

CITY OF SALEM
COMMON COUNCIL MEETING MINUTES
OCTOBER 19, 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 #17 New Market Street at 6:30 PM and participation was available via Zoom. The meeting was opened with the Pledge of Allegiance. Council President 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 either in person or via Zoom was Andrea Rhea-City Solicitor, Deputy Treasurer Kenia Nunez, Director of Commerce Charles Bailey 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 and the motion carried.

PUBLIC PORTION FOR AGENDA ITEMS 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.

MAYORAL PROCLAMATION:

DECLARING CURFEW HOURS DURING DAYS LEADING UP TO AND INCLUDING HALLOWEEN;
AUTHORIZING ENFORCEMENT THEREOF AND SCHEDULING TRICK OR TREAT HOURS
WITHIN THE CITY OF SALEM

COMMUNICATIONS/APPLICATIONS/REPORTS:

Application for an entertainment License for Stand up for Salem- event will be on 10-31-2020 12PM to 3PM at 51 New Market Street.

Councilman Gregory made a motion to approve. Councilwoman Kellum seconded the motion. All present voted in favor on a voice vote.

PRESENTATION:

Mr. Fred Byarm made a presentation concerning a project he has that is geared toward tackling the issues of food deserts in South Jersey and the role that Salem can play in this project.

SECOND READING OF AND HEARINGS FOR ORDINANCES:

ORD. 2009 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTERS 130
 "LAND USE" AND CHAPTER 135 "LICENSES AND PERMITS" IN THE
 CITY OF SALEM ESTABLISHING LAND USE REGULATIONS AND
 LICENSES REQUIREMENTS FOR MEDICAL CANNABIS DISPENSARIES

Motion to open the public hearing on ORD. 2009: Gregory Second: Kellum Voice Vote: 8-0

Ms. Velor, Salem and Ms. Cline, Salem asked for explanation about the Ordinance. The Solicitor explained the ordinance and pointed out the need for buffers with this type of establishment. She spoke about the transfer fee that would be payable to the City. Mr. Groce explained that this was being done in case someone approached the City with this type of business. This allows the City to set parameters. Mayor Washington added that this allows the City to dictate terms and not the outsiders. Council President Gage stated that when we were approached, the City was not prepared and now we would be.

Motion to close the public hearing on ORD. 2009: Gregory Second: Kellum Voice Vote: 8-0

Motion to adopt ORD 2009 as amended Gregory Second: Kellum RCV: 7-1

**CITY OF SALEM
ORDINANCE 2009**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTERS 130 "LAND
USE" AND CHAPTER 135 "LICENSES AND PERMITS" IN THE CITY OF
SALEM ESTABLISHING LAND USE REGULATIONS AND LICENSES
REQUIREMENTS FOR MEDICAL CANNABIS DISPENSARIES**

WHEREAS, the Jake Honig Compassionate Use of Medical Cannabis Act (the "Act"), N.J.S.A. 24:6I et seq., permits the authorized medical use of cannabis; and

WHEREAS, the Common Council of the City of Salem wishes to create land use regulations and licensing requirements for medical cannabis dispensaries that can provide medicinal benefits and promote the health, safety and general welfare of the community; and

WHEREAS, it is in the best interest of the city of Salem to be proactive in establishing such local land use regulations and licensing requirements for medical cannabis dispensaries in the advance of the issuance of additional licenses by the state to facilitate the opportunity for such businesses to establish operations and provide medical benefits to the City of Salem; and

WHEREAS, the City of Salem further supports and encourages the safe and appropriate siting of marijuana related and supporting businesses within the City of Salem, including Alternative Treatment Centers, and Medical Cannabis Cultivation and/or Medical Manufacturing facilities to allow qualifying patients greater access to cannabis for medicinal use; and

WHEREAS, the City of Salem Planning Board adopted the 2012 Reexamination Report of the Master Plan which identified a number of issues in need of address including; economic revitalization and a review of zoning and permitted uses; and

WHEREAS, the Medicinal industry can further the goals and objectives of the Master Plan through its ability to become a catalyst for new economic opportunities, including but not limited to; job growth, expansion of the ratable base, and attraction of related businesses that will further spur growth objectives; and

WHEREAS, the legislature of the State of New Jersey recognizes the need to utilize tax revenue from medical cannabis Alternate treatment centers and associated cultivation centers to support drug treatment and education efforts, and community reinvestment initiatives; and

WHEREAS, the Common Council of the City of Salem recognizes that a distinction can be made between medical and non-medical uses of cannabis and by establishing local land use regulations for business activity related to the sale, distribution or cultivation of medicinal cannabis, the City is not endorsing the recreational use of marijuana.

NOW, THEREFORE, BE IT ORDAINED,

Section 1. Chapter 130 Land Use, Part 1, Article II, § 130-5 Words and Phrases defined is amended to include the following definitions:

Alternative Treatment Center (ATC) or Medical Cannabis Alternative Treatment Center

An organization issued a permit, including a conditional permit by the Commission to operate as a medical cannabis cultivator, medical cannabis manufacturer, medical cannabis, dispensary or clinical registrant. *For the purposes of zoning*, an ATC is the interface between provider and patient and is synonymous with a Medical Marijuana Dispensary. Cultivation and manufacturing, unless within the same structure or property as a dispensary, shall be treated as a separate use category though it may be part of the license issued by the State for a single entity. This term shall include the organization’s officers, directors, board members and employees.

