

**CITY OF SALEM  
MINUTES OF THE COMMON COUNCIL MEETING  
OF SEPTEMBER 17, 2018**

A meeting of the Common Council of the City of Salem was called to order by Council President Karen Roots. The meeting took place at 1 New Market Street, Salem, New Jersey at 6:30 p.m. The meeting was opened with the Pledge of Allegiance followed by an Invocation by Hon. Earl Gage

Present: Council President Karen Roots, Councilpersons: Ruth Carter, William Corbin, Earl Gage, Sharon Kellum, James Smith, Vaughn Groce and Council President Karen Roots. Also, in attendance were Mayor Charles Washington, Andrea Rhea-City Solicitor, Dave Crescenzi-CFO and Jennifer Blumenthal, City Administrator. Councilman Horace Johnson was absent.

**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 1<sup>ST</sup>, 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 PAYMENT OF BILLS**

A Motion was made by Councilman Earl Gage and seconded by Councilwoman Sharon Kellum to approve payment of bills. All members voted in Favor. Motion carries.

**APPROVAL OF MINUTES**

A Motion was made by Councilman Gage and seconded by Councilwoman Kellum to approve the minutes from the meeting of August 20, 2018. All members voted in favor. Motion carries.

**COMMUNICATIONS/APPLICATIONS/REPORTS**

A Proclamation of Commendation to Paul Ledford for outstanding service to Salem City was introduced and approved by Council.

A Motion was made by Councilman Earl Gage and seconded by Councilwoman Sharon Kellum to approve a raffle license for Washington Fire. All members voted in Favor. Motion carries.

A Motion was made by Councilman Earl Gage and seconded by Councilwoman Sharon Kellum to approve an entertainment application for Gateway Community Church. All members voted in Favor. Motion carries.

# 1. INTRODUCTION OF ORDINANCES FOR FIRST READING

## CITY OF SALEM

### ORDINANCE NO. 1805

#### AN ORDINANCE OF THE CITY OF SALEM AMENDING SECTIONS 225-9 AND 225-31 TO EXCLUDE CERTAIN TRUCKS FROM ROUTE 49

**WHEREAS**, the City of Salem has concerns regarding heavy truck travel through its down town historical district and the impact upon the integrity of the buildings situate along East and West Broadway (Route 49).

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Salem, Salem County, New Jersey as follows:

**Section 1.** Section 225-9 is hereby amended by adding the following streets to those streets set forth in Section 225-31 from which trucks weighing more than four (4) tons are excluded except for emergency services and for pickup and delivery of materials on such streets.

**Section 2.** Section 225-31, Schedule V, Trucks over four (4) tons is amended to add the following street:

**Name of Street**

Route 49 (also designated in part as East and West Broadway)

**Location**

Grieves Parkway to Front Street

Signs shall be erected as recommended by the City Engineer to direct such trucks onto Grieves Parkway.

**Section 3.** If a court of competent jurisdiction shall declare any section, paragraph, subsection, clause or provision of this Ordinance invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**Section 4.** All ordinances or parts of ordinances of the City of Salem heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of any inconsistency.

**Section 5.** This ordinance shall take effect as provided by law and is subject to any applicable approvals of the Director of the Department of Transportation.

**ATTEST:**

\_\_\_\_\_  
David Crescenzi, Deputy Clerk

**CITY OF SALEM**

\_\_\_\_\_  
Karen Roots, Council President

Introduced: September 17, 2018, Public Hearing to be scheduled: October 15, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson						X
S. Kellum		X	X			
J. Smith			X			
K. Roots			X			

I, David Crescenzi, Deputy City Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of an Ordinance adopted on first reading by the Common Council of the City of Salem on September 17, 2018.

\_\_\_\_\_

Date

\_\_\_\_\_

Clerk

The Mayor explained the need for the ordinance as trucks using Broadway as a main route, which is a historic district in the City. Broadway is flanked by historic structures, including residential homes and property owners complain about the vibrations and deterioration of their properties from the trucks.

Councilman Smith asked if the City would be addressing Market Street, as well as Broadway, which experiences the same problems with trucks, vibrations, and possible damage to the structural integrity of the homes as Broadway. Council said it needs to address Market Street too.

