

**MINUTES OF REGULAR  
MEETING OF COMMON  
COUNCIL HELD TUESDAY,  
OCTOBER 21, 1997, CITY  
HALL, 512 SPRINGFIELD  
AVENUE, SUMMIT, NEW  
JERSEY.**

(Distributed: 10/26/97 )  
(Approved : 11/5/97 )

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 Notice, 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 #97-48, Section, 1689-End, #97-49, Section 0000-End, #97-50, Section 0000-1150.

President Clark then led the flag salute.

**APPROVAL OF MINUTES**

On motion of Councilmember Dill, the minutes of the Regular meeting of 9/3/97, 9/16/97 and 10/7/97 and Closed Session meetings of 9/3/97, 9/16/97 and 10/7/97 were approved.

**REPORTS**

**Mayor:**

Summit Helping It's People - Read a letter applauding it for its activities and expressed the need for more volunteers.

Municipal Alliance Week - Advised same would be from October 27th until November 1st.

Playing Fields - Referenced a copy of a letter given to the Council which was the fifth letter sent to the County regarding the Glenside property and stated that, in spite of calls and letters, he has received no response.

**Administrator:**

Closed Session - Advised of a need to discuss Labor Negotiations, a Contractual issue and Appointments.

County Discussion of Cross-Acceptance Plan - Advised same was to take place on October 29th and felt that somebody should attend.

ISTEA Grant for Old Town Hall - Advised that it appears that the City is not under consideration anymore.

New Providence - Wishes to get together with the UCUA and our MUA and discuss the UCUA debt restructuring and its effects.

**DEPARTMENT HEAD'S PRESENTATION**

Ethel Ward, Welfare Director, made her 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**

#2336

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED: "AN ORDINANCE ADOPTING SECTION I, PART VI OF THE REVISED ORDINANCES OF THE CITY OF SUMMIT", Concerning Title 20, Relating to Charitable Solicitation, passed on July 19, 1983, as amended and supplemented. (*Length of Permit*).

Proof of publication of introduction of the ordinance, published in the Summit Herald on September 20, 1997, was attached to the ordinance.

Councilmember Rosen asked if all solicitors carry copies of the permit.

Hughes advised that when he and the City Solicitor are able to provide more extensive amendments to the ordinance, it will include all solicitors carrying some sort of identification relative to the permission.

No one else 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**

#2336

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED: "AN ORDINANCE ADOPTING SECTION I, PART VI OF THE REVISED ORDINANCES OF THE CITY OF SUMMIT", Concerning Title 20, Relating to Charitable Solicitation, passed on July 19, 1983, as amended and supplemented. (*Length of Permit*).

### **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 Monday, November 17, 1997:

WELFARE

#2338

AN ORDINANCE AMENDING CHAPTER II, ADMINISTRATION, SECTION 2-45, SENIOR CITIZENS SERVICES ADVISORY BOARD, OF "THE REVISED GENERAL ORDINANCES OF THE CITY OF SUMMIT 1996." (*Membership Category*).

LAW

#2339

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED: "AN ORDINANCE ADOPTING SECTION I, PART VI OF THE REVISED ORDINANCES OF THE CITY OF SUMMIT, CONCERNING TITLE 2 - Limiting the Hours for Alcoholic Beverage Licenses and Limiting the Number of Certain Licenses," passed on July 19, 1983, as supplemented and amended. (*Consumption Hours*).

#2340

AN ORDINANCE AMENDING CHAPTER II, ADMINISTRATION, SECTION 2-5, MUNICIPAL COURT ESTABLISHED, OF THE "REVISED GENERAL ORDINANCES OF THE CITY OF SUMMIT 1996." (*Increase Public Defender Fee*).

There was a brief discussion regarding the State now requiring a Public Defender, an indigent person's ability to pay, and that the Court would determine the payment assessments.

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.

## WELFARE

### 27600 - Continue General Assistance at the Local Level

Councilmember Martin said the Welfare Committee strongly recommends the continuation of local general assistance and advised that the City is on record supporting local control of general assistance.

