

**CITY OF SALEM
MINUTES OF THE COMMON COUNCIL MEETING
OF APRIL 16, 2018**

A meeting of the Common Council of the City of Salem was called to order President Karen Roots. The meeting took place at the 1 New Market Street at 6:30 p.m. The meeting was opened with the Pledge of Allegiance. Present: Council President Karen Roots, Councilpersons Ruth Carter, Earl Gage, Vaughn Groce, Sharon Kellum, Horace Johnson, and Russell Walker. Also in attendance were Jennifer Blumenthal-City Administrator, Andrea Rhea-City Solicitor, Dave Crescenzi-CFO. Councilwoman Lydia Thompson and City Clerk Tierra M. Jennings were absent.

INVOCATION

PASTOR DANNY THOMAS

STATEMENT OF THE OPEN PUBLIC MEETINGS ACT

NOTICE OF THE REGULAR MEETINGS OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SALEM, AS REQUIRED BY N.J.S.A. 10:4-6 ET SEQ., THE “OPEN PUBLIC MEETINGS ACT”, HAS BEEN PROVIDED BY THE PUBLIC ADVERTISEMENT AND POSTING AT THE MUNICIPAL ANNEX OF A SCHEDULE ADOPTED BY RESOLUTION ON JANUARY 1ST, 2018 SETTING FORTH THE TIME, DATE AND PLACE OF ALL THE REGULAR MEETINGS OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SALEM.

APPROVAL OF MINUTES

Motion made by Councilman Gage and seconded by Councilman Kellum to adopt the minutes of April 2, 2018 (Open and Closed Session). All in favor. Motion carries.

COMMUNICATION/APPLICATION/REPORTS

NONE

INTRODUCTION OF ORDINANCES FOR FIRST READING

1805 AN ORDINANCE AMENDING CHAPTER 225, SECTION 37 HANDICAPPED PARKING ZONE, FOR A HANDICAPPED PARKING SIGN TO BE PLACED AT 97 UNION STREET

Introduction: April 16, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce						
H. Johnson			X			
S. Kellum		X	X			

L. Thompson						X
R. Walker			X			
K. Roots			X			

NOTICE is hereby given that the foregoing Ordinance was introduced and passed at the meeting of the Common Council of the City of Salem on April 2, 2018 and further said Council will hold a hearing and consider said ordinance for final passage at a meeting to be held May 7, 2018 at 6:30 p.m. at the Salem City Municipal Building at which time all persons interested may appear for or against the passage of said Ordinance.

ORDINANCE FOR SECOND READING/FINAL PASSAGE

1804 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2018 (NJSA 40A:4-45.14)

Public Hearing: April 16, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson			X			
S. Kellum		X	X			
L. Thompson						X
R. Walker			X			
K. Roots			X			

Adoption: April 16, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson			X			
S. Kellum		X	X			
L. Thompson						X
R. Walker			X			

K. Roots			X			
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INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION

**CITY OF SALEM
RESOLUTION 2018-92**

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Common Council* of the *City of Salem*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Adopted: April 16, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson			X			
S. Kellum		X	X			
L. Thompson						X

R. Walker			X			
K. Roots			X			

**CITY OF SALEM
RESOLUTION 2018-93**

EMERGENCY TEMPORARY APPROPRIATIONS RESOLUTION N.J.S.A. 40A:4-20

WHEREAS, an emergency condition has arisen with respect to the need to provide budgetary funds for 2018, and

WHEREAS, the cause of the emergency is due to the fact that the City is unable to adopt the 2018 Annual Budget, and

WHEREAS, it is considered necessary for the health and welfare of the community to continue to provide necessary services, and

WHEREAS, the total emergency temporary resolution adopted in the year 2018 pursuant to the provisions of Chapter 96 P.L. 1951 (N.J.S.A. 40A4-20) including this resolution totals for \$ [REDACTED] the Current Fund.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A.40A:4-20:

1. That the attached list shall constitute the emergency temporary appropriations for the budget year of 2018.
2. That said emergency temporary appropriations will be provided in the 2018 budget as presented in proceeding.
3. That three certified copies of this resolution be filed with the Director of Local Government Services.

Adopted: April 16, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson			X			
S. Kellum		X	X			
L. Thompson						X
R. Walker			X			
K. Roots			X			

**CITY OF SALEM
RESOLUTION 2018-94**

**A RESOLUTION APPROVING ENGINEERING SERVICES FOR
THE RECONSTRUCTION OF GRIEVES PARKWAY PROJECT,
PHASE 4**

WHEREAS, the City of Salem approved a contract with Remington & Vernick Engineers as the City’s engineers for the calendar year 2018; and

WHEREAS, City requires engineering services related to the reconstruction of Grieves Parkway project – Phase 4; and

WHEREAS, Remington & Vernick Engineers has submitted a proposal to perform specific services in the amount of 32,128.00 related to the project regarding the inspection, pavement coring and analysis and engineering, surveying and contract administration as detailed in their letter dated March 5, 2018 attached hereto; and

WHEREAS, the funding is available for said services through USDOT and the CFO has certified that the funds are available for the engineering services under appropriation #7-01-41-803-000.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey, that Remington and Vernick are authorized to commence the services in accordance with the proposal dated March 5, 2018 attached hereto for the inspection, pavement and coring analysis and engineering, survey and contract administration for the Grieves Parkway project, Phase 4.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute an agreement for services in accordance with this Resolution.