Commission

Cannabis Regulatory Commission established to regulate the cannabis industry

Commissioner

Commissioner of Health

Marijuana

The definition as provided in section 2 of the New Jersey Controlled Dangerous Substances Act, P.L. 1970, c. 226 (effective January 17, 1971), codified N.J.S.A. 24:21-1 et seq.

Medical Cannabis Act or “Act”

The Jake Honig Compassionate Medical Cannabis Act codified at N.J.S.A. 6I-1 et seq. as amended

Medical Cannabis Cultivation Center

A building, structure, or premises used for the cultivation or storage of medical cannabis. Includes the planting, propagating, cultivation, growing, harvesting, labeling or manufacturing, compounding and storing of medicinal cannabis for the limited purpose of this chapter. A cultivation center may be physically separate and off-site from the associated licensee’s ATC medical cannabis dispensary. When connected-to, or part of, the same property by which an ATC dispenses from, it is considered part of the ATC. This includes greenhouses, commercial/industrial warehouse setups, hydroponic systems, etc.

Medical Cannabis Dispensary or Dispensary

An organization issued a permit by the commission that authorizes the organization to : purchase or obtain medical cannabis and related supplies from medical cannabis cultivators, purchase or obtain medical cannabis products and related supplies from medical cannabis manufacturers; purchase or obtain medical cannabis, medical cannabis products, and related supplies and paraphernalia from other medical cannabis dispensaries and from clinical registrants; deliver, transfer, transport, distribute, supply and sell medical cannabis and medical cannabis products to other medical cannabis dispensaries; furnish medical cannabis, including medical cannabis products to designated caregivers, and institutional caregivers. A medical cannabis dispensary permit shall not authorize the permit holder to cultivate medical cannabis, to produce, manufacture, or otherwise create medical cannabis products.

Medical Cannabis Manufacturer

An organization issued a permit by the commission that authorizes the organization to : purchase or obtain medical cannabis and related supplies from a medical cannabis cultivator or a clinical registrant; purchase or obtain medical cannabis products from another medical cannabis manufacturer or a clinical registrant; produce, manufacture, or otherwise create medical cannabis products ; and possess, deliver, transfer, transport, distribute, supply and sell medical cannabis products and related supplies to other medical cannabis manufacturers and to medical cannabis dispensaries and clinical registrants. A medical cannabis manufacturer permit shall not authorize the permit holder to cultivated medical cannabis or to deliver, transfer, transport, distribute, supply, sell or dispense medical cannabis, medical cannabis products, paraphernalia, or related supplies to registered qualifying patients, designated caregivers or institutional caregivers.

Medical Use of Cannabis

The acquisition, possession, transport or use of cannabis or paraphernalia by a registered qualifying patient as authorized by the P.L. 2009, c. 307 (C. 246I-1 et al) and P.L. 2015 c. 158 (C.18A:40-12.22) as amended.

Medical Manufacturing Facility

Facility that operates as a medical cannabis manufacturer.

Medical Cannabis Business

Encompasses all components of the industry as is consistent with the Act. Accordingly, it shall mean any business legally involved in cultivating, manufacturing, distribution, sales, or testing of Medical cannabis.

Medical Marijuana Program or “MMP”

The program within the Department of Health, which is responsible for the administration and implementation of activities related to the Act.

Paraphernalia

The definition as provided in N.J.S.A. 2C:36-1.

Permit

The documents issued by the Department of Health pursuant to this chapter granting the legal right to operate as an alternative treatment center for a specified time.

Qualifying Patient or Patient

A resident of the State who has been authorized for medical use of cannabis by a health care practitioner.

Registration with the Commission

A person has met the qualifications requirements for, and has been registered by the commission as a registered qualifying patient, designated caregiver or institutional caregiver.

Usable Cannabis

The dried leaves and flowers of cannabis and any mixture or preparation thereof, but does not include the seeds, stems, stalks, or roots of the plant.

Vertical Integration

The co-location or combination of the following activities related to the production of usable marijuana for qualifying patients within a single corporate entity: cultivation, manufacturing, and dispensing.

Section 2. Chapter 130 Land Use, is hereby amended to Add Part 7, Requirements for Alternative Treatment Centers or Alternative Cannabis Treatment Centers

§ 130-154 General Regulations.

A. Limitation on Alternative Treatment Dispensaries within the City.

(1) The number of Dispensaries permitted within the City is based on population. A maximum of one (1) Dispensary Center shall be permitted for every 5,000 people or fraction thereof. Population shall be determined by the most recent data available from the U.S. Census Bureau and the NJ State Department of Labor, Bureau of Statistics.

(2) Distance between Alternative Treatment Center Dispensaries Drug Free School Zones. ATC's shall be located at a minimum of one thousand (1,000) feet from Drug Free School Zones as defined in the statute. Measurement to be conducted in a straight line from the nearest property line of the land used for the school to the nearest portion of the building in which the medical marijuana center is located.

a. No marketing or advertisement of the site.

b. No signage other than directional or discrete building identification shall be permitted; unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited; light pollution, glare or brightness resulting from glow lamps must be 0.5 foot candles or less at the property line; noise beyond X decibels from ventilation fans shall be prohibited.

(3) Distance between Alternative Treatment Centers. No ATC shall be located within one thousand-five hundred (1,500) feet from any other Alternative Treatment Center, which shall be measured in a straight line from the nearest portion of the building in which the center is proposed to be located to the nearest portion of the building in which the other center or the retail marijuana store is located. Standalone Cultivation and Manufacturing uses are not included within this prohibition as long as the following conditions are met

a. There is no dispensary component to the facility.

b. It is a fully secured facility and does not contain a Dispensary or have public access.

c. Signage for the facility shall remain innocuous and part of the general directional signage typically found in industrial manufacturing facilities only. Façade signs will be limited to those at the point of entry to the facility and may not be more than six (6) square feet.