Councilmember Muñoz emphasized that the centralization of welfare services cannot be done very effectively and that the City would still need to provide some services locally.

Councilmember Dill emphasized the need to continue to fight attempts to take away the local control of this service.

Barbara Packer, 48 Sunset Drive, advised that the Local Assistance Board agrees that the maintenance of local control is essential and emphasized the personal touch provided at the local level.

Rebecca Pruitt, 37 Valley View Avenue, SHIP Chairman, stated that without the Welfare office, a tremendous burden would be put on the Police to handle social needs of clients which the Police Department is not trained or suited to deal with.

### 27601 - Establish Sports Advisory Committee

Councilmember Martin advised that the resolution recognizes the demands on the situation, emphasized the fact that the third point has two members from each organization and proposed that the second point end after the word requirements with which there was no disagreement. She felt the committee should decide on the appropriate plan and emphasized that this resolution does not preclude input from the Summit Sports Group.

Richard Apostolik, 28 Edgemont Avenue, commented as follows:

1. Resolution as presented is a surprise to many.
2. Referenced working with various people interested in Summit's recreational facilities.
3. Said the three sports leagues have worked together to get the facilities in proper shape.
4. Two groups take care of the fields, Board of Education and Recreation, and felt Recreation did better than Education but that the shape of its fields also were not in good shape.
5. His group feels strongly that the mission be defined as set forth in the second resolution which was sent to the Council and that those issues must be addressed.
6. The Sports Group should be represented, there is no legitimate reason for it not to be part of it and asked for an explanation as to why it should not.
7. For years the situation has been allowed to deteriorate.
8. Commented on the effects of the number who will be able to participate in the Spring programs.

Joyce Margie, 135 Rotary Drive, advised that several years ago the Municipal Alliance had few members and that the Council had been asked to and did expand it and such action had been most effective. She urged including the important players on this Committee which could help innovate approaches and contribute in the way of private fundraising efforts.

Comments were then put forth from the Council as follows:

1. Some recent efforts to assist in expanding the fields are: Middle School field on Sunday, Tatlock Football field for girls soccer and Briant Park.
2. City is trying to get new areas.
3. This resolution shows support for a coordinated approach to the solution by bringing all the decision-makers to the same table.

4. A more broad based Committee was appropriate but that Recreation should create it with the Committee reporting to Recreation.
5. There should be a narrower mission.
6. Start the Committee small and let it grow as necessary.
7. The Committee will define the issue as it moves along and it should depend on the sports groups for solutions.
8. Thought Board of Recreation had already been designated as the "master schedulers".
9. If representation is not felt to be part of the previously proposed group, an organization could feel as if it was left out.
10. Recreation has other responsibilities such as programming.
11. Consolidation considerations have taken place.

AYES: Councilmembers Dill, Hatfield, Martin, Muñoz, Ogden and Rosen.

NAYS: President Clark.

Mayor Long thanked the Council for its action and emphasized the progress already made by Education and Recreation regarding use control to be done by Recreation.

He advised that Jan Yager was supporting his appeal to the County regarding the Glenside property.

27602 - Authorize Application for Soccer Federation Foundation Grant Program

## FINANCE

27603 - Authorize Execution of First Night Grant Application

27604 - Appropriate Funds for Further Design Services - Broad Street Parking Garage [Was DAR item under Finance]

27605 - Authorize Professional Services - Design Service - Broad Street Parking Garage [Was DAR item under Finance]

27606 - Request for Proposals for Construction Management Services - Broad Street Parking Garage [Was DAR item under Finance]

## WORKS

27607 - Support Designation of the Passaic River as an American Heritage River [Was DAR item under Works]

## BUILDINGS & GROUNDS

27608 - Establish Policy of Acknowledgment of Improvement Contributions

Councilmember Rosen suggested the Buildings and Grounds Committee always forward to the Council its recommendations and felt, therefore, that section 2b. of the resolution was not necessary.

Joe Steiner, 34 Ridgedale Avenue, commented that this resolution puts the acknowledgment process up front so that those desiring to have some type of recognition know what steps to take.

