

CITY OF SALEM
MINUTES OF THE COMMON COUNCIL MEETING
OF OCTOBER 15, 2018

A meeting of the Common Council of the City of Salem was called to order by 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: President Karen Roots, Councilpersons Ruth Carter, William Corbin, Earl Gage, Vaughn Groce, Sharon Kellum. Also in attendance were Mayor Charles Washington, Jr., Jennifer Blumenthal-City Administrator, Andrea Rhea-City Solicitor, Dave Crescenzi-CFO and Anita Garcia-City Clerk. Councilman Horace Johnson and Jim Smith were absent.

INVOCATION

Rev. Dr. Gary Cecil

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

A MOTION WAS MADE BY COUNCILMAN EARL CAGE AND SECONDED BY SHARON KELLUM TO APPROVE THE MINUTES FROM THE MEETING OF OCTOBER 1, 2018. ALL MEMBERS VOTED IN FAVOR. MOTION CARRIES.

COMMUNICATION/APPLICATION/REPORTS

NONE

INTRODUCTION OF ORDINANCES FOR SECOND READING/FINAL PASSAGE

**CITY OF SALEM
ORDINANCE NO. 1805
AN ORDINANCE OF THE CITY OF SALEM AMENDING SECTION 225-9
AND 225-32 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 for (4) tons are excluded except for emergency services and for pick-up 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:

<u>Name of Street</u>	<u>Location</u>
Route 49 (also designated in part as East and West Broadway)	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.

Opened to the public.

No questions or comments from the public.

Motion to close public portion by President Karen Roots; motion carries.

Public Hearing Held: October 15, 2018

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

Adopted: October 15, 2018

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

Council of the City of Salem on October 15, 2018.

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 October 15, 2018.

**CITY OF SALEM
COUNTY OF SALEM**

RESOLUTION 2018-145

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
REQUEST FOR RELEASE OF FUNDS, FORMS, PERMIT
APPLICATIONS AND OTHER DOCUMENTS RELATED TO WELL NO. 9**

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, the City was previously awarded \$500,000 from the Emergency Community Water Assistance Grants, along with a \$400,000. Grant from the New Jersey Department of Community Affairs Small Cities Public Facilities Program; and

WHEREAS, from time to time the City is required to submit documents associated with the project to, including, but not limited to the USDA, New Jersey Department of Affairs and NJ DEP; and

WHEREAS, the City needs to submit a Release of Funds request related to the project and the same requires the Mayor’s signature.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Common Council of the City of Salem that the Mayor is authorized to execute the attached Release of Funds Form, along with any routine forms, documents or applications that are necessary for the funding, construction and completion of the Well No. 9 project.

Adopted: October 15, 2018

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

RESOLUTION 2018--146

RESOLUTION AUTHORIZING CHANGE ORDER #2 FINAL FOR THE DEMOLITION OF VARIOUS STRUCTURES PROJECT

WHEREAS, the Engineer for the City has recommended the approval of a change order (Change Order #2 - Final dated September 13, 2018) to reflect the final adjustment for as-built quantities and supplemental emergency demolition added during the performance of the Demolition of Various Structures project; and

WHEREAS, the contract was awarded to Delphi Contracting, Inc. in the amount of \$266,449.99; and

WHEREAS, based on the adjustments and change orders submitted by the Engineer, as more fully detailed under the Engineer’s cover letter of September 12, 2018 attached hereto and

made a part hereof, there was an increase of the contract price by \$16,200.00 for a total adjusted contract price of \$282,649.99, and

WHEREAS, the CFO has certified that funds are available to pay the adjusted contract price.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Salem, New Jersey that aforesaid change order #2-Final with a total contract price of \$282,649.99 is approved.

Adopted: 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			

RESOLUTION 2018-147

RESOLUTION AUTHORIZING CHANGE ORDER #1 FINAL FOR THE RECONSTRUCTION OF GRIEVES PARKWAY, PHASE 3 PROJECT

WHEREAS, the Engineer for the City has recommended the approval of a change order (Change Order #1 - Final dated September 18, 2018) to reflect the final adjustment for as-built quantities during the performance of the Reconstruction of Grieves Parkway, Phase 3 project; and

WHEREAS, the contract was awarded to Asphalt Paving Systems, Inc. in the amount of \$139,200.00 and;

WHEREAS, based on the adjustments and change order submitted by the Engineer, as more fully detailed under the Engineer’s cover letter of September 20, 2018 attached hereto and made a part hereof, there was a decrease of the contract price by \$610.54 for a total adjusted contract price of \$138,589.47 and;

WHEREAS, the CFO has certified that funds are available to pay the adjusted contract price.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Salem, New Jersey that aforesaid change order #1-Final with a total contract price of \$138,589.47 is approved.

Adopted: 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			

RESOLUTION 2018-148

RESOLUTION AUTHORIZING SUBMISSION OF CORRECTIVE ACTION PLAN REGARDING THE 2017 AUDIT

WHEREAS, the Department of Community Affairs requires that a corrective action plan addressing the recommendations of the municipal audit be filed with the Division of Local Government Services;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Salem, County of Salem, State of New Jersey that the attached corrective action plan be approved for submission to the Division of Local Government Services and;

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to submit the aforesaid corrective action plan.

Adopted: October 15, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage	X		X			
V. Groce			X			
W. Corbin			X			

H. Johnson						X
S. Kellum		X	X			
J. Smith						X
K. Roots			X			

RESOLUTION 2018-149

A RESOLUTION TO ADOPT THE AMENDED 2018 BUDGET FOR 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 the attached is hereby adopted as the City's 2018 Amended Budget.