(4) In the event more than one (1) Land Use Application for an Alternative Treatment Center, Cultivation or Manufacturing facility of the same classification are submitted to the City in close proximity to one another, and if the applications comply with all the requirements of this Chapter and the NJ State

Department of Health and the Board of Medical Examiners, the City is not permitted to approve all of the applications because of the limitations set forth in this subsection. The City shall first review for approval the application that was first submitted and determined to be a complete and compliant application by the City Planner, or Zoning Officer.

- (5) The distance restrictions shall not apply to any location where the State previously issued a medical marijuana license under the Act, a licensed dispensary commenced operations at the subject location, and a licensed medical Cannabis dispensary or center has existed in continuous operations at the subject location since the time of original licensing.

B. Permitted Locations.

- (1) Alternative Treatment Center (Dispensaries). Alternative Treatment Center dispensaries *only* shall be permitted to be located within the following zones in accordance with this Chapter and the Redevelopment Plans where applicable. For all properties, adherence to the site design standards of the Town Land Development Ordinances and Redevelopment Plans through a review by the Zoning Official and Salem City Council (Redevelopment Agency), where applicable, is required. Issuance of Zoning Permit and/or Site Plan approval is required. Permitted areas include:

Areas zoned Commercial but not located inside Federal, State or Local Designated Historic Districts.

- (2) Stand alone Cultivation, Manufacturing, and/or Testing Facilities. Stand-alone Cultivation, Manufacturing and/or Testing Facilities shall be permitted to be located within the following zones in accordance with this Chapter and the Redevelopment Plans where applicable. For all properties, adherence to the site design standards of the Town Land Development Ordinances and Redevelopment Plans through a review by the Zoning Official and Salem City Council (Redevelopment Agency) where applicable is required. Issuance of Zoning Permit and/or Site Plan approval is required. Allowed Zones limited to the Waterfront Redevelopment Area:

C. Restrictions on Mobile Facilities and Delivery of Cannabis Products to Patients. - No such services shall be permitted unless expressly permitted by the NJ State Department of Health and the Board of Medical Examiners pursuant to the type of licensure the facility processes.

D. Operation Hours. ATC dispensaries shall limit their hours of operation to 9:00 a.m. to 8:00 p.m., Monday – Friday and Saturday 9:00 a.m. to 6:00 p.m. ATC dispensaries cannot operate on Sundays. Standalone Cultivation, Manufacturing, and/or Testing Facilities shall limit their hours of operation to 9:00 a.m. to 8:00 p.m., Monday – Friday and Saturday 9:00 a.m. to 6:00 p.m. Standalone Cultivation, Manufacturing, and/or Testing Facilities cannot operate on Sundays.

E. Specific Requirements for Alternative Treatment Centers.

- (1) The cultivation of Medical Cannabis plants shall not be permitted on exterior portions of a lot. The cultivation, production or possession of marijuana plants within a building or unit must not be perceptible from the exterior of the building or unit from a street or residential use. Such use shall adhere to the bulk standards of the underlying zoning.

- (2) Samples of Medical Cannabis products offered for sale may be displayed on shelves, counters and display cases. All bulk cannabis products shall be locked within a separate vault or safe (with no

other items in this safe) which shall be securely fastened to a wall or floor, as approved by the City of Salem Police Department.

(3) An Alternative Treatment Center may sell “paraphernalia” as that term is defined pertains to *Patients only* and shall be exempt from the prohibitions contained in any other section of the Zoning Code.

(4) Only persons who are authorized to purchase may enter the dispensary alternative treatment Center to make a purchase.

(5) No person without a MMP card is permitted to pick-up a prescription.

(6) Alternative Treatment Centers must limit signage to text on external signage/labeling and brochures. Use of graphics shall be limited to the logo for the business so long as it does NOT include a cannabis plant leaf and outward glorification of marijuana/ cannabis consumption.

(7) Facilities must comply with all sign regulations set forth in this Chapter.

(8) Alternative Treatment Center signage shall not display on the exterior of the facility or windows advertisements for medicinal cannabis or a brand name except for purposes of identifying the building by the permitted name.

(9) Parking shall be provided as provided for in Chapter 130 (Schedule G). Except that:

(a) ATC dispensary. Same as Offices, general and professional.

(b) Cultivation, manufacturing, Testing Facilities. Same as Industrial Manufacturing Use

(10) No Drive through dispensing shall be allowed.

F. Security and Reporting. Security systems must be in place, along with a 24/7 recording system that records for a minimum 30-day archive. This system shall be shared with local law enforcement via web browser. Outside areas of the premises and the perimeter shall be well lit. City Law enforcement shall be provided the name and phone number of a staff person to notify during suspicious activity during or after operating hours. Security staff is required on the premises during all hours of operation. Additionally,

(1) The premises must only be accessed by authorized personnel and free of loitering.

(2) Security personnel must be present during times of operation.

G. Specific Requirements for a Standalone Cultivation, Manufacturing, and/or Testing Facilities Premises. If co-located with a Medical Marijuana Cultivation Premises, the area of the proposed Licensed Marijuana Premises utilized for cultivation shall be physically separated from the area of the premises open to the public or to patients. Walls, barriers, locks, signage and other means shall be employed to prevent the public or patients from entering the area of the Licensed Marijuana Premises utilized for cultivation of marijuana.