27609 - Authorize Reduction in Fox Hollow Subdivision Performance Guarantee to \$146,343.00 and Cash Deposit Return of \$37,941.00

Councilmember Rosen references a 2005 Forum where the neighbors expressed concern regarding safety problems at the Fox Hollow development.

Townley advised that all the appropriate conditions have been met and the City is satisfied that this refund should be granted but that it would look at the drainage area in question. He pointed out that it is a natural stream and wetland conditions exist and that DEP said it could not be disturbed. Therefore, there is a dilemma.

Osmun advised that the detention basin at Fox Hollow is the responsibility of the homeowners and DEP approval would be needed regarding encroachment on anything done with the stream.

27610 - Appoint Acting Plumbing Subcode Inspector - W. Olinger

27611 - Waive Subdivision Application Fees - Passaic & Stanley Avenues [Was DAR item under Buildings & Grounds]



## 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.)*

### WELFARE

Grant Application - Playing Fields Study - Councilmember Martin advised that the suggested amount of \$15,000.00 was based on an estimate from the Board of Education consultant. She stated that Jan Yager had offered to draft the application subject to review by the appropriate City staff.

### FINANCE

Analysis and Recommendations on Garage Construction Procedures - Councilmember Rosen referenced Burkholder's memo, stated that the Finance Committee had agreed to and recommends:

1. Keeping the design team intact and adopting two resolutions to support this effort.
2. Supporting the construction-management firm approach and seeking proposals from such firms.
3. Move the design along as quickly as possible which will include soil borings.
4. Not ready for an ordinance to fund the garage.
5. Not enough information exists for decision-making regarding the "guaranteed price" approach.

Burkholder stated that this process allows the project to move along two months earlier than otherwise and he stated that the contract for design being with Biber was that recommended by Walker and Biber.

There was discussion as to the:

1. Advantages of this relative to legal purposes.
2. Size of Biber versus Walker.
3. Who determines who has the various design responsibilities.

4. Who would be the controlling interest as far as decision-making.

It was agreed that Walker should be the lead agency.

President Clark and Burkholder suggested that since the agreements were not ready that wording be added to the resolutions saying that the agreements would be subject to review by the City Solicitor and Council. [Adopted three separate resolutions under Finance]

## LAW

Relocation Assistance Ordinance - It was agreed to defer this ordinance until the staff meets relative to approaches and problems it might foresee and hopefully introduce it on November 5th and fast track it.

## SAFETY/WORKS

Downtown Traffic and Design - Councilmember Muñoz advised that there were many downtown improvements proposed and he recommended the citizens come to the Summit Downtown Inc. improvement plan presentation meeting on October 22nd.

Councilmember Dill expressed concerns over being able to get the jobs done within the time frame proposed.

Townley spoke of extensions that would be necessary from DOT regarding a total of \$700,000.00 in grants which were approved in the last year and a half. He said that the City Engineer and he did not recommend requesting extensions since it could jeopardize future requests, explained how the improvements would be paid for by the owners and the City, and said he hoped to get the project out for bid this year or at least get DOT approval this year.

Steiner, SDI President, felt the deadlines could be met.

Townley emphasized that one way or another the curbs and sidewalks would be done but the question is whether all of them should be done or just repairs to those areas needed.

Burkholder advised that there is precedent of other governing bodies (other towns) deciding that for aesthetic reasons it is important to have all the sidewalks replaced. He advised that a decision needs to be made as to who pays for the lighting.

The following comments, questions or concerns, were then put forth:

1. Doubt that the citizens have a sense of the effects of the traffic calming proposals.
2. Works Committee needs to meet with the landlords and provide feedback to the Council, as soon as possible, for further decisions.
3. Are the downtown people unified?
4. Why not prepare specs for curbs and streets alone since it will have to be done?
5. The State needs to see everything and the ordinance needs to spell out all that is to be done.
6. Townley and Works Committee should meet with the affected property owners within the next two weeks and there will be further discussion on November 1st.
7. Recommendation that the Mayor and Council:
  - a. look at the area between Woodland and Kent Place on Springfield Avenue to envision the effects of a wider sidewalk because if this would not be approved, it makes the total issue much easier to deal with.
  - b. envision meter post with single meters or dual meters thus eliminating every other post and.
  - c. what different lighting would look like.

