

**CITY OF SALEM**  
**MINUTES OF THE COMMON COUNCIL MEETING**  
**OF MARCH 18, 2019**

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 at 6:30 p.m. The meeting was opened with the Pledge of Allegiance. **Present:** Councilpersons Ruth Carter, William Corbin, Earl Gage, Timothy Gregory, Vaughn Groce, Sharon Kellum, and James Smith. Also in attendance, our Mayor Charles Washington, Jr., Andrea Rhea-City Solicitor, Dave Crescenzi-CFO, and Anita Garcia-City Clerk.

**INVOCATION**

Rev. 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 7, 2019 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**

Motion made by Councilman Gage and seconded by Councilwoman Kellum to approve payment of bills. All in Favor. Motion carries.

**APPROVAL OF MINUTES**

Motion made by Councilman Gage and seconded by Councilman Kellum to adopt the minutes of March 4, 2019. All in favor. Motion carries.

**COMMUNICATION/APPLICATION/REPORTS**

Council President Roots recognized Vice Principal of Salem Middle School, Mr. William Allen, and several of his students, for their involvement and participation on a Painting Project presented by the Salem City Clean Communities Program.

**INTRODUCTION OF ORDINANCE FOR FINAL READING**

**CITY OF SALEM  
ORDINANCE NO. 1810**

**AN ORDINANCE AMENDING CHAPTER 225, SECTION 37  
HANDICAPPED PARKING ZONE, AUTHORIZING A HANDICAPPED  
PARKING SIGN TO BE PLACED AT 71 HEDGE STREET**

**BE IT ORDAINED** by the Common Council of the City of Salem that Chapter 225, Section 17, Schedule “11” be amended as follows:

A Handicapped Parking Sign shall be placed at 71 Hedge Street, the residence of Lila Coley.

**ATTEST:**

**CITY OF SALEM**

\_\_\_\_\_  
Anita Garcia, Clerk

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

**Introduced:** February 04, 2019

<b>COUNCIL</b>	<b>MOVED</b>	<b>SECONDED</b>	<b>Y</b>	<b>N</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
T. Gregory			X			
V. Groce						X
S. Kellum		X	X			
J. Smith						X
K. Roots			X			

I, Anita Garcia, 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 introduced by the Common Council of the City of Salem on February 4, 2019. Public Hearing shall take place on March 18, 2019.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Anita Garcia, Clerk

**NOTICE OF HEARING PUBLISHED:** FEBRUARY 26, 2018

**POSTED:** MARCH 11, 2018

Motion to open Public Hearing: made by Councilman Earl Gage

Seconded by: Councilwoman Sharon Kellum

Roll call

**Public Hearing:** March 18, 2019

<b>COUNCIL</b>	<b>MOVED</b>	<b>SECONDED</b>	<b>Y</b>	<b>N</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
T. Gregory			X			
V. Groce			X			
S. Kellum		X	X			
J. Smith			X			
K. Roots			X			

Motion to close Public Hearing: made by Councilman Earl Gage

Seconded by: Councilwoman Sharon Kellum

Roll call

**Final Adoption:** March 18, 2019

<b>COUNCIL</b>	<b>MOVED</b>	<b>SECONDED</b>	<b>Y</b>	<b>N</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
T. Gregory			X			
V. Groce			X			
S. Kellum		X	X			
J. Smith			X			
K. Roots			X			

Motion to adopt: by Councilman Earl Gage

Seconded by: Councilwoman Sharon Kellum

\_\_\_\_\_

Date

\_\_\_\_\_

Karen Roots, Council President

I, Anita Garcia, 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 by the Common Council of the City of Salem on March 18, 2019.

\_\_\_\_\_

Date

\_\_\_\_\_

Anita Garcia, Clerk

**INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION**

**CITY OF SALEM  
RESOLUTION 2019-67**

**A RESOLUTION CONSENTING TO REPLACEMENT OF ANTENNA  
AND OTHER STRUCTURES ON THE THIRD STREET WATER TOWER**

**WHEREAS**, the City entered into a lease agreement with Cellco Partnership dba Verizon Wireless (Lessee) permitting the placement of antennas and other equipment on the Third Street water tower; and

**WHEREAS**, Lessee has requested permission to replace certain equipment on the water tower specifically they seek to replace 9 of their 12 installed antenna with 9 newer-model antenna which they represent is a Like-for-Like exchange where they will “unplug” the existing antenna and “re-plug” the new antenna in the same location, and replacement of 3 installed Radiohead units (RRHs) with 3 newer-model RRHs that will be attached to the back of the antenna mounts.

