

CITY OF SALEM
MINUTES OF THE COMMON COUNCIL MEETING
OF JUNE 17, 2019

A meeting of the Common Council of the City of Salem was called to order by Pro-Tempore Councilman Earl Gage. 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. Council President Karen Roots attended late and resumed the meeting. Also in attendance, our Mayor Charles Washington, Jr., Andrea Rhea-City Solicitor, Dave Crescenzi-CFO, and Anita Garcia-City Clerk.

INVOCATION

Deacon Sally Maurer

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 POSTED 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 MINUTES

Motion made by Councilman Gage and seconded by Councilwoman Kellum to adopt the minutes of May 20, 2019. All in favor. Motion carries.

COMMUNICATION/APPLICATION/REPORTS

Mayor Washington and Council President Roots presented a certificate of recognition to 1 of a Kind Boutique. A certificate of recognition was also presented to Printers of Salem County, LLC in which the owner, Eric Pankok was the recipient. Stephanie Marshall received a community recognition for her volunteerism and services within the City.

Paul Dice from the Housing Authority presented the governing body with a packet regarding the West Side Court Site Plan. Council President Roots thanked Mr. Dice for the packet and presentation, and the governing body will have to further look over the packet and get back with Mr. Dice.

There was an open discussion for the Governing body regarding cannabis facility. The Mayor had already stated his position prior and resolves to not making any haste decisions. A referendum was suggested where the community will have deciding factor. Other council members are in agreement with referendum. Redevelopment committee will further investigate, and report back at July 15 council meeting.

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION

**CITY OF SALEM
RESOLUTION 2019-80**

**A RESOLUTION AUTHORIZING THE MUNICIPAL TAX COLLECTOR
TO SEND ESTIMATED TAX BILLS**

WHEREAS, N.J.S.A. 54:4-66.2 authorizes the Collector to prepare and deliver estimated tax bills upon approval of the governing body; and

WHEREAS, David Crescenzi as both the City’s Tax Collector and Chief Financial Officer has requested that the City Council authorize estimated bills as he will be unable to complete mailing or delivery of tax bills by the statutory date due to a delay in the passage of the State of New Jersey’s budget and the Salem County Tax Board is therefore unable to certify Salem City’s tax rate at this time and for other good cause;

NOW THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey, pursuant to N.J.S.A. 54:4-66.3, as follows:

- (i) That the Tax Collector is hereby authorized to prepare and mail or otherwise deliver estimated tax bills pursuant to N.J.S.A. 54:4-66.2.
- (ii) The entire estimated tax levy for 2019, in accordance with the estimate of the Tax Collector/CFO in consultation with the County Tax Board in accordance with N.J.S.A. 54:4-66.3, is hereby set at \$8,968,713.91
- (iii) In accordance with the law the 3rd installment of 2019 taxes shall not be subject to interest until the later of August 10, 2017 or the 25th calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

ATTEST:

CITY OF SALEM

Anita Garcia, Clerk

Karen Roots, Council President

Adopted: June 17, 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			

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 June 17, 2019.

Date

Anita Garcia, Clerk

**CITY OF SALEM
RESOLUTION 2019-81**

**RESOLUTION IN SUPPORT OF PATH TO PROGRESS
RECOMMENDATIONS MADE BY NEW JERSEY
ECONOMIC AND FISCAL POLICY WORKGROUP**

WHEREAS, New Jersey faces a daunting fiscal crisis; and

WHEREAS, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and

WHEREAS, while local government pension systems are funded at the national average, the State’s unfunded liability for pensions and retiree health benefits now tops \$150 billion – four times the size of the State budget; and

WHEREAS, actuaries project the State will have to increase its pension contribution from \$3.2 billion in this year's budget to \$6.7 billion to reach the Actuarially Required Contribution (ARC) by FY 2023; and

WHEREAS, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

WHEREAS, the State has held municipal aid flat, moved the Energy Tax Receipts out of the Property Tax Relief Fund, and with the sunseting of Chapter 78 relief and the 2% arbitration cap; and

WHEREAS, the State must bring pension and health care costs under control in order to hold down property taxes.

NOW, THEREFORE BE IT RESOLVED that (name of county or municipality) expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to (*insert the names of Assembly Representatives*), (*insert name of State Senator*), Senate President Sweeney, Assembly Speaker Coughlin, Senator Paul Sarlo, Senator Steve Oroho, Assembly Majority Leader Greenwald, Assemblywoman Eliana Pintor-Marin, Senator Tony Bucco, Senator Troy Singleton, Senator Dawn Addiego, the Governor of State of New Jersey, the New Jersey Association of Counties, and the New Jersey State League of Municipalities.