H. The operation of any State Licensed Medical Cannabis facility within the City of Salem, the following conditions must be satisfied:

1. No Products to be Visible from Public Places. Marijuana, cannabis plants, products, accessories, and associated paraphernalia contained in any Medical Cannabis Business shall not be visible from a public

sidewalk, public street or right-of-way, or any other public place. On-site storage of usable cannabis shall comply with 21 CFR 1301.72.

2. No Beer or Alcohol on Premises. No fermented malt beverages and no alcoholic beverages, shall be kept, served or consumed on the premises of a Medical Marijuana Business.
3. Storage of Products. All products and accessories shall be stored completely indoors and on-site.
4. Consumption of Cannabis Prohibited. No consumption or smoking of any Medical Marijuana/ Cannabis products shall be allowed or permitted on the premises or adjacent grounds of a Medical Cannabis Business.
5. Storage of Currency. All currency over \$1,000.00 shall be stored within a separate vault or safe (no marijuana in safe), securely fastened to a wall or floor, as approved by the Salem City Police Department.
6. Prevention of Emissions and Disposal of Materials.
 - a. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting the business premises shall be provided at all times. In the event that any debris, dust, fluids or other substances shall exit the business premises, the property owner and operator shall be jointly and severally responsible for the full cleanup immediately.
 - b. Businesses shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with State regulations.
 - c. As applicable, Medical Cannabis Businesses shall be equipped with ventilation systems with carbon filters sufficient in type and capacity to eliminate marijuana odors emanating from the interior to the exterior of the premises discernible by reasonable persons. The ventilation system must be inspected and approved by the Construction Official. If carbon dioxide will be used in any cultivation area, sufficient physical barriers or a negative air pressure system shall be in place to prevent carbon dioxide from moving into the ambient air, into other units in the same building or into an adjacent building in a concentration that would be harmful to any person, including persons with respiratory disease and shall be inspected and approved by the Construction Official and the Fire Marshall.
 - d. All State regulations concerning ventilation systems shall be followed.

I. Compliance with Other Codes. Any Medical Cannabis Business and the adjacent grounds of the Medical Cannabis Business shall comply with all zoning, health, building, fire, and other codes and ordinances of the Town as shown by completed inspections and approvals by the Town Planner, Construction Division, Fire Safety Division, and the Phillipsburg Health Department, if applicable.

J. No Harm to Public Health, Safety or Welfare. The Licensed facility and adjacent grounds of a Medical Cannabis Business shall be operated in a manner that does not cause any substantial harm to the public health, safety and welfare.

K. Penalty for Violation. Any violation of the provisions of this subsection or the conditions of the Zoning Permit granted, by a Medical Marijuana Business shall be punishable by a civil fine of up to one thousand dollars (\$1,000.00). Each day that a violation is committed, exists or continues shall be deemed a separate

and distinct offense. In addition, any violation of the provisions of this subsection, or any conditions imposed by the Zoning Permit may result in the revocation of the Zoning Permit.

Section 3. Chapter 135 of the City Code shall be amended, modified, or deleted as follows, and any and all other sections or subsections not explicitly altered herein remaining as written:

§135-6 In order to be granted a business license for the operation of any State Licensed Medical Cannabis facility within the City of Salem, the following conditions, along with all other requirements of this Chapter, must be satisfied:

1. Completion of all forms, checklists, and other submissions as may be required by the City Clerk's Office;
2. Payment of all applicable local fees, including inspection and licensing fees;
3. Demonstration that all applicable State licenses have been obtained;
4. Passage of all applicable State and local inspections required to be completed prior to the beginning of operations and/or renewal of any State and/or local license;
5. Emergency contact information to be utilized by police, fire, and EMT personnel in the event of an on-site emergency; and,
6. Submission of a full copy of the Application for State Licensure, via hard copy or digitally, with pages prominently marked "CONFIDENTIAL" as appropriate for purposes of compliance with New Jersey's Open Public Records Act (**NOTE:** pages not marked as confidential will be disclosed in response to an applicable OPRA request).

In order to be granted a business license for the operation of any State Licensed Medical Marijuana facility within the City of Salem, the following fee scheduled must be agreed to and that license must be renewed every year:

Alternative Treatment Centers, and Medical Marijuana Cultivation and/or Medical Manufacturing – per location and use \$5,000.

State-licensed medical marijuana dispensary: per location: \$5,000.

State-licensed medical marijuana cultivation, manufacturing and processing and distribution:

Cultivation, per location: \$10,000.

Manufacturing and processing, per location: \$10,000

Alternative Treatment Centers-Distribution per location \$10,000

Vertically Integrated Facility: \$15,000

Section 4. Chapter 200 of the City Code shall be amended to create a new Article entitled Local Transfer Tax – Medical Cannabis Dispensary and shall read:

- A. As authorized by N.J.S.A., a municipality may, by ordinance N.J.S.A. 24:6I-10 impose a transfer tax on any medical cannabis dispensed by the dispensary, including medical cannabis that is furnished by the dispensary to a medical cannabis handler for delivery to a registered qualifying patient or the

patient’s caregiver. The rate of transfer tax to be established by the City of Salem is two percent of the purchase price of the medical cannabis.

- B. A medical cannabis dispensary conducting business in the City of Salem shall pay the two percent transfer tax to the City on a quarterly basis every February 1, May 1, August 1 and October 1. The dispensary shall include with its payment certified sales records from its business to the City Administrator. The dispensary shall provide any other documentation as may be required by the City to verify the accuracy of the transfer tax submitted.

