 a.m.

New Jersey Transit Signs - Councilmember Hatfield advised that Townley had contacted the appropriate people asking that they be removed.

Townley stated that he received an indication that they would be taken down and not be put up again but that they could go on its own property. He suggested that the request be that they not go up at all.

There was brief discussion as to signage, beautification, the improvement to the iron fence and the fixing of Railroad Avenue sidewalk by NJ Transit and that NJ Transit has been asked for many years to do thing which still are not done.

PUBLIC COMMENTS - No one wished to be heard.

RECESS REGULAR MEETING

Councilmember Muñoz's motion to recess the Regular Meeting for the MUA Meeting was duly seconded and unanimously adopted.

RECONVENE REGULAR MEETING

Councilmember Dill's motion to reconvene the Regular Meeting, after adjournment of the MUA Meeting, was duly seconded and unanimously adopted.

CLOSED SESSION RESOLUTION

On motion of Councilmember Dill, duly seconded, the following resolution was unanimously adopted:

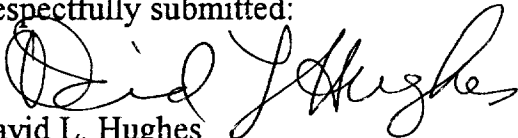
97-18 - Collective bargaining matters NJSA 10:4-12.b(4)
PBA Negotiations

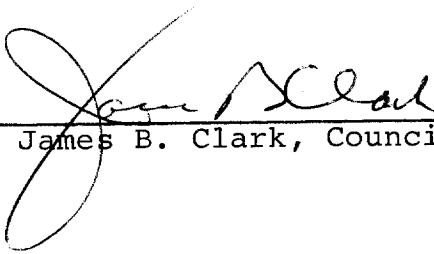
Personnel Matters NJSA 10:4-12b(8)

ADJOURN MEETING

Councilmember Dill's motion to adjourn the Regular Meeting was duly seconded and unanimously adopted.

Respectfully submitted:


David L. Hughes
City Clerk

Approved: 

James B. Clark, Council President

PRESENTATION TO COMMON COUNCIL
OCTOBER 7, 1997

Chief Christopher J. Cotter

It is appropriate and fitting that I come before you during this week - Fire Prevention Week - 1997. Each year, the week that includes October 8th, the date of the great Chicago Fire of 1871, is designated as fire prevention week in United States. In Summit, we take advantage of the opportunity that this week presents to focus our efforts on fire safety. We are visiting schools, meeting with community groups and providing tours of Fire Headquarters in an effort to re-enforce this year's theme from the National Fire Protection Association which is: "Know When To Go - React Fast To Fire" - - a statement which reminds all of us that there is no time to waste in the event of a fire - when the fire alarm sounds, exit the area immediately, your life may depend on it.

Like Chicago, Summit too was visited by a devastating fire in the late 1800's. And, like the great Chicago fire, the fire which occurred in Summit on March 14, 1889 was disastrous - destroying an entire city block and prompting the citizenry to demand that steps be taken to improve fire protection for the community. Within 2 years, two important steps were taken by the then *Township* Committee - the installation of a water system with a distribution of fire hydrants and, the formation of a fire department that would be charged with providing fire protection for the community.

The Summit Fire Department of 1997 is a "combination" department consisting of both career (full time) and volunteer members. This form is considered by experts to be the most cost effective means of providing municipal fire protection. There are 31 sworn personnel and 5 civilian employees supported by 20 volunteers. Department activities are divided into *Fire Administration* which is responsible for planning, personnel, budget and purchasing and, *Operations*; responsible for Fire Suppression, Training, Fire Prevention and Telecommunications.

Career members are divided into 4 separate platoons to provide on-duty, around-the-clock response, every day of the year. Each firefighting platoon is headed by a Battalion Chief who, in addition to being responsible for command of a platoon, has a major staff function within the organization serving as either Training Officer, Fire Prevention Officer, Apparatus and Equipment Officer or Telecommunications Officer. These essential members fully integrate staff and line functions and they do it well.