ATTEST:

CITY OF SALEM

Anita Garcia, Clerk

Karen Roots, Council President

Adopted: June 17, 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

**CITY OF SALEM
RESOLUTION 2019-82**

**A RESOLUTION APPROVING ADDENDUM TO CONTRACT WITH
FUTURE SYSTEMS**

WHEREAS, the City entered into a contract with Future Systems, LLC (hereinafter “Consultant”) to provide computer consulting services; and

WHEREAS, the Consultant has proposed to provide additional services related to the water billing management system as outlined on the proposal attached hereto for the additional sum of \$25,000.00; and

WHEREAS, the additional services are beneficial for the upgrade and efficiency of the water billing process; and

WHEREAS, the CFO has certified that funds are available.

NOW, THEREFORE BE IT RESOLVED, subject the approval of the State Monitor, that the addendum to the Future Systems contract entitled Scope of Work 02 and attached hereto is approved and the Mayor is authorized to sign the same.

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Adopted: June 17, 2019

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

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Date

Anita Garcia, Clerk

**CITY OF SALEM
RESOLUTION 2019-83**

**A RESOLUTION APPROVING RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSE FOR ALCOHOLIC BEVERAGES
(SPECIAL RULING)**

WHEREAS, the following entity has applied to the City of Salem for renewal of a Plenary Retail Consumption License to sell alcoholic beverages for the year commencing July 1, 2017 and ending June 30, 2018; and

WHEREAS, the licensee has received a special ruling from the Director of the ABC pursuant to N.J.S.A. 33:1-12.18 to issue a new license for the 2017-2018 term and the licensee has also received a special ruling from the Director of the ABC pursuant to N.J.S.A. 33:1-12.39 for the license term 2017-2018; and

WHEREAS, the hereinafter entity has complied with the requirements provided for by law for obtaining such license; and

WHEREAS, no objections have been made to the granting of such license to said applicant and the City Clerk has made a careful examination of the application for renewal and finding the same to be in proper order and knowing of no reason why the license should not be granted.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Common Council of the City of Salem that the hereinafter named entity shall be granted a Plenary Retail Consumption License as numbered in this resolution to sell alcoholic beverages subject to law and regulations.

<u>APPLICANT</u>	<u>PREMISES</u>	<u>LICENSE NUMBER</u>
1000 Park Avenue Investments, Inc.	N/A	1712-33-006-013

ATTEST:

CITY OF SALEM

Anita Garcia, Clerk

Karen Roots, Council President

Adopted: June 17, 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

**CITY OF SALEM
RESOLUTION 2019-84**

**A RESOLUTION APPROVING RENEWAL OF A PLENARY RETAIL
DISTRIBUTION LICENSES FOR ALCOHOLIC BEVERAGES**

WHEREAS, the following entities have applied to the City of Salem for renewal of a Plenary Retail Distribution License to sell alcoholic beverages for the year commencing July 1, 2019 and ending June 30, 2020; and

WHEREAS, the hereinafter entities have complied with the requirements provided by law for obtaining such license; and

WHEREAS, no objections have been made to the granting of such license to said applicants and the City Clerk has made a careful examination of the applications for renewal and finding the same to be in proper order and knowing of no reason why the license should not be granted.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Common Council of the City of Salem that the hereinafter named entities shall be granted a Plenary Retail Distribution License as numbered in this resolution to sell alcoholic beverages subject to law and regulations.

<u>APPLICANT</u>	<u>PREMISES</u>	<u>LICENSE NUMBER</u>
SALEM LIQUOR, INC.	331 East Broadway	1712-44-009-008
BEVERAGE MART	44 West Broadway	1712-44-001-005

ATTEST:

CITY OF SALEM

Anita Garcia, Clerk

Karen Roots, Council President

Adopted: June 17, 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

**CITY OF SALEM
RESOLUTION 2019-85**

**A RESOLUTION APPROVING RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSES FOR ALCOHOLIC BEVERAGES**

WHEREAS, the following entities have applied to the City of Salem for renewal of a Plenary Retail Consumption License to sell alcoholic beverages for the year commencing July 1, 2019 and ending June 30, 2020; and

WHEREAS, the hereinafter entities have complied with the requirements provided by law for obtaining such license; and

WHEREAS, no objections have been made to the granting of such license to said applicants and the City Clerk has made a careful examination of the applications for renewal and finding the same to be in proper order and knowing of no reason why the license should not be granted.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Common Council of the City of Salem that the hereinafter named entities shall be granted a Plenary Retail Consumption License as numbered in this resolution to sell alcoholic beverages subject to law and regulations.