## **WORKS**

**American Heritage River Designation - Passaic River - [Became a resolution under Works].**

## **BUILDINGS & GROUNDS**

**Waiving Subdivision Application Fees - Passaic and Stanley Avenues - Agreed to waive the application fees but not the escrow fees.**

In answer to a question, Councilmember Dill advised that the County has been trying to sell these properties for at least ten years. **[Became resolution under Buildings & Grounds].**

Wilson Building and Parking - Councilmember Dill advised that Community Services will handle the complaint issues and the Kaiser request regarding Committee membership will be deferred until he talks with the Chairman of the Wilson Advisory Committee.

### **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 Muñoz:

### **FINANCE**

27612 - Parking Card Refund - \$71.00

27613 - Payment of Bills - \$225,315.52

### **SAFETY**

27614 - Grant Raffles License - Summit School Boosters Association,  
Off-Premise 50/50 - 5/20/98

**NEW BUSINESS** - No one wished to be heard.

### **PUBLIC COMMENTS**

President Clark spoke of Councilmembers Hatfield and Martin regarding the number of Committee assignments they have and the splendid job they are doing.

### **CLOSED SESSION RESOLUTION**

Councilmember Dill advised of the need to discuss a Personnel Matter regarding the Housing Authority and Hughes felt the issue was an Appointments matter.

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

97-19 - Labor Negotiations NJSA 10:4-12b(4)

Contract Negotiations (not collective bargaining) NJSA  
10:4-12.b(7)

Personnel Matters NJSA 10.4-12b(8)

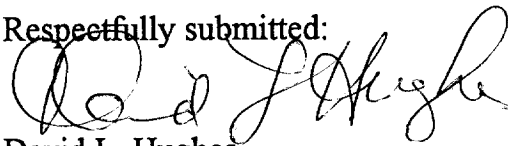
Appointments NJSA 10:4-12.b(8)

Representative and alternate to State Planning Commission (2)[M]  
Utility Deregulation Advisory Committee (3) [C]

**ADJOURN MEETING**

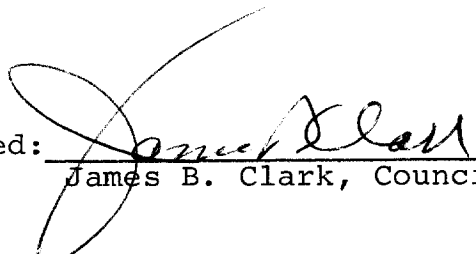
Councilmember Muñoz's motion to adjourn the Regular Meeting was duly seconded and unanimously adopted.

Respectfully submitted:



David L. Hughes  
City Clerk

Approved:



James B. Clark, Council President

PRESENTATION BY ETHEL L. WARD, DIRECTOR OF WELFARE,  
TO THE MAYOR AND COUNCIL, CITY OF SUMMIT

October 21, 1997

Good evening Mayor Long, President Clark, Council Members, Mr. Burkholder, Mr. Osmum, Colleagues and Citizens

I am, Ethel L. Ward, the municipal welfare Director for the City of Summit, responsible for the administration of the state supervised general assistance program, as well as a number of other functions. The office is staffed by myself and office assistant Mr. Henry Goscinski.

AN OVERVIEW OF GENERAL ASSISTANCE (G.A.)

General assistance developed from locally managed public relief efforts which date back to the seventeenth century. Public relief policy, emanating from the English Poor Laws, was adopted within the growing communities across the country. In most instances, administration of public relief was left to the smallest unit of local assistance, whether it be the town or parish, under the management of an appointed official.

General assistance was officially created in the 1920's as a program designed to provide interim cash assistance to needy adults without dependents. In New Jersey, G.A. is a state supervised, locally administered program operating out of the municipal welfare office. Each municipal welfare office has a three to five member local assistance board that oversees the program. Summit L.A.B. members are Barbara Packer Chairperson, John Denman, Sr., John Staunton, Rebecca Pruitt, and Councilman Dr. Eric Munoz.

