

CITY OF SALEM
MINUTES OF THE COMMON COUNCIL MEETING
OF NOVEMBER 19, 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 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, James Smith. 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 was absent.

INVOCATION

Father Charles Messer

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 Gage and seconded by Councilwoman Sharon Kellum to approve the minutes from the meeting of October 15, 2018. All members voted in favor. Motion carries.

COMMUNICATION/APPLICATION/REPORTS

NONE

INTRODUCTION OF ORDINANCES FOR FIRST READING

CITY OF SALEM

ORDINANCE NO. 1806

**AN ORDINANCE OF THE CITY OF SALEM TO PROVIDE FOR A
SUPERINTENDENT OF PUBLIC WORKS POSITION**

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

Section 1. There is hereby established a Superintendent of Public Works position. The Superintendent of Public Works shall, under the direction of the City Council, perform administrative and supervisory duties in the maintenance and operation of the City’s public works, including the water and sewer department and streets department. The Superintendent, under the direction of the City Council shall execute plans for the effective utilization of available funds, personnel, equipment, materials and supplies.

The Superintendent will be expected to develop operating and work standards for the efficient operation of the public works department and ensure operations are in compliance with applicable laws, standards and regulations. Licenses required by the NJDEP and/or Council shall be maintained as appropriate.

Section 2. 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 3. 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 4. This ordinance shall take effect as provided by law.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Introduced: November 19, 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			

Date

Anita Garcia, Clerk

CITY OF SALEM
ORDINANCE NO. 1807

AN ORDINANCE OF THE CITY OF SALEM AMENDING SECTION 2 OF CHAPTER 43 OF THE MUNICIPAL CODE FIXING TITLES, SALARIES AND COMPENSATION RANGES OF OFFICERS AND EMPLOYEES OF THE CITY OF SALEM

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Salem, County of Salem and State of New Jersey that Section 2 of Chapter 43 of the City Code is amended to add the following position and Compensation:

Section 1.

Public Works Department

Position	Title Code	Not to Exceed
a) Superintendent of Public Works	07109	\$145,000.00 Yr.

Section 2. 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 3. 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 4. This ordinance shall take effect as provided by law.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Introduced: November 19, 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			

Date

Anita Garcia, Clerk

CITY OF SALEM

ORDINANCE 1808

**AN ORDINANCE AMENDING CHAPTER 225, SECTION 37
HANDICAPPED PARKING ZONE, FOR A HANDICAPPED PARKING SIGN TO BE
PLACED AT 106 SEVENTH STREET**

BE IT HEREBY ORDAINED, by the Common Council of the City of Salem, County of Salem, and State of New Jersey, that Chapter 225, Section 37, Schedule “11” be amended as follows:

A Handicapped Parking Sign be placed at 106 Seventh St., the residence of Lashawn Best-Key.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Introduced: November 19, 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			
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Council of the City of Salem on November 19, 2018.

NOTICE is hereby given that the foregoing Ordinances were introduced and passed at the meeting of the Common Council of the City of Salem on November 19, 2018.

Date

Anita Garcia, Clerk

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION

CITY OF SALEM

RESOLUTION 2018-155

RESOLUTION AUTHORIZING CONTRACT FOR APPRAISAL SERVICES

WHEREAS, the City is in need of appraisal services related to a pending tax appeal on the former Ardagh property; and

WHEREAS, the City received one response to its Request for Proposals from BRB Valuation Consulting Services for \$25,000. For appraisal and consultation for three tax years under appeal; and

WHEREAS, it appears that the appraising firm has the qualifications to provide the services.

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

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Salem, New Jersey that a contract with BRB Valuation and Consulting Services is approved and the Mayor and Clerk are authorized to execute an agreement for the same.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Adopted: November 19, 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 November 19, 2018.

Date

Anita Garcia, City Clerk

**CITY OF SALEM
RESOLUTION 2018-156**

**A RESOLUTION AUTHORIZING THE CITY TREASURER TO MAKE TRANSFERS
OF 2018 BUDGET APPROPRIATIONS**

BE IT HEREBY RESOLVED, by the Common Council of the City of Salem, County of Salem, State of New Jersey that the City Treasurer is hereby authorized and directed to make the attached transfers of budget appropriations in the 2018 Municipal Budget.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Adopted: November 19, 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			

I, Anita Garcia, Municipal Clerk 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 December 4, 2017.

Date

Anita Garcia, City Clerk

CITY OF SALEM
RESOLUTION 2018-157

**RESOLUTION AUTHORIZING REMINGTON AND VERNICK TO PROVIDE
INSPECTION AND RECOMMENDATION SERVICES RELATED TO THE THIRD
STREET CULVERT PIPE**

WHEREAS, there was a sink hole that has occurred near the Third St. Culvert pipe; and

WHEREAS, the City is in need of engineering services to assess the damages and make recommendations for handling the circumstances; and

WHEREAS, Remington and Vernick, the City's engineers have submitted a proposal dated November 8, 2018 attached hereto and made a part hereof to inspect and report recommendations for repairs; 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 Remington and Vernick are authorized to proceed with the scope of services contained in their proposal dated November 8, 2018 for the sum not to exceed \$4,500. And the Mayor and Clerk are authorized to execute an agreement for the same.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Adopted: November 19, 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 November 19, 2018.

