

**CITY OF SALEM
MINUTES OF THE COMMON COUNCIL MEETING
OF APRIL 3, 2017**

A meeting of the Common Council of the City of Salem was called to order President Karen Roots. The meeting took place at the 1 New Market Street at 6:30 p.m. The meeting was opened with the Pledge of Allegiance. Present: Councilpersons Ruth Carter, Earl Gage, Charles Hassler, Horace Johnson, and Lydia Thompson. Also in attendance were Mayor Charles Washington, Andrea Rhea, City Solicitor, CFO David Crescenzi, and City Clerk Tierra M. Jennings. Councilman Groce and Councilwoman Sharon Kellum were absent.

INVOCATION BY LYNN KUITEMS

STATEMENT OF THE OPEN PUBLIC MEETINGS ACT

NOTICE OF THE REGULAR MEETINGS OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SALEM, AS REQUIRED BY N.J.S.A. 10:4-6 ET SEQ., THE "OPEN PUBLIC MEETINGS ACT", HAS BEEN PROVIDED BY THE PUBLIC ADVERTISEMENT AND POSTING AT THE MUNICIPAL ANNEX OF A SCHEDULE ADOPTED BY RESOLUTION ON JANUARY 2ND, 2017 SETTING FORTH THE TIME, DATE AND PLACE OF ALL THE REGULAR MEETINGS OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SALEM.

PRESENTATION OF FLAG FROM GIRL SCOUTS OF CENTRAL AND SOUTHERN NEW JERSEY

PRESENTER- EVELYN SHUMAN

APPROVAL OF MINUTES

Motion made by Councilman Hassler and seconded by Councilman Gage to adopt the minutes of MARCH 20, 2017 and MARCH 23, 2017 OPEN SESSION. All in favor. Motion carries.

COMMUNICATION/APPLICATION/REPORTS

PRESENTATION-JERRY OGLESBY OF THE DIVISION OF PROTECTION AND PERMANENCY

Mr. Oglesby gave a power point presentation on what the program intels. DYFS (Division of Youth and Families Service) is also a part of this program. The mission is ensure the safety, permanency and well-being of children and to support families. The program also deals with substance abuse amongst children and adults. (See attached presentation)

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION

**CITY OF SALEM
RESOLUTION 2017-86**

**A RESOLUTION APPOINTING HARPER M. EWING AS INTERIM MUNICIPAL
COURT ADMINISTRATOR**

WHEREAS, after due advertisement and an interview process it is the unanimous recommendation of the Administration Committee that **HARPER M. EWING** be appointed as Interim Municipal Court Administrator, and the City Council wishes to act favorably on said recommendation;

WHEREAS, N.J.S.A. 2B:12-11(e), effective May 25th, 2011, permits the appointment of a person who does not hold a Municipal Court Administrator certificate to serve as a Municipal Court Administrator, on an interim basis, for a period not to exceed one year;

NOW THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey, that **HARPER EWING** is hereby provisionally appointed as Interim Municipal Court Administrator for the City of Salem for a 1-year term commencing with the date hereof, subject to the following:

- (a) Acceptance of offer of employment letter;
- (b) Initial salary shall be \$40,000 per year, with salary to be increased to \$42,000 upon successful certification as a Municipal Court Administrator;
- (c) Attainment of successful appointment certification as Municipal Court Administrator within term of appointment.

Motion made by Councilman Hassler and seconded by Councilman Gage to adopt Resolution 2017-86. Roll Call. Motion carries 6-0.

**CITY OF SALEM
RESOLUTION 2017-87**

**A RESOLUTION APPOINTING MARY ANN DAVIS AS
DEPUTY MUNICIPAL COURT ADMINISTRATOR**

WHEREAS, after due advertisement and an interview process it is the unanimous recommendation of the Administration Committee that **MARY ANN DAVIS** be appointed as Deputy Municipal Court Administrator, and the City Council wishes to act favorably on said recommendation;

WHEREAS, Mary Ann Davis was selected to serve as Deputy Municipal Court Administrator by the Assignment Judge after an interview panel recommendation pursuant to New Jersey Rule of Court 1:34-3 after due notification of the availability of the position; and

WHEREAS, Mary Ann Davis understands as a condition of her employment she must successfully complete and maintain certification to be considered for a permanent appointment and she will need to pursue Civil Service appointment as required by the City and New Jersey Department of Personnel; and

WHEREAS, Mary Ann Davis must possess the special accreditation issued by the State of New Jersey which is required to hold the position of Deputy Municipal Court Clerk and

NOW THEREFORE, BE IT HEREBY RESOLVED that Mary Ann Davis is hereby appointed as Deputy Municipal Court Administrator for the City of Salem subject to the following:

- (a) Acceptance of offer of employment letter;
- (b) Initial salary shall be \$32,500 per year, with salary to be increased to \$34,000 upon successful full accreditation of the Principles of Municipal Court Administration (POMCA) Levels 1-4;

Motion made by Councilman Hassler and seconded by Councilman Gage to adopt Resolution 2017-87. Roll Call. Motion carries 6-0.