B. Section 5. ADMINISTRATION OF ORDINANCE

BE IT FURTHER ORDAINED that the City Clerk and/or his or her designee is hereby granted the administrative authority to amend the numbering of sections and sub-sections herein to ensure correct sequencing with the existing ordinances in the event of any conflicts discovered during codification; and

BE IT FURTHER ORDAINED that if any term, part, or provision of this Ordinance is determined to be illegal, unconstitutional, invalid, or otherwise unenforceable by a court of competent jurisdiction, this determination shall not affect the validity of the remaining terms of and provisions of this Ordinance. To the extent any provision of the Salem City Code is found to conflict with this Ordinance, this Ordinance shall be deemed controlling; and

BE IT FURTHER ORDAINED that the City Departments implicated in or by this Ordinance are hereby authorized to enact and adopt rules, policies, and procedures to assist with implementing and enforcing this Ordinance, to the fullest extent permitted by law; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as provided by law.

BE IT FURTHER ORDAINED after introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the City of Salem Planning Board for its review in accordance with N.J.S.A. 55D-26 and 64. The Planning Board is directed to make and transmit to the City Council within 45 days after referral, a report including identification of any provisions in the proposed Ordinance that are inconsistent with the master plan and recommendations concerning any other matter as the Board deems appropriate.

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 an Ordinance introduced by the Common Council of the City of Salem on July 20, 2020. The Public Hearing shall take place on September 14, 2020.

Date

Ben Angeli, RMC

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			

Date

Charles Washington Jr, Mayor

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 an Ordinance adopted by the Common Council of the City of Salem after a second reading and public hearing on October 19, 2020.

INTRODUCTION OF ORDINANCES FOR FIRST READING:

This is the first reading and introduction. The public hearing for this ordinance will be on November 16, 2020 at 6:30PM

**CITY OF SALEM
ORDINANCE 2012**

**ORDINANCE AMENDING CHAPTER 109,
SECTION 6 OF THE MUNICIPAL CODE OF THE CITY OF SALEM
SETTING LIMIT ON HOURS OF ENTERTAINMENT ACTIVITY**

BE IT HEARBY ORDAINED by the Common Council of the City of Salem, State of New Jersey that Chapter 109, Section 6 of the Municipal Code be amended as follows:

109-6 Limit on hours of entertainment activity

The licensee of any license issued hereunder shall cause the entertainment activity to be concluded on or before 11:00 PM

BE IT FURTHER ORDAINED that this ordinance shall take effect as provided by law.

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 an Ordinance introduced by the Common Council of the City of Salem on October 19, 2020 The Public Hearing shall take place on November 16, 2020.

Date

Ben Angeli, RMC

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION:

**CITY OF SALEM
RESOLUTION 2020-175**

**A RESOLUTION AUTHORIZING SIGNING THE FY2021 CITY OF SALEM
MUNICIPAL ALLIANCE SERVICES CONTRACT BETWEEN THE CITY, THE
MUNICIPAL ALLIANCE AND COUNTY OF SALEM**

BE IT HEREBY RESOLVED by the Common Council of the City of Salem in the State of New Jersey that the Mayor and City Clerk are hereby authorized, empowered and directed to sign the FY2021 City of Salem Municipal Alliance Services Contract between the City of Salem, City of Salem Municipal Alliance and the County of Salem upon approval of the format of same by the City Solicitor.

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, 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 October 19, 2020.

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-176**

A RESOLUTION APPROVING THE CLERK TO ADVERTISE REQUEST FOR PROPOSALS USING THE COMPETITIVE CONTRACTING PROCESS FOR EMERGENCY MEDICAL SERVICES

WHEREAS, the Council seeks to find a qualified vendor to provide emergency medical services to the residents of the City; and

WHEREAS, due to the special nature of the services, the Council seeks to procure the services using the competitive contracting process, which is authorized by N.J.S.A. 40A:11-4.1 et seq.

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 Clerk is authorized to advertise Requests for proposals for emergency medical services using the competitive contracting process.

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, 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 October 19, 2020.

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-177**

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE
CITY OF SALEM AND PRO-TEC**

WHEREAS, the City of Salem is required to have an Automatic Fire Detection System at the City Water Plant; and

WHEREAS, the City has contracted in the past with PRO-TEC Systems, INC of Somerset, NJ. And the City wishes to continue to utilize PRO-TEC's services; and

WHEREAS, PRO-Tec has provided a contract for one year of service to include the service listed as attachment "A" which includes the contract for services; and

WHEREAS, the contract stipulates that the agreement will renew for successive one (1) year periods until this Agreement is terminated by either party upon thirty (30) days notice prior to the end of the then current contract period; and

WHEREAS, charges for services rendered hereunder are subject to change annually upon thirty (30) days written notice prior to renewal; 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 PRO-TEC INC. of Somerset, NJ.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the agreement with PRO-TEC of Somerset, NJ.

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, 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 October 19, 2020

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-178**

A RESOLUTION AUTHORIZING A TAX REFUND DUE TO OVERPAYMENT

WHEREAS, the below listed overpayment for the year designated is held in reserve by the City of Salem; and

WHEREAS, the 3rd quarter taxes of 2020 was paid by William Burgmiller, former homeowner twice, through settlement and as regular payment creating an overpayment; and,

WHEREAS, Willian Burgmiller has requested the overpayment be refunded.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Salem City that the following overpayment be refunded to William Burgmiller.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

REFUND TO:	BLOCK LOT	AMOUNT	YEAR
William Burgmiller	64 4	573.27	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, 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 October 19, 2020.

