

CITY OF SALEM
COMMON COUNCIL MEETING MINUTES
December 16, 2019
6:30 PM

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. Councilman Groce did the Invocation. Roll Call was done by Mr. Angeli. **Present:** Councilpersons Ruth Carter, William Corbin, Earl Gage, Vaughn Groce, Timothy Gregory, James Smith, Sharon Kellum and Council President Karen Roots. Also in attendance Mayor Charles Washington Jr., Andrea Rhea-City Solicitor, Dave Crescenzi-CFO, and City Administrator/Clerk Ben Angeli.

Mr. Angeli read the statement of advertisement as follows:
Notice of this meeting has been provided to the South Jersey Times and the Elmer Times and is posted on the City Hall Bulletin Board stating the time and the place of the meeting.

APPROVAL OF MINUTES

NOVEMBER 18, 2019 COMMON COUNCIL MEETING
NOVEMBER 18, 2019 COMMON COUNCIL EXECUTIVE SESSION
DECEMBER 2, 2019 COMMON COUNCIL MEETING
DECEMBER 2, 2019 COMMON COUNCIL EXECUTIVE SESSION

Motion made by Councilman Gage and seconded by Councilwoman Kellum to adopt the minutes as presented. Councilwoman Kellum recused herself from 11/18/19 minutes, Councilman Groce recused himself from the 12/2/19 Regular and Executive Session minutes and Council President Roots recused herself from the 12/2/19 Executive Session minutes. All others voted in favor. Motion carries.

APPROVAL OF BILLS

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

COMMUNICATIONS/APPLICATIONS/REPORTS:

Presentation to the Salem High School Rams Football Team by Mayor Charles Washington Jr.. Recognition of for Kevin Hunter and his business being a part of our Community - Creativity Hair and Fashion Studios.- by Council President Roots and Mayor Washington
Recognition of Karen Roots and William Corbin for their service on City Council. – Both Council President Roots and Councilman Corbin thanked the Mayor and Council members and spoke about their time serving and offered Council their support moving forward. Both received standing applause

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION:

CITY OF SALEM

RESOLUTION 2019-151

**CHAPTER 159 - A RESOLUTION REQUESTING APPROVAL OF
ITEMS OF REVENUE AND APPROPRIATION REGARDING NJDOT
FISCAL YEAR 2020 MUNICIPAL AID PROGRAM**

WHEREAS, N.J.S.A. 40A:4-87 (Chapter 159) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Salem, in the County of Salem, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of One Hundred seventy-six thousand three hundred ninety-two dollars and no cents (\$176,392.00) which is now available from the New Jersey Department of Transportation's (NJDOT) Fiscal year 2020 Municipal Aid Program for the reconstruction of the 8th Street project; and

BE IT FURTHER RESOLVED, that the like sum of \$176,392.00 is hereby appropriated under the caption "NJDOT Fiscal year 2020 Municipal Aid Program".

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Karen Roots, Council President

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, Ben Angeli, Municipal 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 December 16, 2019.

Date

Ben Angeli, RMC

CITY OF SALEM

RESOLUTION 2019-152

RESOLUTION AUTHORIZING RENEWAL OF 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, in 2018, the City approved a contract with Atlantic Salt Co, for one year, with two one (1) year renewal options 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 City seeks to exercise the renewal option for one year pursuant to the original contract; 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 renewal of the contract with Atlantic Salt Co., Inc is approved in accordance with the specifications of the lead agency’s bid, to furnish and deliver rock salt to the City at the rate of \$53.55 per ton; and

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Karen Roots, Council President

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

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2019-153**

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, NJSA 10:4-12 These items are for #7 for matter relating to litigation, negotiations, and the Attorney Client Privilege.

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. #7 Matters relating to litigation/attorney client privilege (Water Plant Litigation and redevelopment matter)

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

Ben Angeli, RMC

Karen Roots, Council President

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, Ben Angeli, Municipal 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 December 16, 2019.

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2019-154**

A RESOLUTION APPROVING MEDIATION

WHEREAS, the City Council authorized litigation in the Superior Court of New Jersey, Salem County, Law Division, Docket No. SLM- L -173- 17 entitled City of Salem vs. GE, Inc. et al; and

WHEREAS, the parties desire to submit the matter to mediation;

WHEREAS, the parties have agreed to split the cost of the mediation evenly, as per the attached agreement, with the City's portion being \$4,000. ; and

WHEREAS, the CFO has certified that funds are available.