**WHEREAS**, pursuant to the lease agreement, the lessee is permitted to enter the structure for the purpose of replacing the equipment and/or install new equipment that will not exceed an acceptable load on the tower; and

**WHEREAS**, the installation of new equipment will result in the replacement of equipment that will not exceed the load or exceed the area of the current lease space;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Common Council of the City of Salem that it does consent to the installation of the above referenced new equipment subject to the lessee obtaining any and all necessary State, federal, and local approvals and permits.

**ATTEST:**

**CITY OF SALEM**

\_\_\_\_\_  
Anita Garcia, Clerk

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

**Adopted:** March 18, 2019

<b>COUNCIL</b>	<b>MOVED</b>	<b>SECONDED</b>	<b>Y</b>	<b>N</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
T. Gregory			X			
V. Groce			X			
S. Kellum		X	X			

J. Smith			X			
K. Roots			X			

I, Anita Garcia, 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 March 18, 2019.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Anita Garcia, Clerk

**CITY OF SALEM  
RESOLUTION 2019-68**

**A RESOLUTION APPOINTING THOMAS ORSINI TO THE  
SALEM MUNICIPAL PORT AUTHORITY BOARD**

**WHEREAS**, the City of Salem wishes to appoint **THOMAS ORSINI** to fill the open position (seat #2) of Board Member to the Salem Municipal Port Authority;

**NOW THEREFORE BE IT HEREBY RESOLVED** by the Common Council of the City of Salem, County of Salem and State of New Jersey, that **THOMAS ORSINI** is hereby appointed as Board Member for the Salem Municipal Port Authority for a term ending January 31, 2024.

**ATTEST:**

**CITY OF SALEM**

\_\_\_\_\_  
Anita Garcia, Clerk

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

**Adopted:** March 18, 2019

<b>COUNCIL</b>	<b>MOVED</b>	<b>SECONDED</b>	<b>Y</b>	<b>N</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
T. Gregory			X			
V. Groce			X			
S. Kellum		X	X			
J. Smith			X			
K. Roots			X			

I, Anita Garcia, 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 March 18, 2019.

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Date

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Anita Garcia, Clerk

## **RESOLUTION 2019-69**

### **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



**Public Works** (Groce, Roots, Smith, Gage)

Councilman Groce mentioned speaking with Future Systems on work orders; water meters. Commended John Liu in regards to the 5 year capital.

**Human Services** (Corbin, Gage, Kellum, Gregory)

Councilman Corbin met with the Mayor and Carol Wright to talk about Carpenter Village - the trash pile-up and dumpsters being overloaded with trash. Dumpster have been removed. Also discussed surveillance cameras. Working closely with Carol Wright to continue with clean up.

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

Councilwoman Carter had no report

**Neighborhood Initiatives/Community Services**

(Roots, Corbin, Carter, Gregory)

Councilman Gregory reiterated about the project the middle school students participated in.

**Redevelopment** (Smith, Gregory, Kellum, Gage)

Councilman Smith will be scheduling a meeting soon.

**MAYORAL COMMENTS**

Mayor spoke on reaching the conclusion of the newsletter. Director Weatherby will be visiting Salem for a tour.

**OLD BUSINESS**

NONE

**NEW BUSINESS**

NONE

**PUBLIC PORTION**

Sherry Mauer – 273 Craven Ave. spoke on a grant for Salem by Live Healthy Salem Coalition. Will be further be in contact with Mayor Washington on specific details, as she could not elaborate further until she attends next meeting which is April 8, 2019. She also wanted the governing body to know that her church (Broadway United Methodist Church) will be opening a community room (24x25) for different community needs.

Motion to close public portion made by Councilman Earl Gage.

Seconded by Councilwoman Sharon Kellum.

All members voted in favor.

Motion carried.

## **RESOLUTION 2019-69**

### **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.

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(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

B. \_\_\_\_\_

**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, Clerk

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

**Adopted: March 18, 2019**

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

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Anita Garcia, Clerk

Councilman Earl Gage spoke on the negotiations for the 3 year employees. A complaint was file with PERC, who handle union/municipality disputes. Meeting was postponed for April 10, 2019. Has been in contact with Mark Ruderman about splitting costs.

Mayor suggested that negotiations should be made on our table and on our terms first, if an agreement is not reach, then include a mediator. City Solicitor, Andrea Rhea stated that they wanted a response to their proposal (demands). They also do not agree to meet with PERC. Andrea Rhea is to contact Mark Ruderman to meet with the FOP union prior to the PERC conference.

Crossing guards – Andrea Rhea presented the governing body with Agreement Contract. Councilman Earl Gage voiced that they are not ready to ratify.

Councilman Corbin spoke about meeting with Phillip from EPA, last Thursday. Pictures were sent about the Ardaugh site. Mayor stated that the structure is deemed hazardous.

Motion to adjourn by: Councilman Gage

Seconded by: Sharon Kellum

Meeting was adjourned

*NEXT COUNCIL MEETING: APRIL 1, 2019*