Council discussed the possible rerouting of traffic from Market Street. The Mayor asked that Council come up with a viable plan to address the rerouting of trucks from Market Street.

Council discussed the lower level of Grieves Parkway and high water levels which may cause a need for the road to be raised. A study of truck flow that would include traffic calming measures was discussed.

### **INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION**

#### **CITY OF SALEM RESOLUTION 2018-132**

#### **A RESOLUTION TO APPROVE PROVISIONAL APPOINTMENT OF RAYMOND HOWARD TO POSITION OF STREET SUPERINTENDENT**

**WHEREAS**, there is a need to fill the vacancy in the position of Street Superintendent;  
and

**NOW, THEREFORE BE IT RESOLVED**, that Raymond Howard is provisionally appointed to the position of Street Superintendent as defined by City Ordinance 189-1 (or the equivalent civil service as may apply); and

**BE IT FURTHER RESOLVED** that the employee shall be paid an annual salary of \$72,000., along with the longevity and benefits he currently receives; and

**BE IT FURTHER RESOLVED** that should the employee enroll and complete the NJ Certified Public Works Manager program during the term of his provisional appointment, the annual salary will increase by \$5,000. upon successful certification.

**BE IT FURTHER RESOLVED** that this provisional appointment is subject to all the requirements of the Ordinances of the City of Salem and applicable provisions governing civil service appointments, including, but not limited to the right to his prior title or equivalent should he fail to file for or qualify for permanent appointment for this title (or equivalent civil service title) pursuant to N.J.A.C. 4A:4-1.9

**ATTEST:**

**CITY OF SALEM**

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David Crescenzi, Deputy Clerk

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Karen Roots, Council President

Adopted: September 17, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson						X
S. Kellum		X	X			
J. Smith			X			
K. Roots			X			

I, David Crescenzi, Deputy City Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Common Council of the City of Salem on September 17, 2018.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

**CITY OF SALEM  
RESOLUTION 2018-133  
A RESOLUTION APPOINTING ANITA GARCIA AS ACTING  
MUNICIPAL CLERK FOR THE CITY OF SALEM**

**WHEREAS**, pursuant to N.J.S.A. 40A:9-133 every New Jersey municipality shall have a Clerk; and

**WHEREAS**, upon the vacancy in the position of acting municipal clerk, no applicants holding a registered municipal clerk certification applied for the position; and

**WHEREAS**, it is necessary to comply with the statutory requirements of employing a municipal clerk; and

**WHEREAS**, the Common Council of the City of Salem seeks to fill the position with an applicant who is willing to take the steps toward the necessary certification.

**NOW, THEREFORE BE IT HEREBY RESOLVED** by the Common Council of the City of Salem, County of Salem and State of New Jersey, that Anita Garcia is appointed as Acting Municipal Clerk for the City of Salem for a one year term commencing on September 17, 2018 and ending on September 16, 2019 contingent upon any approvals needed from the Director of the Division of Local Government Services in the Department of Community Affairs and contingent upon the hiring of a part time Registered Municipal Clerk.

**BE IT FURTHER RESOLVED**, that the acting clerk shall be paid an annual salary of \$42,000. In accordance with the City Salary Ordinance. Upon successfully obtaining the necessary certifications, the annual salary shall be increased to \$45,000.00

**ATTEST:**

**CITY OF SALEM**

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\_\_\_\_\_

David Crescenzi, Deputy Clerk

Karen Roots, Council President

Adopted: September 17, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson						X
S. Kellum		X	X			
J. Smith			X			
K. Roots			X			

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

**CITY OF SALEM  
RESOLUTION 2018-134**

**A RESOLUTION APPOINTING DAVID CRESCENZI AS MUNICIPAL SEARCH  
OFFICER OF THE CITY OF SALEM**

**BE IT HEREBY RESOLVED** by the Common Council of the City of Salem, County of Salem and State of New Jersey that **DAVID CRESCENZI** be and hereby is appointed as Municipal Search Officer of the City for a one (4) month term of service ending December 31<sup>st</sup>, 2018; however such service shall be at the pleasure of the City Council and thus may be terminated at any time by the Council with or without cause, prior to December 31, 2018.

