

City of Woodbury
City Council Meeting Agenda
Virtual Meeting
November 9, 2021
City Hall Opens 6:00 pm
Meeting Starts 6:30 pm

ADDENDUM TO THE AGENDA

The following item(s) were added to the agenda after 12:00 p.m. on the Friday preceding this evenings meeting:

Resolutions

RESOLUTION NO. 21-153 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS RELATING TO LITIGATION, NEGOTIATIONS AND ATTORNEY-CLIENT PRIVILEGE; HUGHES VS. THE CITY OF WOODBURY ET.

City of Woodbury
City Council Meeting Agenda
33 Delaware Street, Woodbury, NJ 08096
November 9, 2021
6:30 p.m.

Pledge of Allegiance

Moment of Silent Reflection

Reading of the Open Public Meeting Statement

Roll Call

Presentations and Discussions

RESOLUTION NO. 21-147 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY HIRING A FULL-TIME PATROL OFFICER FOR THE WOODBURY CITY POLICE DEPARTMENT

- Promotion of SLEO 2 Ryan DeJoseph to Full-Time Patrol Officer

Open to the Public for Agenda Items

Ordinances

Second Reading

ORDINANCE NO. 2350-21 AN ORDINANCE AUTHORIZING THE TRANSFER OF PROPERTY KNOWN AS BLOCK 168, LOT 2 AND BLOCK 168, LOT 2.01 ON THE OFFICIAL TAX MAP OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY TO GLOUCESTER COUNTY HABITAT FOR HUMANITY, A NON-PROFIT CORPORATION OF THE STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:12-21(l)

Resolutions

CONSENT AGENDA

RESOLUTION NO. 21-148 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTING THE MAINTENANCE BOND OF A.C. SCHULTES, INC. FOR THE WELL NO. 7 REDEVELOPMENT & PUMP REPAIRS PROJECT

RESOLUTION NO. 21-149 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY ESTABLISHING A 5 YEAR MORATORIUM ON THE ISSUANCE OF ROAD

**OPENING PERMITS FOR RAILROAD AVENUE, NJSH 45 TO SOUTH BARBER AVENUE
FROM JULY 14, 2020 THROUGH JULY 13, 2025**

**RESOLUTION NO. 21-150 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODBURY ESTABLISHING A 5-YEAR MORATORIUM ON THE ISSUANCE OF ROAD
OPENING PERMITS FOR THE PORTIONS OF THE ROADS RESURFACED AS PART OF
THE FY2020 LOCAL ROAD MILLING & OVERLAY PROJECT FROM JULY 1, 2021
THROUGH JUNE 30, 2026**

**RESOLUTION NO. 21-151 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODBURY TO REIMBURSE TAX PAYMENT BLOCK 46 LOT 6 104 S DAVIS ST**

**RESOLUTION NO. 21-152 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODBURY AUTHORIZING EXECUTION OF FIRM AGREEMENT FOR INTERIM CITY
ADMINISTRATOR**

END CONSENT AGENDA

Unfinished Business

New Business

- Approval of the 2021 Best Practices

Open to the Public

**RESOLUTION NO. 21-153 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS REALTING TO
LITIGATION, NEGOTIATIONS AND ATTORNEY-CLIENT PRIVILEGE; HUGHES VS. THE
CITY OF WOODBURY ET AL**

Adjournment

NOTICE PURSUANT TO N.J.S.A 10:4-8(d)

The items listed on this tentative agenda of the Mayor and Council President of the City of Woodbury constitutes the agenda to the extent known at the time of posting. Since this agenda is tentative, items may be added and/or deleted prior to the commencement of the meeting. Formal action may or may not be taken regarding each item listed on the final agenda.

ORDINANCE NO. 2350-21

**AN ORDINANCE AUTHORIZING THE TRANSFER OF PROPERTY KNOWN AS
BLOCK 168, LOT 2 AND BLOCK 168, LOT 2.01 ON THE OFFICIAL TAX MAP
OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, STATE OF NEW
JERSEY TO GLOUCESTER COUNTY HABITAT FOR HUMANITY, A NON-
PROFIT CORPORATION OF THE STATE OF NEW JERSEY PURSUANT TO
N.J.S.A. 40A:12-21(I)**

WHEREAS, the City of Woodbury is the owner of property known as Block 168, Lot 2 and Block 168, Lot 2.01 on the official tax map of the City of Woodbury; and

WHEREAS, the City of Woodbury has determined that it has no present public use or purpose for the property known as Block 168, Lot 2 and Block 168, Lot 2.01; and

WHEREAS, the City of Woodbury wishes to transfer title to this property to the Gloucester County Habitat for Humanity for the purpose of constructing housing for low or moderate income persons or families or for handicapped persons; and

WHEREAS, the City of Woodbury and the Gloucester County Habitat for Humanity have executed a Memorandum of Understanding regarding the transfer of ownership of the property and development of these properties into affordable housing units in the City of Woodbury.

