

CITY OF SALEM
COMMON COUNCIL SPECIAL MEETING MINUTES
NOVEMBER 2, 2020
6:30 PM

A meeting of the Common Council of the City of Salem was called to order by the Council President Gage . The meeting took place at #1 New Market Street at 6:30 PM and participation was available via Zoom. The meeting was opened with the Pledge of Allegiance. Council President Earl Gage did the Invocation. Roll Call was done by Mr. Angeli. **Present:** Councilpersons Ruth Carter, Robert Davis, Vaughn Groce, Timothy Gregory, Sharon Kellum, James Smith, Gail Slaughter and Council President Earl Gage. Also in attendance was , Andrea Rhea-City Solicitor (via Zoom), Deputy Treasurer Kenia Nunez, Director of Commerce Charles Bailey (via Zoom) 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. Notice has also been posted that the meeting can be accessed through Zoom.

APPROVAL OF BILLS:

A motion was made by Councilman Gregory and seconded by Councilwoman Kellum to approve the payment of bills. All members present voted in favor in a voice vote and the motion carried.

PUBLIC PORTION FOR AGENDA ITEMS ONLY:

The public is instructed that this portion of the meeting is provided for comments and questions on Agenda items only. There will be a public portion later in the meeting for general comments and questions. Please state your name and address, street name only.

Councilman Gregory made a motion to open the meeting to the public for Agenda items only. Councilwoman Kellum seconded the motion. All present voted in favor on a voice vote.

There were no questions or comments from the public.

Councilman Gregory made a motion to close the meeting to the public for Agenda items only. Councilwoman Kellum seconded the motion. All present voted in favor on a voice vote.

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION:

CITY OF SALEM
RESOLUTION 2020-189

**A RESOLUTION AUTHORIZING THE REJECTION OF BIDS FOR DEMOLITION
OF 192-194 EAST BROADWAY AND TO REBID AND ADVERTISE FOR THE
DEMOLITION OF 192-194 EAST BROADWAY**

WHEREAS, the City advertised for bids for the demolition of 192-194 East Broadway; and

WHEREAS, there were four bidders who responded; and

WHEREAS, the lowest bid substantially exceeds the City of Salem's appropriation for demolition; and

WHEREAS, there is a need to review the specifications for the demolition and re-bid; and

WHEREAS, the city desires to also advertise for bids for the demolition of 192-194 East Broadway; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Salem that the bids for the Demolition of 192-194 East Broadway received and opened on 10-28-2020 are rejected in accordance with N.J.S.A. 11-13.2.

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Earl Gage, Council President

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
R. Davis			X			
E. Gage			X			
T. Gregory	X		X			
V. Groce			X			
S. Kellum		X	X			
G. Slaughter			X			
J. Smith			X			

I, Ben Angeli, 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 November 2, 2020.

Date

Ben Angeli, RMC

After the Motion and second, the Administrator explained that the bids came in high and that the City would go out for rebid. If those bids did not come in within the amount the City budgeted for in 2020, the City could again reject those bids. If the City goes through the bid process twice and cannot get bids that work with the budgeted amount, the City could then negotiate with contractors.

**CITY OF SALEM
RESOLUTION 2020-190**

**A RESOLUTION ESTABLISHING A FAIR AND OPEN PROCESS FOR
THE AWARDING OF PROFESSIONAL SERVICES CONTRACTS FOR
THE CITY OF SALEM**

WHEREAS, the City requires or may require the services of a **Municipal Engineer, Municipal Auditor, Municipal Attorney, Bond Counsel, IT-Computer Consultant, Municipal Prosecutor, Public Defender, Financial Advisor, Labor Attorney, Grant Consultant, Brownfields Consulting Engineer, Municipal Water Engineer, Redevelopment Counsel, Risk Management Consultant, Special In rem Tax Foreclosure Counsel, Real Estate Appraiser for Tax Appeals and Municipal Environmental/Wastewater Engineer; and**

WHEREAS, retaining the services of qualified professionals for such positions has long been exempt from “public bidding” by State Law N.J.S.A. 40A:11-5(a) due to the important policy consideration of allowing a body of elected officials to appoint candidates they deem to be most qualified and advantageous to the needs and goals of the municipality; and