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-179**

**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

- (5) *Matters relating to the purchase, lease acquisition of real property or investment of public funds*
- (7) *Matters relating to litigation, negotiations and attorney-client privilege*

8) *Matters relating to the employment relationship*

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:

- (4) *Matters pertaining to a collective bargaining agreement*
- (5) *Matters relating to the purchase, lease acquisition of real property or investment of public funds*
- (7) *Matters relating to litigation, negotiations and attorney-client privilege*

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

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 October 19, 2020.

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-180**

**CHAPTER 159 - A RESOLUTION REQUESTING APPROVAL OF ITEMS OF
REVENUE AND APPROPRIATION REGARDING SUSTAINABLE
COMMUNITIES GRANT THROUGH ATLANTIC CITY ELECTRIC**

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; and

WHEREAS, the City of Salem has received notice of an award of \$5,000.00 from the Sustainable New Jersey Grant Program and Atlantic City Electric; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Salem, in the County of Salem, State of 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 2020 in the sum of. \$5,000.00.

Miscellaneous Revenues: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services: State and Federal Revenues Off-set with Appropriations:

Grant Revenues: \$5,000.00 0-01-08-323-101

BE IT FURTHER RESOLVED that the like sum of 5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by

Grant Appropriations: \$5,000.00 0-01-41-823-102

BE IT FURTHER RESOLVED, that the Town Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

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, 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 October 19, 2020.

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-181**

A RESOLUTION APPROVING A CORRECTION OF THE 2020 TAX DUPLICATE

**FOR THE PROPERTY KNOWN AS 20 PINE AVENUE, BLOCK 99, LOT 33
TO REFLECT THE SETTLEMENT ON SAID PROPERTY'S ASSESSMENT
AND AUTHORIZING THE ISSUANCE OF A CREDIT WITHOUT INTEREST**

WHEREAS Earl J. and Geri Skinner (hereinafter referred to as the "Taxpayers") had timey filed a tax appeal with the Tax Court of New Jersey (the "Court") in 2018 contesting the property tax assessment placed on their property known as 20 Pine Avenue, Block 99, Lot 33, Salem, New Jersey (the "Property"), which appeal was docketed as 010022-2018 with the Court;

WHEREAS in 2019, the Taxpayers and the City Tax Assessor had reached a settlement of the appeal with the parties agreeing to reduction in the 2018 assessment that was entered into a judgment by the Tax Court. The parties further agreed that a reduction in the assessment would be made on the property for the 2020 tax year from a total assessment of \$77,500. To \$72,000, which reduction would in the Tax Assessor's opinion result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district.

WHEREAS, in an inadvertent oversight, the agreed upon reduction in the assessment of for 2020 for said Property was not made to the Township's tax duplicate for 2020, thereby causing the Taxpayers to pay taxes based on the unchanged and higher assessment.

WHEREAS this governing body pursuant to authority vested in same under N.J.S.A.54: 4-99, and NJ.S.A. 54:4-100 has the authority to order and cause the tax records to be corrected, and to revise and adjust assessments and the resultant taxes as it deems equitable and just and in the interest of the Township;

WHEREAS the settlement agreement between the Taxpayers and the Tax Assessor is a legally enforceable agreement with the Court, and in the interest of fairness and justice to

the Taxpayers, the tax duplicate on said Property should be revised to reflect the agreed assessment of \$72,000 for 2020; and

WHEREAS, any overpayment should be reflected as a credit to the taxpayer pursuant to the agreement between the parties.

NOW, THEREFORE, BE IT RESOLVED by the COMMON COUNCIL OF THE CITY OF SALEM that the Tax Assessor is authorized to correct the tax duplicate of the Property, 20 Pine Avenue, for 2020 to reflect the agreed upon total assessment of \$72,000 and the Tax Collector is authorized to issue any credits, without interest, that may be due to the Taxpayers by virtue of this reduced assessment.

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, 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 October 19, 2020.

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-182**

**A RESOLUTION AMENDING RESOLUTION 2020-167
REGARDING THE FEMA "SAFER" GRANT**

WHEREAS, the City adopted Resolution 2020-167 to support and accept the "SAFER" grant that was applied for by the Volunteer Fire Department of the City of Salem; and

WHEREAS, it is necessary to clarify that the City, although it supports the efforts by the Volunteer Fire Department to seek funds for which the grant is intended, the City of Salem is not the applicant nor participant in accepting the grant funds.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem that it amends its prior resolution 2020 -167 to clarify that it does not accept the "SAFER" grant on behalf of the City as it is neither an applicant or participant in receiving or administering the grant funds .

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, 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 October 19, 2020.

Date

Ben Angeli, RMC

**CITY OF SALEM
RESOLUTION 2020-183**

**RESOLUTION AUTHORIZING SALE OF 43-45 CHESTNUT STREET,
BLOCK 60, LOT 6 TO SALEM 1, LLC**

WHEREAS, the City of Salem authorized the sale of 43-45 Chestnut Street, Block 60, Lot 6 by Resolution 2020-168 by public auction pursuant to the Local Land and Building Laws; and

WHEREAS, by the aforesaid resolution the property was to be offered for sale with restrictions as more fully set forth therein and alternately without restrictions, with the City reserving option to make an award with or without restrictions as it deemed appropriate; and

WHEREAS, after publication as required by law an auction was held on October 8, 2020 with the highest bids received as follows:

Bidder	With City restrictions	Without restrictions
Salem 1, LLC	\$22,500	\$4,000

And

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Salem that sale property commonly known as 43-45 Chestnut Street , Salem New Jersey and designated Block 60, Lot 6 to Salem 1, LLC for the sum of \$22,500.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute an agreement of sale with Salem 1 LLC setting forth the restrictions outlined in Resolution 2020-168 and that he is further authorized to execute a deed transferring the property with said restrictions.