Some 106 years after our founding, our primary mission is still about providing fire protection and firefighting is still about delivering a coordinated, rapid response with an adequate number of highly trained and properly equipped personnel. The diversity of our responsibilities today, however, would astonish our firefighting ancestors.

Some of the greatest diversity is reflected in a review of our emergency responses. During 1996 a record 1,423 incidents were responded to, an increase of some 20% over the previous year. This total includes *fires* ranging from structural fires in industrial buildings and residences to car fires and brush fires; *rescue calls* including an incident involving a worker trapped in an excavation trench to motor vehicle accidents with entrapped occupants, and persons stuck in elevators, *hazardous calls* involving chemical spills, arcing electrical equipment and downed power lines, *service calls* which include providing mutual aid to other fire departments, or more locally, providing specialized equipment and services to our police department, and *false alarms*, those responses to accidental alarm activations and good intent calls.

While responding to emergencies is what most people would associate a fire department with, certainly it is the most dramatic part of what we do, providing *fire protection* also includes a commitment to *fire prevention*. Indeed, we are the most successful when we have prevented the next fire from occurring.

In Summit, our commitment to fire prevention is strong and a measure of that commitment has been a decline in the number of fires annually. The prevention effort involves all members of the department in a variety of related aspects including: Code Enforcement and fire inspections - to ensure compliance with the fire code in an effort to eliminate fire hazards (693 in 1996); Construction Plan review to ensure plans submitted for construction meet all applicable fire codes - (340 in 1996); Public fire safety education - providing training in fire safety and burn prevention to students in all Summit elementary schools, for community groups and for senior citizens.

The Summit Fire Department has been an innovator in regionalized and shared services. Some examples include joint ownership and maintenance with the Springfield Fire Department, of a self contained breathing apparatus refilling station; association with the Union County Fire Training Academy for the delivery of regionalized training and, providing fire dispatching services for the Millburn Fire Department. These partnerships have each resulted in overall cost savings for the City of Summit.

More innovation is found in our telecommunications center. In Summit if you dial 9-1-1, it will be answered at Fire Headquarters. The Department serves as the 9-1-1 Public Safety Answering Point for the city. During 1996, those calls were answered 5,764 times. In addition, dispatchers handled a combined total of 3,130 fire dispatches for both Summit and Millburn. The work performed by these specialized employees is critical to the success of emergency operations - through the use of the technology of an enhanced 9-1-1 telephone system, they have been instrumental in saving lives - on several occasions, their performance has been nothing less than heroic.

Other innovations involve the delivery of public fire safety education at the neighborhood level - during 1996 the fire department by invitation, attended several block parties to share fire safety messages with neighborhood groups - the response was outstanding. The implementation of the first responder program designed to provide a rapid response of a team of trained firefighters to certain medical emergencies has proven in it's first 9 months to fulfill definite need.

As we look ahead, we are mindful of our past, it provides important lessons, our traditions and culture and at the same time we are committed to being responsive to emerging fire protection and life safety needs of the community. The Summit Fire Department is an organization made up of dedicated people that do extraordinary things - I am fortunate to count myself among them - I am honored to serve as their chief.

Thank you.

97-18

AUTHORIZE CLOSED SESSION

October 7, 1997

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That it adjourn to a Closed Session to discuss the following subject matters without the presence of the public in accordance with the provisions of R.S. 10:4-12.b:

#97-18 – Collective Bargaining matters - NJSA 10:4-12b(4)

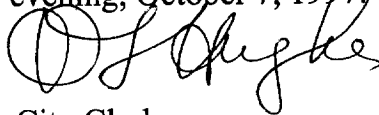
Personnel Matters NJSA 10:4-12b(8)

FURTHER RESOLVED that the matters discussed will be made known to the public:

1. at such time as appropriate action is taken on said matters, and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the City of Summit; and
2. provided such disclosure will not violate Federal, State or Local statutes and does not fall within the attorney/client privilege.

Dated: October 7, 1997

I, David L. Hughes, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a Regular meeting held on Tuesday evening, October 7, 1997.



City Clerk