**CITY OF SALEM
RESOLUTION 2017-88**

**A RESOLUTION AWARDDING BID FOR THE PROVISIONS OF THE OAK STREET
PEDESTRIAN SAFETY AND ROADWAY IMPROVEMENT PROJECT FOR THE
CITY OF SALEM**

WHEREAS, the City Council previously authorized the solicitation of Bids for the Provisions of the Oak Street Pedestrian Safety and Roadway Improvements Project; and

WHEREAS, one bid was timely received by the City Clerk on the date, place and time specified in the bid package and publicly read aloud on March 23, 2017 at 10:00am and;

WHEREAS, the bidder has submitted the following response:

Base Bid#1- \$365,740.00 Base Bid#2- \$508,851.50 Alternate A1- \$42,000.00

Alternate A2- \$27,562.90 Alternate A3- \$30,482.90 Alternate A4- \$25,803.00 ;

and

WHEREAS, said bid was reviewed by the City Clerk, City Solicitor and City Engineer and the Engineer has recommended an award of the contract to the bidder for the base bid #1 and Alternate A2; and

WHEREAS, this is a State Aid project by the Department of Transportation, subject to their approval.

NOW, THEREFORE BE IT RESOLVED, that the City recommends the award of the bid, for the Base Bid #1 in the amount of \$365,740.00 with Alternate A2 in the amount of \$27,562.90 contingent upon the approval of the State Department of Transportation and certification of funds by the CFO.

Motion made by Councilman Hassler and seconded by Councilman Gage to adopt Resolution 2017-88. Roll Call. Motion carries 6-0.

**CITY OF SALEM
RESOLUTION 2017-89**

**A RESOLUTION ADOPTING PERSONNEL POLICIES AND
PROCEDURES FOR SALEM CITY EMPLOYEES**

WHEREAS, it is the policy of City of Salem to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Common Council of the City of Salem has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Common Council of the City of Salem that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all City of Salem officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the

terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by City of Salem employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Common Council of the City of Salem.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the City of Salem shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that Andrea Rhea, Esquire as City Solicitor shall advise the City of Salem in personnel matters.

BE IT FURTHER RESOLVED that the City Clerk and all managerial/supervisory personnel are responsible for these employment practices. The City Solicitor shall assist the City Clerk in the implementation of the policies and procedures in this manual.

Motion made by Councilman Hassler and seconded by Councilman Groce to adopt Resolution 2017-89. Roll Call. Motion carries 6-0.

COMMITTEE REPORTS

Administration: (Roots, Hassler, Johnson, Carter)

Next Meeting will be April 10

Public Safety: (Gage, Roots, Hassler, Carter)

Crossing Guard Meeting will commence on April 18, 2017. Also commended Council President for policy and procedures meeting

Public Works: (Groce, Roots, Hassler, Gage)

Working on New Well

Human Services: (Hassler, Gage, Groce, Thompson)

Still working with Future Systems. Meeting has been rescheduled and will await new date

Neighborhood Initiatives/ Community Service: (Thompson, Johnson, Roots, Carter)

Spring cleanup (citywide) will be on April 8, 2017 and Amnesty Day will be on April 12. Horace encouraged everyone to cleanup and keep our city clean. Also, Mr. Johnson will be speaking with sandblaster for the pool along with paint.

City Property/Capital: (Carter, Hassler, Thompson, Roots)

Next Meeting will be April 10

Redevelopment: (Groce, Johnson, Gage):

MAYORAL COMMENTS

Mount Zion Baptist Church will be having an Easter Egg Hunt on April 16, 2017 immediately after service. Donations will be appreciated.

Also, correspondence for the Sub Zone was received and looking at \$45,000

The rail line is still moving forward for end of quarter 2017. Empire Blended is okay with timeline. Senator Sweeney will be assisting with finances as well as the County

OLD BUSINESS

NONE

NEW BUSINESS

NONE

PUBLIC PORTION

Joy Coleman Van Meter Terrace-

1) States that she wishes that more people had come out for the presentation.

2) Concerned why the County phones were not working

3) Asked if the City will stay within the 2% gap for the budget

Motion made by Councilman Hassler and seconded by Councilman Gage to close public portion. All in Favor. Motion carries.

Motion made by Charles Hassler and seconded by Councilman Gage to adopt Resolution 2017-90 for Closed Session. Roll Call. Motion carried 6-0

**CITY OF SALEM
RESOLUTION 2017-90**

**A RESOLUTION AUTHORIZING A CLOSED SESSION OF THE COMMON
COUNCIL OF THE CITY OF SALEM**

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 Common 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 Salem County Board of Social Services that the Board will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

A. CONTRACT NEGOTIATION FOR HOSPITAL SEWER LINE

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.

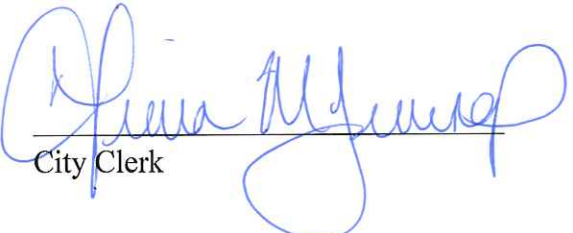
With a Motion by Councilman Hassler, seconded by Councilman Gage, and all in favor, Council came out of Closed Session at 8:00pm.

ADJOURNMENT

With no further business before Council, Councilman Hassler motioned to adjourn the meeting, Councilman Gage seconded. Motion carried unanimously. The council meeting ended at 8:05pm.

Respectfully Submitted:

Approved: April 17, 2017



City Clerk