Adopted: April 16, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson			X			
S. Kellum		X	X			
L. Thompson						X
R. Walker			X			
K. Roots			X			

Administration: (Roots, Hassler, Johnson, Carter)

Met on April 11

Public Safety: (Gage, Groce, Hassler, Carter)

Will discuss contract negotiations in closed session

Public Works: (Groce, Roots, Hassler, Gage)

Will discuss contract negotiations in closed session

Neighborhood Initiatives/ Community Service: (Thompson, Johnson, Roots, Carter)

Councilman Johnson stated that there will be a cleanup for non-profits on May 19, 2018

City Property/Capital/Human Services: (Carter, Walker, Kellum, Roots)

Discussed the walkthrough with Future Systems abandoned property program. Councilwoman Carter was impressed with Carol's knowledge of the program. Councilwoman Carter updated council on the Grievess parkway construction: that construction will begin on phase 3 after school lets out and phase 4 may begin and end prior to school starting in the fall and that the construction will include the area in front of the community center. Councilwoman Carter updated council on demolition, which will begin after disconnects and permits are completed.

Redevelopment: (Groce, Johnson, Gage, Kellum)

No Report

MAYORAL COMMENTS

NONE

OLD BUSINESS

Council discussed Charlie Hassler's Man of the Year recognition and are impressed with all of his achievements

NEW BUSINESS

NONE

PUBLIC PORTION

William Corbin- Davis Ave-Mr. Corbin asked that the debris from recent storms be addressed by the City

Joy Coleman-Van Meter- Asked that Council review laws that would eliminate commercial vehicles parked on residential streets and asked what record the City has on vacant/abandoned properties. She also thanked the City for the Newsletter

Motion made by Councilman Gage and seconded by Councilwoman Kellum to close public portion. All in Favor. Motion carries.

Motion made by Councilman and seconded by Councilman to adopt Resolution 2018-95 for Closed Session. Roll Call. Motion carried 7-0

**CITY OF SALEM
RESOLUTION 2018-95**

**A RESOLUTION AUTHORIZING A CLOSED SESSION OF THE COMMON
COUNCIL OF THE CITY OF SALEM**

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into a closed session during a public meeting to discuss certain matters as follows:

- (1) ***Matters required by law to be confidential:*** Any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Any matter in which the release of information would impair the right to receive federal funding.
- (3) ***Matters involving individual privacy:*** Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations or other personal material of any education, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned .
- (4) ***Matters pertaining to a collective bargaining agreement:*** Any matter involving a collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) ***Matters relating to the purchase, lease acquisition of real property or investment of public funds:*** Any matter involving the lease, purchase or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) ***Matters of public protection:*** Any tactic and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.

(7) **Matters relating to litigation, negotiations and attorney-client privilege:** Any matter of pending or anticipated litigation or contract negotiation other than in (4) above in which the Board is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise ethical duties as a lawyer.

(8) **Matters relating to the employment relationship:** Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of , promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all of the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed in public.

(9) **Deliberations after public hearing.** Deliberations by the Board occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party; and

WHEREAS, the Common Council has determined that it is necessary to go into a closed session to discuss certain matters relating to the items as permitted by N.J.S.A. 10:4-12b

NOW, THEREFORE BE IT RESOLVED, the Common Council of the City of Salem will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

A. CONTRACT NEGOTIATIONS

BE IT FURTHER RESOLVED, that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

Adopted: April 16, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson			X			
S. Kellum		X	X			
L. Thompson						X
R. Walker			X			
K. Roots			X			

With a Motion by Councilman Gage, seconded by Councilwoman Kellum, and all in favor, Council came out of Closed Session at 7:15pm.

Once Council came out of the Closed Session Meeting, the following business took place:

This Council gives authority to the Council President and Mayor to negotiate the appointment of Jared Bacon and Jacob Buechler for a period of Six (6) months for an emergent basis and until a long-term plan is structured in appropriate civil service titles and provisions.

Adopted: April 16, 2018


COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson			X			
S. Kellum		X	X			
L. Thompson						X
R. Walker			X			
K. Roots						X

ADJOURNMENT

With no further business before Council, Councilman Gage motioned to adjourn the meeting, Councilman Johnson seconded. Motion carried unanimously. The council meeting ended at 8:00pm.

Respectfully Submitted:

Approved: May 7, 2018


City Clerk