**ATTEST:**

**CITY OF SALEM**

\_\_\_\_\_  
David Crescenzi, Deputy City Clerk

\_\_\_\_\_  
Karen Roots, Council President

Adopted: September 17, 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			
J. Smith			X			
B. Corbin			X			
K. Roots			X			

I, David Crescenzi, Deputy City Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Common Council of the City of Salem on September 17, 2018.

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Crescenzi, Deputy City Clerk

**CITY OF SALEM  
RESOLUTION 2018-135**

**A RESOLUTION AUTHORIZING A CONTRACT WITH S.J.  
SANITATION FOR THE COLLECTION OF SOLID WASTE**

**WHEREAS**, the City of Salem solicited bids for the collection of solid waste for its residents; and

**WHEREAS**, two bids were received as follows:

<u>Bidder</u>	<u>Option #1 (3 year)</u>	<u>Option #2 (5 Year)</u>
<u>S. Jersey Sanitation</u>	Year 1 <u>\$99,000</u>	Year 1 <u>                    </u>
	Year 2 <u>\$99,000</u>	Year 2 <u>                    </u>
	Year 3 <u>\$99,000</u>	Year 3 <u>                    </u>
		Year 4 <u>\$99,000</u>
		Year 5 <u>\$99,000</u>
	Total <u>\$297,000</u>	Total <u>\$495,000</u>
 <u>Waste Management</u>	Year 1 <u>\$162,972</u>	Year 1 <u>                    </u>
	Year 2 <u>\$167,868</u>	Year 2 <u>                    </u>
	Year 3 <u>\$172,896</u>	Year 3 <u>                    </u>
		Year 4 <u>\$178,092</u>
		Year 5 <u>\$183,432</u>
	Total <u>\$ 503,736</u>	Total <u>\$865,260</u>

and

**WHEREAS**, S.J. Sanitation was the lowest responsible bidder; and

**WHEREAS**, the City has determined that it seeks to award the contract for a five-year period; and

**WHEREAS**, the Salem City CFO has certified that funds are available for the services.

**NOW, THEREFORE BE IT HEREBY RESOLVED** by the Common Council of the City of Salem, County of Salem and State of New Jersey, that the Mayor is authorized to execute an agreement with S.J. Sanitation for the collection of solid waste for a five-year period for the terms set forth above and, in a form, approved by the Solicitor.

**ATTEST:**

**CITY OF SALEM**

\_\_\_\_\_  
David Crescenzi, Deputy Clerk

\_\_\_\_\_  
Karen Roots, Council President

Adopted: September 17, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			x			
W. Corbin			x			
E. Gage	x		x			
V. Groce			x			
H. Johnson						x
S. Kellum		x	x			
J. Smith			x			
K. Roots			x			

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

**CITY OF SALEM  
RESOLUTION 2018-136**

**A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST  
AN EXTENSION FOR THE COMPLETION OF THE WELL NO.  
9 PROJECT**

**WHEREAS**, the City of Salem is in need of constructing a new well to supply water to the City of Salem residents (hereafter known as Well No. 9); and

**WHEREAS**, despite diligent efforts by the City to maintain a schedule for completion of the project, various events, including finding an adequate location of the well site, obtaining necessary permits and unanticipated costs have caused a delay;

**WHEREAS**, it is necessary request an extension of the project completion date;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Common Council of the City of Salem that the Mayor is authorized to submit a letter to the USDA evidencing the City’s request for a deadline and continued commitment for completion of the Well No. 9 project.

**ATTEST:**

**CITY OF SALEM**

\_\_\_\_\_  
David Crescenzi, Deputy Clerk

\_\_\_\_\_  
Karen Roots, Council President

Adopted: September 17, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
V. Groce			X			
H. Johnson						X
S. Kellum		X	X			
J. Smith			X			
K. Roots			X			

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

**COMMITTEE REPORTS**

**ADMINISTRATION** (Roots, Gage, Johnson, Carter) Last meeting on 09/11/2018 personnel and contract information An item will be discussed in closed session.