WHEREAS, state Law N.J.S.A. 19:44A-20-5 permits municipalities to establish a “fair and open process” that allows for public solicitation of qualifications of persons interested in providing such services; and

WHEREAS, the Common Council has determined that establishing such a process protects its right to appoint the most qualified candidates while making the process more open and competitive; now therefore

BE IT HEREBY RESOLVED by the Common Council of the City of Salem in the County of Salem and State of New Jersey as follows:

1. The qualifications evaluation criteria, attached hereto as Exhibits “A through “Q”. is hereby adopted in accordance with N.J.S.A. 19:44A-20.7.
2. The City Clerk shall advertise a notice of solicitation of qualifications for such positions in a form substantially similar to Exhibit “A” attached hereto. The City Clerk shall publish said notice at least 10 calendar days in advance of the date set forth therein as the deadline to submit proposals.
3. The City Clerk shall make the necessary arrangements to publicly open and announce all proposals received. The City Clerk or her designee shall forthwith thereafter review all proposals received and transmit them to the City Council with a report and recommendations.
4. Award of any contracts based on the submissions received shall be made by Resolution of the City Council, after receipt of the materials from the City Clerk, at an open public meeting.

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Earl Gage, Council President

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
R. Davis			X			
T. Gregory	X		X			
V. Groce			X			
S. Kellum		X	X			
G. Slaughter			X			
J. Smith			X			
E. Gage			X			

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Ben Angeli, RMC

Council President Gage stated that this process was done every year for the next year's professionals.

**CITY OF SALEM
RESOLUTION 2020-191**

**A RESOLUTION APPROVING THE REPORT OF THE INDEPENDENT
FINANCIAL ADVISOR**

WHEREAS, pursuant to N.J.S.A. 58:30-5 (a) an initial determination that emergent conditions exist has been made by certification of the Mayor, the Mayor's designee and a licensed engineer regarding the Salem Water and Sanitary Utility System; and

WHEREAS, the City of Salem, taking steps to effectuate the sale of its water or wastewater assets to a capable private or public entity pursuant to the Water Infrastructure Protection Act (WIPA), has hired an independent advisor to review, analyze and report on the value of the system and the short and long term impacts to rate-payers of the cash flow structure of the proposed transaction and to provide an estimate as to

the financial requirements necessary to address the emergent conditions and to operate and maintain the system; and .

WHEREAS, the independent financial advisor has transmitted the report(s) to Council.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Salem that the following reports are approved and shall be transmitted to the Board of Public Utilities, Department of Environmental Protection and Director of the Division of Local Government Services in the Department of Community Affairs within 10 days of this Resolution:

- a. Description of Existing Water & Sanitary Municipal Utility Facilities dated October 2020;
- b. Water & Sanitary Utility Rate Study dated October 2020;
- c. Water & Sanitary Valuation dated October 2020;
- d. Emergent Condition Evaluation.

BE IT FURTHER RESOLVED that the City of Salem shall make the approved reports and Certification of Emergent Conditions available for public review

BE IT FURTHER RESOLVED that a public hearing on the proposed emergent condition certification shall be held after notice required by N.J.S.A. 58:30-59(d) on December 7, 2020.

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Earl Gage, Council President

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
R. Davis			X			
T. Gregory	X		X			
V. Groce			X			
S. Kellum		X	X			
G. Slaughter			X			
J. Smith			X			
E. Gage			X			

I, Ben Angeli, 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 November 2, 2020.

Date

Ben Angeli, RMC

After the Motion and second, the Administrator explained that this was the next step in the process as the City considers selling the water and Sewer Utility. Ms. Rhea, the City Solicitor, said that this resolution also sets the date for the public hearing on December 7, 2020.

