



# AGENDA

CITY OF CAMDEN

CITY COUNCIL SPECIAL MEETING

*August 31<sup>st</sup>, 2021 – 12:00 p.m.*

*Honorable Curtis Jenkins, President*  
*Honorable Marilyn Torres, Vice President*  
*Honorable Sheila Davis*  
*Honorable Angel Fuentes*  
*Honorable Felisha Reyes-Morton*  
*Honorable Shaneka Boucher*  
*Honorable Chris Collins*

*Honorable Victor Carstarphen, Mayor*

*Michelle Spearman, City Attorney*  
*Howard McCoach-Acting Counsel to Council*

*Luis Pastoriza, Municipal Clerk*



# CITY COUNCIL AGENDA

## SPECIAL MEETING

TUESDAY, AUGUST 31ST, 2021 – 12:00 P.M.

CALL TO ORDER

FLAG SALUTE

ROLL CALL

STATEMENT OF COMPLIANCE

NOTICE OF MEETING

### RESOLUTIONS

#### Office of City Attorney

1. Resolution authorizing closed session to discuss matters pursuant to N.J.S.A. 10:4-12-12B(7), attorney client privilege, relating to pending litigation before the superior court of New Jersey, Camden County, entitled, Bryheim Jamar Baskin v. Rafael Martinez; City of Camden, Scott Thomson, Et Al., Docket No. CAM-L-901-14
2. Resolution authorizing the settlement of litigation

### PUBLIC COMMENT

### ADJOURNMENT

**Please note summary of Public Decorum rules below.**

#### **Rule XVII: Decorum**

*Any person who shall disturb the peace of the Council, make impertinent or slanderous remarks or conduct himself in a boisterous manner while addressing the Council shall be forthwith barred by the presiding officer from further audience before the Council, except that if the speaker shall submit to proper order under these rules, permission for him to continue may be granted by a majority vote of the Council.*

*City Council meetings shall be conducted in a courteous manner. Citizens and Council members will be allowed to state their positions in an atmosphere free of slander, threats of violence or the use of Council as a forum for politics. Sufficient warnings may be given by the Chair at any time during the remarks and, in the event that any individual shall violate the rules of decorum heretofore set forth, the Chairperson may then cut off comment or debate. At the discretion of the Chairperson, light signals may be used to display the*

*event that any individual shall violate the rules of decorum heretofore set forth, the Chairperson may then cut off comment or debate. At the discretion of the Chairperson, light signals may be used to display the commencement of the time for speaking and a warning light may be flashed to show that the appropriate time has passed. A red light will signal that there is no longer time.*

MBS:dh  
08-31-21

K-1

**RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS  
PURSUANT TO N.J.S.A. 10:4-12B(7), ATTORNEY CLIENT PRIVILEGE, RELATING TO  
PENDING LITIGATION BEFORE THE SUPERIOR COURT OF NEW JERSEY,  
CAMDEN COUNTY, ENTITLED, BRYHEIM JAMAR BASKIN v. RAFAEL MARTINEZ;  
CITY OF CAMDEN, SCOTT THOMSON, ET AL., DOCKET NO. CAM-L-901-14**


WHEREAS, N.J.S.A. 10:4-12, et seq. and, more particularly, N.J.S.A. 10:4-12(b)(7) provides for the closing of a public session to discuss litigation matters and matters that fall within the attorney-client privilege; now, therefore

BE IT RESOLVED, by the City Council of the City of Camden, that it hereby authorizes a Closed Session of the governing body at its regular meeting on Tuesday, August 31, 2021 at 12:00 Noon in the City Council Chambers, Second Floor, City Hall, Sixth and Market Streets in the City of Camden. Furthermore, all appropriate steps as outlined by The Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. will be followed and that notes of this session will be kept and that contents and discussions of this meeting will be revealed to the public as soon as practicable.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 31, 2021

The above has been reviewed  
and approved as to form.

  
MICHELLE BANKS-SPEARMAN  
City Attorney

\_\_\_\_\_  
CURTIS JENKINS  
President, City Council

ATTEST: \_\_\_\_\_  
LUIS PASTORIZA  
Municipal Clerk

**CITY OF CAMDEN**  
**CITY COUNCIL REQUEST FORM**

Council Meeting: August 31, 2021

**TO:** Jason J. Asuncion, Esq., Business Administrator

**FROM:** Michelle Banks-Spearman, City Attorney

**Department Making Request:** Law Department

**TITLE OF RESOLUTION:** RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12B(7), ATTORNEY CLIENT PRIVILEGE, RELATING TO PENDING LITIGATION BEFORE THE SUPERIOR COURT OF NEW JERSEY, CAMDEN COUNTY, ENTITLED, BRYHEIM JAMAR BASKIN v. RAFAEL MARTINEZ; CITY OF CAMDEN, SCOTT THOMSON, ET AL., DOCKET NO. CAM-L-901-14