PUBLIC ASSISTANCE CHANGES

In New Jersey our G.A. program has become part of work first N.J. The underlying philosophy of work first N.J. is that any eligible individual is entitled to apply for benefits but assistance will have a time limit. WFNJ benefits are limited to a total of five years of assistance during an individual's lifetime. Cash assistance is considered temporary in nature to bridge the gap during which a person seeks and obtains gainful employment. Recipients will be required to participate in work activity or self-directed job search, work activities may include on the job training (OJT). OJT may last up to six months, leading to a job which develops necessary work experience. All WFNJ offices are working with the Department of Labor, Workforce Investment Boards (WIBS) and the private sector to accomplish this goal.

THE FUNCTION OF THE MUNICIPAL WELFARE OFFICE

The funding to assist the needy single and married adults without children in the City of Summit is received from the State. State funding to an account titled public

assistance account 11 is provided based on reports prepared by this office. State of New Jersey checks are sent to the city Treasurer's Office for supervised disbursement by this office.

Several years ago the average monthly caseload was 50, however, through active supervision and effective outplacement, we now have an active monthly case load of 25 to 30.

Our office is connected via a computer link with the State's welfare data base. Through the use of this connection we are able to quickly determine the following:

- 1) Verification of a person's social security number
- 2) Whether an individual has an active case in another municipality
- 3) Verification of current or past employment with possible eligibility for unemployment benefits

Our office has been part of a finger imaging project for over two years. Finger images and photos are taken and sent to the Bureau of Integrity Control in Trenton. Once the finger images and photos are entered into the data base, we will be notified within hours of a possible duplication of any benefits.

Individuals who are ill or possibly permanently disabled are assisted while their applications for social security are awaiting approval. Individuals with a work history will apply for S.S.A. Individuals with little or no work history would be eligible for S.S.I. The Social Security Administration will determine the correct benefit program based on the information, including medical reports, provided by the individual and this office. This office does not make a determination of eligibility for Social Security Benefits.

#### FUNCTIONS OF THE OFFICE BEYOND G.A.

This office shares responsibility for the administration of donated money with the Family Services office. We work jointly with Alicia Domizisi Gorman. Each year we ask for donations through the local newspapers. The donated money is split between our offices to help anyone who is in a crisis.

This office is also helped by the Summit convalescent fund. This fund is to help Summit residents who have a medical emergency.

Summit is an established service unit of the Salvation Army. This means that an allocation is made to the Summit community from funds collected by the Salvation Army through donations, drives and the United Way. Alicia D. Gorman is the Secretary and I am the Treasurer. If more that \$200.00 is needed for an emergency situation, the Salvation Army representative will be contacted for authorization.

We also collect clothing that is available to the needy individuals and families in the community. Often someone working outdoors may need a coat, sweater or gloves to keep warm. Children need warm clothing for the school year.

I serve on the Board of the Summit Helping It's People (S.H.I.P.) Program.

SHIP serves a hot breakfast and bagged lunch everyday. On weekends, a dinner is served. Often, being able to go to the program means someone has enough money to pay the rent, gas and electric or a medical bill. The community's churches and synagogues help to supply facilities, volunteers and food so that the program can feed the less fortunate. Overlook and Chart Hospitals, Seven-Eleven, Starbucks and other concerned businesses and individuals also contribute food and services to the program.

We have many people who need varied sorts of help and I can't tell you how many angels we have quietly helping. The spirit of giving and caring is going on all year round in the City.

Thank you Summit for your concern.

Thank you, it is a pleasure and honor to work with you.



# 97-19

**AUTHORIZE CLOSED SESSION**

October 21, 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:

#97-19 – Labor Negotiations NJSA 10:4-12b(4)

Contract Negotiations (not collective Bargaining) NJSA 10:4-12.b(7)

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

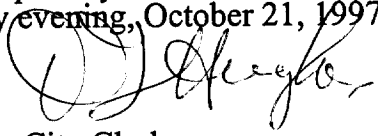
Appointments - NJSA 10:4-12b(8)

) **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 21, 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 21, 1997.



City Clerk