BE IT FURTHER RESOLVED that the CFO is authorized to refund the deposit in the amount of \$400.00 Offered by Salem 1 LLC made on account of its bid for purchase of the property without restrictions.

ATTEST:

CITY OF SALEM

Ben Angeli, Clerk

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 October 19, 2020.

Date

Ben Angeli, Clerk

CITY OF SALEM

RESOLUTION 2020-184

**RESOLUTION AUTHORIZING SALE OF 215 CHURCH STREET,
BLOCK 64, LOT 16 TO SALEM 1, LLC**

WHEREAS, the City of Salem authorized the sale of 215 Church Street, Block 64, Lot 16 by Resolution 2020-168 by public auction pursuant to the Local Land and Building Laws; and

WHEREAS, by the aforesaid resolution the property was to be offered for sale with restrictions as more fully set forth therein and alternately without restrictions, with the City reserving option to make an award with or without restrictions as it deemed appropriate; and

WHEREAS, after publication as required by law an auction was held on October 8, 2020 with the highest bids received as follows:

Bidder	With City restrictions	Without restrictions
Salem 1, LLC	\$7,500	\$2,000

And

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Salem that sale property commonly known as 215 Church , Salem New Jersey and designated Block 64, Lot 16 to Salem 1, LLC for the sum of \$7,500.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute an agreement of sale with Salem 1 LLC setting forth the restrictions outlined in Resolution 2020-168 and that he is further authorized to execute a deed transferring the property with said restrictions.

BE IT FURTHER RESOLVED that the CFO is authorized to refund the deposit in the amount of \$200.00 Offered by Salem 1 LLC made on account of its bid for purchase of the property without restrictions.

ATTEST:

CITY OF SALEM

Ben Angeli, Clerk

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 October 19, 2020.

Date

Ben Angeli, Clerk

**CITY OF SALEM
RESOLUTION 2020-185**

**RESOLUTION AUTHORIZING SALE OF 213 CHURCH STREET,
BLOCK 64, LOT 15 TO SALEM 1, LLC**

Councilman Groce made a motion to table resolution 2020-185 and Councilwoman Kellum seconded the motion and all present voted in favor

**CITY OF SALEM
RESOLUTION 2020-186**

**RESOLUTION DECLARING CERTAIN CITY OWNED
PROPERTY TO BE NO LONGER NECESSARY FOR PUBLIC
PURPOSES AND SETTING PUBLIC SALE OF SAID
PROPERTY ON TUESDAY NOVEMBER 10, 2020 AT 1:00 PM**

WHEREAS, N.J.S.A. 40A: 12-13 (a) authorizes a municipality to sell, by public auction, real property which it has determined is no longer needed for public municipal purposes; and

WHEREAS, properties listed in **Exhibit A** are no longer needed for any public purposes of the City of Salem; and

WHEREAS, it is in the best interest of the City to advertise the properties for public sale to the highest bidder;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Salem , State of New Jersey, that the properties listed on **Exhibit A** incorporated herein are declared by the Common Council to be no longer needed for public purposes and that the best interest of the public shall be served in selling said properties by public sale at auction to the highest offer at or above the minimum price set forth on **Exhibit A** with the City reserving the right to accept or reject or otherwise remove the property from sale.

BE IT FURTHER RESOLVED that the public auction shall be conducted pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 *et seq.*) on Tuesday, November 10, 2020 at 1:00 PM. at 1 New Market Street, Salem, New Jersey 08079.

BE IT FURTHER RESOLVED that the Clerk is directed to advertise the open public sale in a newspaper circulating in the municipality by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale. The sale date may be adjourned at the date advertised for not more than one week without re-

advertising.

BE IT FURTHER RESOLVED that the Sale terms and conditions shall be in accordance with those set forth more fully on **Exhibit B**, attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to file with the Director of the Division of Local Government Services in the Department of Community Affairs for the State of New Jersey, the required affidavit verifying publication of advertisements required by statute applicable to this resolution.

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, 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 October 19, 2020.

Date

Ben Angeli, RMC

EXHIBIT A

<u>Block</u>	<u>Lot</u>	<u>Street Address</u>	<u>Minimum Bid</u>
19	22	33 Eighth St	\$2,000.00

48	21	79 W Broadway	\$2,000.00
79	16	11 Van Meter Terrace	\$2,000.00
99	37	12 Pine St.	\$4,000.00

**CITY OF SALEM
RESOLUTION 2020-187**

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE
CITY OF SALEM AND PRO-TEC FOR CENTRAL STATION MONITORING FOR
THE FIRE ALARM AT THE WATER PLANT**

WHEREAS, the City of Salem is required to have an Automatic Fire Detection System at the City Water Plant; and

WHEREAS, the City has contracted in the past with PRO-TEC Systems, INC of Somerset, NJ. And the City wishes to continue to utilize PRO-TEC's services; and

WHEREAS, PRO-Tec has provided a contract for one year of service to include Central Station monitoring for the fire alarm from 11/1/20 to 10/31/21 at a cost of Three hundred and sixty dollars and no cents (\$360.00); 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 PRO-TEC INC. of Somerset, NJ for Central Station monitoring of the fire alarm at the water plant.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the agreement with PRO-TEC of Somerset, NJ.

ATTEST:

Ben Angeli, RMC

CITY OF SALEM

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, 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 October 19, 2020.