<u>APPLICANT</u>	<u>PREMISES</u>	<u>LICENSE NUMBER</u>
BRAVO'S PIZZA	179 West Broadway	1712-33-008-010
JEWEL'S CAFÉ	203 West Broadway	1712-33-005-003

ATTEST:

CITY OF SALEM

Anita Garcia, City Clerk

Karen Roots, Council President

Adopted: June 17, 2019

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
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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

**CITY OF SALEM
RESOLUTION 2019-87
A RESOLUTION AUTHORIZING THE ENGINEERING DESIGN AND
PREPARATION OF BIDS FOR RECONSTRUCTION OF GRIEVES
PARKWAY-PHASE 5**

WHEREAS, the NJDOT has informed that Remington and Vernick, the City Engineer, that \$187, 297.00 of State Aid have been allocated toward the engineering, construction and inspection costs for the reconstruction of Grieves Parkway, Phase 5 project; and

WHEREAS, Remington and Vernick has submitted a proposal dated April 9, 2019 to commence with the engineering design and preparation of the bid documents for the project.

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 proceed with the engineering design and bid preparation for the reconstruction of Grieves Parkway, Phase 5 in accordance with the proposal dated April 9, 2019.

ATTEST:

CITY OF SALEM

Anita Garcia, Clerk

Karen Roots, Council President

Adopted: June 17, 2019

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
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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

COMMITTEE REPORTS:

Administration (Roots, Gage, Corbin, Carter)

Roots spoke on the minutes of the meeting held June 11, 2019. Expounding on the shared services where students can be trained and learn the many thing the city does.

Public Safety (Gage, Groce, Roots, Carter)

Next Meeting TBD

Public Works (Groce, Roots, Smith, Gage)

Groce - There were some setbacks with the water meter projects; that’s why the addendum for Future Systems. There is also a manhole which needs fixing but it will cost up to \$10,000. Will need equipment and time to fix it.

Next Committee Meeting TBD

Human Services (Corbin, Gage, Kellum, Gregory)

Corbin – Working together with the housing inspector on the work orders

Next Meeting TBD

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

Carter – no report.

Crescenzi spoke on the 25 foreclosed homes which can be auctioned.

Next Meeting TBD

Neighborhood Initiatives/Community Services (Roots, Corbin, Carter, Gregory)

Repairs are pending and work is being done at the pool.

Next Meeting TBD

Redevelopment (Smith, Gregory, Kellum, Gage)

Next Meeting TBD

MAYORAL COMMENTS

Mayor – spoke regarding Solar Systems, land fill.

- There will be a meeting on Thursday regarding a potential buyer for Incollingo's.
- Been in contact with EDA about other avenues available to us.
- RFP's are ready to be received for the Arduagh site that will open up the doors to bring in new businesses and potential jobs,
- Last week, met with Sweeney; we intend to send a letter of support, supporting a feasibility study for the consolidation of school districts in Salem County.

OLD BUSINESS

NONE

NEW BUSINESS

NONE

PUBLIC PORTION

Sonita Johnson – inquired about the residence at West Side Court; for those who desire to stay in the city. There are vacant homes in the city that could help with those who do not want to move outside of the city.

Mayor - through the neighborhood transformation initiatives; it is their choice to move away or stay and take advantage of the program. We would encourage to own rather than rent.

Paul Dice – he has spoken with USDA

Sharon Stevenson – 110 7th Street

She complained and asked for help regarding overgrown grass on the property of 108 7th Street. She has spoken with housing inspector who informed her that the mail keeps coming back to the property that needs cleaning. Will have to inquire on whether the property is private owned, or the city owns it. In the meantime, it will be taken care of.

Pam Hill – stood to say that she is really impressed with council and the positive energy. She was interested in the foreclosed homes. She also asked about possibly renovating West Side Court instead to which Paul Dice responded, it is limited to renovations.

Motion to close public portion made by Councilman Earl Gage.

Seconded by Councilwoman Sharon Kellum.

All members voted in favor.

Motion carried.

RESOLUTION 2019-86
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 Contracts
- B. Attorney Client Privilege/Pending Litigation Discussion

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: June 17, 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

Special counsel, Jim Landgraf, touched some points on a litigation and mediation for agreement. Councilman Earl responded with a statement of “no settlement at this point.” Councilman Gage also suggested that after CFO run the numbers; will meet back on the 15th of July.

Motion to come out of closed session made by Councilman Earl Gage.
Seconded by Councilwoman Sharon Kellum.
All members voted in favor.

Meeting Adjourned 8:20pm

NEXT COUNCIL MEETING: JULY 15, 2019