**BRIEF DESCRIPTION OF ACTION:** Discuss settlement of a legal action.

**APPROPRIATION ACCOUNT TO BE CHARGED:** T-35-900-101

**AMOUNT OF PROPOSED CONTRACT:** \$750,000.00

☐

**Waiver Request Form Attached for State DCA/DLGS Approval - (If applicable)**

*For Example: **Form "A"** - Request for approval of Employees Requiring Advice and Consent of Governing Body, **Form "D"** - Contract Request, **Form "E"** - Creation/Extension of Services, **Form "G"** - Grant Approval, **Form "H"** - Bond Ordinance or Contract Request, **Form "I"**, "Best Price Insurance Contracting" Model Ordinance*

Approved by City Attorney:

Date  
8/30/21

Signature  
Michelle Banks-Spearman

Approved by Grants Management:

\_\_\_\_\_

(If applicable)

Approved by Finance Director:

\_\_\_\_\_

☐ CAF -Certifications of Availability of Funds

Approved by Business Administrator:

8-30-21

Jason J. Asuncion

**(Name) Please Print**

**(Extension #)**

Prepared By: Zoraida Pagan

X7578

Contact Person: Michelle Banks-Spearman, City Attorney

X7170

Please note that the Contact Person is the point person for providing pertinent information regarding request.

If request is a walk-on, the Contact Person will be responsible for picking up the Council request(s) from the City Attorney's Office to make necessary copies for Council Meeting.

\*\*\*\*Please attach all supporting documents\*\*\*\*

MBS:dh  
08-31-21

R-2

#### RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION

WHEREAS, there is now pending before the Superior Court of New Jersey in the vicinage of Camden County under Docket No. CAM-L-901-14 entitled, Bryheim Jamar Baskin v. Rafael Martinez; City of Camden; Scott Thomson, et al in which the plaintiff seeks damages; and

WHEREAS, this matter has been reviewed and negotiated by and between the parties of this litigation and an agreement has been reached by and between these parties to settle the case with the City of Camden paying the total sum of ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000.00), including costs and attorney fees; and

WHEREAS, in accordance with this settlement, the City of Camden will pay the total sum of ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000.00), including costs and attorney fees; and

WHEREAS, the City of Camden's excess insurance carrier will be responsible for paying all portions of this settlement exceeding SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000)

WHEREAS, the settlement of the within litigation is not an admission of liability on the part of the City of Camden but is made in recognition of the risks of litigation and in order to avoid the continued costs and expenses of litigating the within matter; and

WHEREAS, Council has reviewed said settlement proposal and has determined that it is in the best interests of the City of Camden to settle the litigation in the aforesaid matter; and

WHEREAS, pursuant to the directive of the Division of Local Government Services, a certification has been attached hereto which certifies that the funds for this expenditure are available and appropriated under the trust account budget of the City of Camden under line item "T-35-900-101", and said certification has been signed by the Chief Financial Officer and approved as to form by the City Attorney; now, therefore

BE IT RESOLVED, by the City Council of the City of Camden that the proper officers are hereby authorized to execute the Settlement Agreement in substantially the form set forth in Exhibit A and to pay the amount of ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000.00), in the amounts and in the manner set forth in the Settlement Agreement.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 31, 2021

The above has been reviewed  
and approved as to form.

  
MICHELLE BANKS-SPEARMAN  
Interim City Attorney

\_\_\_\_\_  
CURTIS JENKINS  
President, City Council

ATTEST: \_\_\_\_\_

LUIS PASTORIZA  
Municipal Clerk

**CITY OF CAMDEN**  
**CITY COUNCIL REQUEST FORM**

Council Meeting: August 31, 2021

**TO:** Jason J. Asuncion, Esq., Business Administrator

**FROM:** Michelle Banks-Spearman, City Attorney

**Department Making Request:** Law Department

**TITLE OF RESOLUTION:** RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

**BRIEF DESCRIPTION OF ACTION:** The parties have agreed to settle the matter captioned Bryheim Jamar Baskin v. Rafael Martinez; City of Camden; Scott Thomson et al under Docket No. CAM-L- 901-14 now pending in the Camden vicinage of the Superior Court of New Jersey with the City paying a total of One Million Four Hundred Thousand Dollars (\$1,400,000.00).


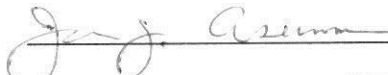
**APPROPRIATION ACCOUNT TO BE CHARGED:** T-35-900-101

**AMOUNT OF PROPOSED CONTRACT:** \$750,000.00



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	Date	Signature
Approved by City Attorney:	<u>8/30/21</u>	
Approved by Grants Management:	_____	_____
Approved by Finance Director:	_____	_____
<input type="checkbox"/> CAF -Certifications of Availability of Funds		(If applicable)
Approved by Business Administrator:	<u>8-30-21</u>	

(Name) Please Print

(Extension #)

Prepared By: Zoraida Pagan \_\_\_\_\_ X7578

Contact Person: Michelle Banks-Spearman, City Attorney \_\_\_\_\_ X7170

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**\*\*\*\*Please attach all supporting documents\*\*\*\***