**PUBLIC SAFETY** (Gage, Groce, Roots, Carter) Last meeting on 09/11/2018 personnel and contract information. An item will be discussed in closed session.

**PUBLIC WORKS** (Groce, Roots, Smith, Gage) Last meeting on 09/11/2018 personnel and contract information. An item will be discussed in closed session.

**HUMAN SERVICES** (Gage, Kellum, Smith, Corbin) No report  
**CITY PROPERTY /CAPITAL** (Carter, Smith, Kellum, Roots No report  
**NEIGHBORHOOD INITIATIVES/COMMUNITY SERVICES**  
(Johnson, Roots, Carter, Corbin) No report

**MAYORAL COMMENTS** – The Mayor welcomed Ms. Garcia. The Mayor spoke about the City receiving Transitional Aid and its ability to provide a lower tax increase for the 2019 year than without the Aid. He explained the State Resource Network (SRN) grant designation and how Salem was selected because it proved to have a strategic plan with realized successes in place. Salem does not fit the basic requirements to be a recipient of the grant because of its smaller population and smaller deficit compared to other New Jersey municipalities. The reason Salem was selected is because of the resource policy and plans that were in place prior the grant award and that we should always be working together on a plan for Salem and be ready for any opportunities that may arise for the City with regard to what is best for the culture of the community. The Mayor complimented his administrative staff on a job well done. The Mayor stated that he will have an article in either the November or December issue of the League of Municipalities magazine addressing the State Resource Network relationship. The Mayor stated that he started a new program called “Key Communicators” that will provide accurate and correct information to anyone that signs up. The Mayor gave an update on what he is doing to relieve the debt burden of the Finlaw building by working with Stand up for Salem, Salem County Improvement Authority, Salem County College in a collaboration with the State. The purpose of the judiciary campus will provide a new court house, lower debt and higher stability for Salem. The Mayor stated that he will be meeting again with Uplift and Pennsville National Bank to discuss options and opportunities for the supermarket site.

**OLD BUSINESS** - None

**NEW BUSINESS** - Council President Roots stated that the City is working with Green Technologies on updating its website.

**PUBLIC PORTION** –

Jahyda Villegas mentioned the supermarket timeline being informative and would like to know if Stand Up for Salem will be involved in future meetings. The Mayor stated that Stand up for Salem is part of his Mayor’s Task force and is included whenever needed. Jahyda asked if a similar timeline can be done for the field. The Mayor responded that the field is important to the community and that the City is also focusing on applying resources towards securing new owners for the supermarket and the reduction of debt from the Finlaw investment. The Mayor stated that the field should not only be a government initiative but also be a community undertaking.

The Mayor stated that he has made effort to communicate on important issues through the new key communicator initiative, newsletter, and website.

A motion was made by Councilman President Roots to close the public portion, seconded by W. Corbin. All in favor, motion carried.

**CITY OF SALEM**  
**RESOLUTION 2018-130**  
**Resolution Authorizing Executive Session**

**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 City 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**, by the City Council of the City of Salem that the Council 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, attorney client privilege

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**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.

**ATTEST:**

**CITY OF SALEM**

\_\_\_\_\_  
David Crescenzi, Deputy Clerk

\_\_\_\_\_  
Karen Roots, Council President

Adopted: September 17, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			x			
W. Corbin			x			
E. Gage	x		x			
V. Groce			x			
H. Johnson						x
S. Kellum		x	x			
J. Smith			x			
K. Roots			x			

I, David Crescenzi, Deputy City Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Common Council of the City of Salem on September 17, 2018.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

Once the Council resumed the public portion of the meeting, on Gage's motion, seconded by Kellum, Council president Roots was authorized to move forward with the current process to hire a Director of Public Works. All in favor, motion carried.

Action was taken on the below after the closed session:

**R18-137:** A RESOLUTION AUTHORIZING THE ADJUSTMENT AND SETTLEMENT OF TAXES AND MUNICIPAL CHARGES FOR PROPERTY LOCATED AT 51 SEVENTH STREET

Motioned by Gage. Second by Councilwoman Kellum.

**R18-138** A RESOLUTION APPOINTING A PART-TIME CLERK

Motioned by Councilman Gage Second by Councilwoman Kellum.