Date

Ben Angeli, RMC

COMMITTEE REPORTS:

ADMINISTRATION (Gage, Carter, Kellum, Groce)

Mr. Gage said that the committee was busy many items including the Union contract and the EMS contract.

PUBLIC SAFETY (Gage, Smith, Carter, Davis)

The meeting was postponed. Mr. Gage wished to send out prayers for the health and safety for the City after the recent double murder. Mr. Davis asked that the Chief designate someone to call Mr. Angeli when there is an incident in the City that the Governing Body should be aware of.

PUBLIC WORKS (Groce, Gregory, Smith, Slaughter)

The committee met and discussed the rebuilt motor at town bank and other matters. Mr. Gage mentioned the hearing on the Water/Sewer possible sale would be next week.

CITY PROPERTY/CAPITAL/HUMAN SERVICES (Davis, Kellum, Gage, Slaughter)

Mr. Davis spoke about the Sunoco station and basketball courts. Mr. Angeli said that the request for quotes for the Sunoco station had been advertised and that we were extending the deadline for the basketball quotes another 10 days. Mr. Davis asked the Solicitor if there was any update on the court situation concerning the burned out properties that are privately owned in the City. Ms. Rhea said that she instructed the code enforcement official to refile the complaints.

NEIGHBORHOOD INITIATIVES/COMMUNITY SERVICES (Slaughter, Gregory, Carter, Davis)

Mr. Gregory spoke about the "Night of Unity" that took place and thanked all that were involved. The committee is working on a plan to unite and move Salem forward. He spoke about his comment box and that they received 40 responses.

REDEVELOPMENT (Smith, Gregory, Kellum, Groce)

Mr. Smith reported that the committee met and finalized the marijuana ordinance and thanked those that helped with the project. The committee met with Mr. Bynam and suggested that he make a presentation to the entire Governing body at a Council meeting.

MAYORAL COMMENTS:

Mayor Washington spoke about the curfew proclamation and that people needed to follow the guidelines. He spoke about the Government's COVID funding and commented on Mr. Bynam's project. He emphasized that the City was committed to getting a food store in the City and getting jobs for our residents.

ADMINISTRATOR REPORT:

Mr. Angeli spoke about the process for the Jacks demolition and spoke about some of the State's requirements. He also spoke about a camera program for dealing with illegal dumping.

COMMERCE DIRECTOR REPORT:

Mr. Bailey spoke about putting out the RFP for the Ward Street project. He was working on making more developers aware that the RFP was issued. He said that he was excited that Mr. Bynam had been able to make his presentation. He also spoke about the City looking to get funds form EDA and USDA. He said that there was a lot going on and that he would be doing more updates in the next few months.

OLD BUSINESS:

Mr. Davis said that he heard that there would be a voting ballot box outside the County offices on 5th street. Mr. Groce made a motion to have Sickels Engineering present a proposal for the work on Well #8. Councilwoman Kellum seconded the motion and all present voted in favor.

NEW BUSINESS:

Mr. Gage mentioned the 11-2-2020 special meeting. Mr. Groce thanked the properties committee for getting those properties to auction. He also thanked the Mayor for getting the Commerce Department set up and working.

PUBLIC PORTION

Motion to open public portion made by Councilman Gregory.

Seconded by Councilwoman Kellum.

All members present voted in favor.

Motion carried.

No comments or questions from the public.

Motion to close public portion made by Councilman Gregory.

Seconded by Councilwoman Kellum

All members voted in favor.

Motion carried.

Motion to go into Executive Session made by Councilman Gregory.

Seconded by Councilwoman Kellum

Motion to leave Executive Session made by Councilman Gregory.

Seconded by Councilwoman Kellum

The Clerk stated that no action was taken in Executive Session.

All members that were present before Executive Session were present when Open Session continued.

After the Executive session, Mr. Gregory made a motion to adopt Resolution 2020-185. Councilwoman Kellum seconded the motion and all present voted in favor.

**CITY OF SALEM
RESOLUTION 2020-185
RESOLUTION AUTHORIZING SALE OF 213 CHURCH STREET,**

BLOCK 64, LOT 15 TO SALEM 1, LLC

WHEREAS, the City of Salem authorized the sale of 213 Church Street, Block 64, Lot 15 by Resolution 2020-168 by public auction pursuant to the Local Land and Building Laws; and

WHEREAS, by the aforesaid resolution the property was to be offered for sale with restrictions as more fully set forth therein and alternately without restrictions, with the City reserving option to make an award with or without restrictions as it deemed appropriate; and

WHEREAS, after publication as required by law an auction was held on October 8, 2020 with the highest bids received as follows:

Bidder	With City restrictions	Without restrictions
Salem 1, LLC	\$5,500	\$18,000

And

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Salem that sale property commonly known as 213 Church, Salem New Jersey and designated Block 64, Lot 15 to Salem 1, LLC for the sum of \$5,500.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute an agreement of sale with Salem 1 LLC setting forth the restrictions (without restrictions) outlined in Resolution 2020-168 and that he is further authorized to execute a deed transferring the property with (without) said restrictions.

BE IT FURTHER RESOLVED that the CFO is authorized to refund the deposit in the amount of \$1,800.00 Offered by Salem 1 LLC made on account of its bid for purchase of the property without restrictions.

ATTEST:

CITY OF SALEM

Ben Angeli, Clerk

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 October 19, 2020.

Date

Ben Angeli, Clerk

Mr. Gregory made a motion to advertise for a part-time tax collector. Councilwoman Kellum seconded the motion and all present voted in favor.

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: MAY 6, 2020 AT 6:30 PM