NOW, THEREFORE BE IT RESOLVED, that the fee of \$4,000. is authorized for submitting the above matter to litigation and James Landgraf is authorized to execute the attached agreement on behalf of the City.

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Karen Roots, Council President

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

Ben Angeli, RMC

CITY OF SALEM

RESOLUTION 2019-155

**A RESOLUTION AUTHORIZING THE CITY TREASURER TO MAKE
TRANSFERS OF 2019 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 2019 Municipal Budget.

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Karen Roots, Council President

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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Ben Angeli, RMC

COMMITTEE REPORTS:

ADMINISTRATION (Roots, Gage, Corbin, Carter)

The Committee met on 12/10/19 to go over the agenda and appointments.

PUBLIC SAFETY (Gage, Groce, Roots, Carter)

Met Monday and discussed the Ambulance service in the City and progress was made.

PUBLIC WORKS (Groce, Roots, Smith, Gage)

Met on the past Monday and discussed laborer job applications.

HUMAN SERVICES (Corbin, Gage, Kellum, Gregory)

Mr. Corbin stated that he met with Carol Wright and discussed several matters including trash and garbage being left out.

CITY PROPERTY/CAPITAL (Carter, Smith, Kellum, Roots)

Councilwoman Carter reported that the committee met and discussed several issues and that the City Attorney would be working on some letters that needed to be sent out. The Attorney spoke about procedures for dealing with problem properties.

NEIGHBORHOOD INITIATIVES/COMMUNITY SERVICES (Roots, Corbin, Carter, Gregory)

Council President Roots mentioned a kids project collecting blankets for seniors. She also mentioned that Mr. Hunter was doing a painting project that would include 18 canvases.

REDEVELOPMENT (Smith, Gregory, Kellum, Gage)

Did not meet.

MAYORAL COMMENTS: The Mayor spoke about a meeting he had with Mr. Gage to discuss some issues that would be coming up. He spoke about getting some attention on the Food Store situation and that the public needed to be more aware of what was going on. He stated that a group including him would be going to Trenton to make the case for the demolition of Jack's. He spoke about Dave Cresenzi retiring and how Dave grew up in the position of CFO. The Mayor thanked all that came out to the Christmas events. He said that the City had made some positive progress and that there was more to do in 2020.

OLD BUSINESS: None

NEW BUSINESS

Water billing and shut-off procedure was discussed and finance department will put together the lists of possible shut-offs and what type of situation exists per house. Kenia Nunez spoke about the turn off and turn on fees for water. Councilman Groce suggested waiving the turn on fee.

A motion was made by Councilman Gage to make developing a list of vacant properties a priority and to authorize the finance department to negotiate with the homeowner concerning the turn on fee. Councilman Gage thanked Karen and Bill for their service as members of Council.

Proposal from Renington and Vernick for reconstruction of 8th street was discussed and Council President Roots suggested that Council wait until they had a better chance to review the proposal.

PUBLIC PORTION

Motion to open public portion made by Councilwoman Gage.

Seconded by Councilman Groce.

All members present voted in favor.

Motion carried.

There were no questions or comments from the public.

Motion to close public portion made by Councilwoman Gage.

Seconded by Councilman Groce.

All members voted in favor.

Motion carried.

Council President Roots excused herself from the meeting

EXECUTIVE SESSION: NEGOTIATIONS (Water Plant Litigation and Redevelopment matters)

Motion to go into Executive Session made by Councilman Earl Gage.

Seconded by Councilman Groce and all members present voted in favor by voice vote.

Motion to leave Executive Session made by Councilman Earl Gage.

Seconded by Councilman Groce and all members present voted in favor by voice vote.

Clerk stated that no action was taken in Executive Session.

All members that were present before Executive Session were present when Open Session continued and no action was taken in Executive Session.

Councilman Gage made a motion to notify the Attorney handling the water plant litigation to make the necessary changes to settlement proposals

ADJOURNMENT

Councilman Gage motioned to adjourn the meeting. Councilman Groce seconded the motion and all members present voted in favor in a voice vote.

Minutes respectfully submitted by:

Ben Angeli, RMC