Date

Anita Garcia, City Clerk

After the motion was made, the Mayor explained that this was for engineering services related to the sink hole that occurred. It is an emergent project. The engineer will review to determine the scope of repairs. Council President Roots questioned why the quote was high and what it involved. Roots questioned whether this involved any repairs or was it just engineering. Anthony Chadwell, from Remington and Vernick, explained that the pipe had eroded, creating a sink hole. They need to examine to identify the source of the problem and options for repairing it. Roots questioned how many hours would be involved. The Mayor clarified the quote was not to exceed \$4500.00. Mr. Chadwell did not anticipate exceeding that amount.

CITY OF SALEM
RESOLUTION 2018-158

RESOLUTION AUTHORIZING CONTRACT WITH ATLANTIC SALT CO., INC.
FOR THE PURCHASE OF ROCK SALT

WHEREAS, the Salem County Board of Chosen Freeholders solicited bids for the furnishing and delivering of rock salt for the County of Salem and members of the Salem County Cooperative Pricing System Identifier Number 75-SCCP; and

WHEREAS, the City of Salem is a member of the aforesaid Cooperative Pricing System; and

WHEREAS, Atlantic Salt Co, Inc. to whom the County awarded a contract, proposed to provide the rock salt to the County and the cooperative pricing members at a unit price of \$52.55 per ton from 9-1-18 to 4-30-19, \$53.55 from 9-1-19 to 4-30-20 and \$54.55 from 9-1-20 to 4-30-21; and

WHEREAS, pursuant to the Local Public Contracts law and regulations pertaining thereto, any member of the cooperative pricing system that seeks to purchase goods under the lead agency's bid, shall enter into its own contract with the vendor; and

WHEREAS, the CFO has certified that funds are available for 50 tons, subject to further orders contingent upon the availability and appropriation of funds for this purpose in the City's temporary or permanent budgets.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey that a one year contract with two one (1) year renewal options is approved with Atlantic Salt Co, Inc., in accordance with the specifications of the lead agency's bid, to furnish and deliver rock salt to the City at the rate of \$52.55 per ton; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to execute a one year contract, with options for (2) two additional one year renewals.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Adopted: November 19, 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 November 19, 2018.

Date

Anita Garcia, Clerk

**CITY OF SALEM
RESOLUTION 2018-159**

**A RESOLUTION AUTHORIZING FORECLOSURE OF CERTAIN PROPERTIES FOR
DELINQUENT TAXES IN THE CITY OF SALEM, COUNTY OF SALEM, STATE OF
NEW JERSEY**

WHEREAS, the Tax Collector of the City of Salem has prepared and presented to the City Council an In Rem Foreclosure List. The List contains schedules one through twenty-eight; and

WHEREAS, N.J.S.A. 54:5-104.35 provides in pertinent part that the Governing Body may by Resolution foreclose any of the tax sale certificates held by it, by the summary proceedings In Rem as provided in the In Rem Foreclosure Act (L.1948, c. 96).

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 Keith Bonchi, Esq. is hereby authorized to institute foreclosure proceedings to foreclose the properties on the attached In Rem tax foreclosure list which is attached hereto and made a part hereof.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Adopted: November 19, 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 November 19, 2018.

Date

Anita Garcia, Clerk

RESOLUTION 2018-160

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. union negotiations
- B. 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.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Adopted: November 19, 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 November 19, 2018.

Date

Anita Garcia, City Clerk

COMMITTEE REPORTS

Administration (Roots, Gage, Johnson, Carter)

Contract negotiations to be discussed in closed session.

Public Safety (Gage, Groce, Roots, Carter)

No Report

Public Works (Groce, Roots, Smith, Gage)

Options for Water meters bids being considered. The Mayor questioned the timing of getting started. There will be alternate bids. Anthony estimated should be getting them done in the middle of winter.

Human Services (Corbin, Gage, Kellum, Smith)

Councilman Corbin will set up the meetings

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

Meeting will be set up with the clerk.

Neighborhood Initiatives/Community Services

(Johnson, Roots, Carter, Corbin)

Fall clean-up was a success with a total of 46 people from the cleaning committee showed up. Jewels Café provided breakfast. Spring clean-up will follow for next year. Closed session items.

MAYORAL COMMENTS

- Atlantic City Networking to learn of the Senator Booker initiatives.
- Grocery store status: Meeting with Uplift November 20, 2018 at 1:00pm.
- Update on the Rail

OLD BUSINESS

NONE

NEW BUSINESS

Councilman Earl Gage: Police Department wants to apply for a grant to purchase New Cameras at no cost to the city. Deadline is December 1, 2018. Motion made by Earl Gage to authorize the Chief to apply. Seconded by Sharon Kellum; motion carried

PUBLIC PORTION

A member of the public, Ms. Coleman, spoke on two (2) issues. It was questioned why vehicles are allowed to park in front of her home for long periods of time. Mayor Washington stated that there is no prohibition to having a licensed vehicle parked on the road. Councilman Groce further elaborated that if the vehicle is licensed and has unexpired tags, then there is nothing illegal with the vehicle being parked on the road for days. If the vehicle seem to have no movement for over a month or so, they will then seek to run the tags and assure that the vehicle does belong to someone and the a possible reason for the vehicle being parked for an extended period of time with no movement.

Ms. Coleman also complained about the piled up leaves to which council members replied that there is a schedule, per street, that the street department follows.

Councilman Earl Gage moved to close public portion; Councilwoman Sharon Kellum seconded. Motion carried.

Motion to go into Executive Closed Session.

Councilman Gage moved; Councilwoman Kellum seconded.

Motion carried.