**CITY OF SALEM
RESOLUTION 2020-192**

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE
CITY OF SALEM AND AXON ENTERPRISES, INC**

WHEREAS, the City of Salem recognizes that alternatives to lethal force should be employed whenever necessary; and

WHEREAS, the City and Chief of Police believe that the use of Tasers represents a reliable alternative to lethal force in police activities; and

WHEREAS, the City of Salem Police currently have 2 Tasers in the department; and

WHEREAS, AXON ENTERPRISES, INC, of Scottsdale Arizona is the sole provider in the State of New Jersey and offers training and replacement cartridges as part of its product service agreement; and

WHEREAS, The City of Salem and the City Police Department desire to enter into a five year agreement (Attachment A) with AXON ENTERPRISES, INC to provide Tasers, certification, replacement cartridges, de-escalation technique training and all services outlined in the agreement; and;

WHEREAS, the CFO has determined that this is a necessary service and that the funds are available.

NOW THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey, that it consents to the execution of an agreement with AXON ENTERPRISES, INC, of Scottsdale Arizona; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the agreement with AXON ENTERPRISES, INC

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Earl Gage, Council President

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
R. Davis			X			
T. Gregory	X		X			
V. Groce			X			
S. Kellum		X	X			
G. Slaughter			X			
J. Smith			X			
E. Gage			X			

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Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-193**

RESOLUTION TO CANCEL TAXES ON CITY PROPERTY

WHEREAS, the properties listed below are now owned by the City of Salem, and

WHEREAS, these properties are now exempt from property taxes,

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Salem, County of Salem, State of New Jersey, at their regular meeting held on November 2, 2020 hereby memorializes the cancellation by the Tax Collector of the following for the Tax Year 2020 per N.J.S.A. 54:4-3.6c.

Block	Lot	Address	Amount
12	16	116 W Broadway	\$ 6,479.03 Formerly the Library

ATTEST:

CITY OF SALEM

Ben Angeli, RMC

Earl Gage, Council President

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
R. Davis			X			
T. Gregory	X		X			
V. Groce			X			

S. Kellum		X	X			
G. Slaughter			X			
J. Smith			X			
E. Gage			X			

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Ben Angeli, RMC

After the Motion and second, the Administrator explained that this was the property that the City took possession of that was still on the tax rolls and needed to be removed. This property is next to the library and the Library has intentions to use this property for parking and programs.

ADMINISTRATOR REPORT: The Administrator spoke about the Best Practices survey and what the results mean. He stated that Salem City scored 23 points and the City needed 16 points to qualify for Transitional Aid. He also mentioned that the City would be placing the appropriate legal notices for the Water/Sewer hearing, the RFP's for professionals, the RFP for Emergency Medical Services and the rebid for the demolition of jacks.

COMMERCE DIRECTOR REPORT: Mr. Bailey stated that he was working on a lot of different things and that progress was being made in many areas. He stated that he received 10 requests for the proposal packets for the Ward Street project and that the RFP's were due 11-20-2020.

OLD BUSINESS: None

NEW BUSINESS: Councilman Davis asked about the properties that were going up for auction and stated how important it was to move these properties to interested buyers and get them back on the tax rolls. He said he wanted to make sure that his property Committee was having input on the list as it was being developed.

PUBLIC PORTION

Motion to open public portion made by Councilman Gregory.

Seconded by Councilwoman Kellum.

All members present voted in favor.

Motion carried.

Mr. Daniels, North Union Street, Salem spoke about storm water flooding from the ditch that runs from Keasby Street to Anderson drive. He said that Mosquito Control should be dredging that ditch and that he spent a lot of money repairing his basement and other properties in that area were also being impacted. Council President gage said that the City could not dredge the ditch and he and Councilman Groce said that they would look into the matter. Bill Corbin, Salem, said that he thought it was a good thing that the City is moving forward with the hearing on the Water/Sewer Utility.

Motion to close public portion made by Councilman Gregory.

Seconded by Councilwoman Kellum.

All members voted in favor.
Motion carried.

ADJOURNMENT:

Councilman Gregory motioned to adjourn the meeting and Councilwoman Kellum seconded the motion. All members present voted in favor in a voice vote.

Minutes respectfully submitted by:



Ben Angeli, RMC

NEXT COUNCIL MEETING: NOVEMBER 16, 2020 AT 6:30 PM