Adopted: October 15, 2018

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

COMMITTEE REPORTS

Administration (Roots, Gage, Johnson, Carter)
Contract negotiations

Public Safety (Gage, Groce, Roots, Carter)
No Report

Public Works (Groce, Roots, Smith, Gage)
Meter replacement plan alternative bids WRM's report for services, staffing and, labor ads

Human Services (Gage, Kellum, Smith, Corbin)
No Report

City Property /Capital (Carter, Smith, Kellum, Roots)

Clean-up; non-profits. Closed session items.

Neighborhood Initiatives/Community Services

(Johnson, Roots, Carter, Corbin)

Meeting November

MAYORAL COMMENTS

- 3rd and Grieves – There was a drain that was clogged. The pressure from the water flow created erosion around the pipes and caused it to be compromised creating a sink hole, therefore, the street had to be closed. Working with engineering professionals for quotes to repair sink hole and pipes.
- A member of the public stated that there are rumors through social media that Ardagh Group is hiring. Mayor's response: Social media is not always accurate. When they are close to hiring, we will play a part in that process, using credible awareness, like the city website, to let the public know, and of any other happenings within the city.

OLD BUSINESS

NONE

NEW BUSINESS

NONE

PUBLIC PORTION

William Fuse spoke on the 225 East Broadway property that he owns. There is an abandoned house next to it; another property adjacent with broken windows. He is concerned with the appearance of the properties which in turn devalues his property, making it difficult to sell. He also stated that the side street was paved up to his home leaving a portion still as gravel that water runs down creating holes and damaging vehicles. He was told that the road would be repaired.

Sherry Mower 273 Craven Street, commended the Governing body for correcting her water bill.

The person that commented here did not give her name: Asked if the Mayor was supportive of a forum with other candidates. Asked if there was a forum scheduled, then cancelled. The Mayor responded that he was supportive of a forum and that the NAACP had scheduled one but Bob Davis backed out.

Councilman Earl Cage moved to close public portion; Councilwoman Sharon Kellum seconded.

CITY OF SALEM
RESOLUTION 2018-150
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, THERFORE 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. personnel, contract negotiations, attorney client privilege

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.

Once the Council resumed the public portion of the meeting, on Council President Root’s motion, seconded by Councilwoman Kellum, Council approved to move forward with the hiring of John Liu for Director of Public Work and adopted resolution R18-140. All in favor, motion carried.

Councilman Corbin thanked Ray Howard and the Streets department staff for their work on Elm Street. Councilman Groce believes it was a main break.

Adopted: 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			

RESOLUTION 2018-151

RESOLUTION AUTHORIZING TRIAD TO PROCEED WITH FEMA ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION 2018 FOR ACQUISITION OF A PUMPER TRUCK

WHEREAS, the Federal Emergency Management Agency (FEMA) offers grant monies to provide assistance to emergency services agencies; and

WHEREAS, the City of Salem’s Fire Department has recommended that the grant monies be sought for the purpose of acquiring a new pumper truck; and

WHEREAS, Triad, the City’s grant writer has submitted a proposal to prepare the application as set forth under its cover letter of September 6, 2018;and

WHEREAS, the CFO has certified that funds are available to pay for the services.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Salem, New Jersey that Triad is authorized to submit the FEMA Assistance to Firefighters Grant Application 2018 and the Mayor is authorized to execute the agreement with Triad and application for the same.

Adopted: 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, Anita Garcia, 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 October 15, 2018.

RESOLUTION 2018-152

RESOLUTION AUTHORIZING MUTUAL AID AGREEMENT BETWEEN THE CITY OF BRIDGETON AND SALEM CITY

WHEREAS, the Salem City Fire Department and Bridgeton Fire Department desire to enter into a Mutual Aid Agreement to provide assistance to each other in the event of an emergency event; services.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Salem, New Jersey that a mutual aid agreement with the City of Salem is approved and the Mayor is authorized to execute the same.

Adopted: 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			

RESOLUTION 2018-153

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LEGAL SERVICES TO GOLDENBERG, MACKLER, SAYEGH, MINTZ,
PFEFFER, BONCHI & GILL**

WHEREAS, the City of Salem sought proposals from attorneys to represent the City in In Rem foreclosure process; and

WHEREAS, Keith Bonchi, Esq. of the firm of Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi and Gill (hereinafter “the firm”) has submitted a proposal indicating the firm will provide the services for the fee of \$1,500.00 per property; and

WHEREAS, the CFO has certified that funds are available.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Salem authorizes the Mayor to execute a contract with Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi and Gill as described herein; and,

BE IT FURTHER RESOLVED that notice of the adoption of this resolution be published pursuant to law.

Adopted: 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			

RESOLUTION 2018-154

RESOLUTION AUTHORIZING REMINGTON AND VERNICK, WATER RESOURCE MANAGEMENT TO PROCEED WITH COMPLETION OF THE EMERGENCY RESPONSE PLAN FOR THE WATER DEPARTMENT

WHEREAS, the City Engineer has advised that the NJDEP requires the completion of an emergency response plan; and

WHEREAS, Water Resource Management (WRM) division of Remington and Vernick has submitted a proposal to complete the plan as more fully set forth in their letter attached hereto and made a part hereof ; and

WHEREAS, the CFO has certified that funds are available to pay for the services.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Salem, New Jersey that an agreement with WRM is approved for the emergency response plan contingent upon the Mayor’s review and approval of the same.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute an agreement with WRM upon his review and approval of the same.

Adopted: 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			