NOW, THEREFORE, BE IT ORDAINED by the City of Woodbury in the County of Gloucester, and State of New Jersey as follows:

1. The governing body does hereby agree to transfer title to Block 168, Lot 2 and Block 168, Lot 2.01 to Gloucester County Habitat for Humanity.
2. The Mayor and Acting City Clerk are hereby authorized to execute any and all documents necessary to transfer title to the property known as Block 168, Lot 2 and Block 168, Lot 2.01 to Gloucester County Habitat for Humanity to construct housing for low or moderate income persons or families or for handicapped persons pursuant to N.J.S.A. 40A:12-21(I)

3. The transfer of title to Gloucester County Habitat for Humanity shall be subject to an automatic reverter of ownership of the property to the City of Woodbury in the event Gloucester County Habitat for Humanity ceases to exist, dissolves and/or becomes insolvent before actual conveyance of the properties to a qualifying family and/or person.
4. The Mayor and Acting City Clerk are further authorized to execute such documents as are approved by the City Solicitor in order to complete the transfer of the property.

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

CITY OF WOODBURY, NEW JERSEY

[SEAL]

By: _____
TRACEY PARKER, Council President Pro-Tempore

ATTEST:

Cassidy L. Swanson, Acting City Clerk

APPROVED:

By: _____
PEG SICKEL, Mayor

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman O' Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION OF INTRODUCTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2350-21 was introduced to the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a regular business meeting held on **October 27, 2021** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman O' Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION OF ADOPTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2350-21 was adopted after public hearing by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a regular business meeting held on **November 9, 2021** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

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RESOLUTION NO. 21-147

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
HIRING A FULL-TIME PATROL OFFICER FOR THE WOODBURY CITY POLICE
DEPARTMENT**

WHEREAS, due to vacancy, Mayor and Council of the City of Woodbury authorized the City Administrator, Chief of Police and Police Captain to conduct a search for the purpose of identifying an individual to hire as a Full-Time Patrol Officer; and

WHEREAS, the City Administrator, Chief of Police and Police Captain have received applications and conducted such interviews and investigation of applicants as appropriate and consistent with the City's policies and procedures; and

WHEREAS, the City Administrator, Chief of Police and Police Captain have determined that Ryan DeJoseph possesses the character and qualifications necessary to serve as a Full-Time Patrol Officer for the Woodbury City Police Department

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Woodbury that Ryan DeJoseph is hereby hired as a Full-Time Patrol Officer, effective November 9, 2021,

CITY OF WOODBURY

By: _____

**Tracey Parker,
Council President Pro-Tempore**

ATTEST:

**Cassidy L. Swanson,
Acting City Clerk**

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman O' Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION

I, Cassidy L. Swanson hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **November 9, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
Acting City Clerk

RESOLUTION NO. 21-148

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND
ACCEPTING THE MAINTENANCE BOND OF A.C. SCHULTES, INC. FOR THE
WELL NO. 7 REDEVELOPMENT & PUMP REPAIRS PROJECT**

WHEREAS, A.C. Schultes Inc. posted a Performance Guaranty, being Western Surety Company Bond No. 30133643 dated June 11, 2021, for the project known as the Well No. 7 Redevelopment & Pump Repairs Project; and

WHEREAS, Federici & Akin, City Engineer on the Project, by correspondence dated October 26, 2021, recommends release of the Performance Guaranty contingent upon the posting of a Maintenance Guaranty in a form acceptable to the City Solicitor to be held for a period of two (2) years; and

WHEREAS, A.C. Schultes Inc. has posted Western Surety Company Bond No. 30133643 in the amount of \$66,500.00 for a period of two (2) years commencing October 1, 2021; and

WHEREAS, Federici & Akin, City Engineer on the Project, and Timothy D. Scaffidi, City Solicitor, recommend acceptance of the Maintenance Bond for the project; and

WHEREAS, Federici & Akin, City Engineer on the Project, recommends release of the retainer held by the City of Woodbury in the amount of \$6,650.00 to A.C. Schultes. Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Woodbury, County of Gloucester and State of New Jersey on this 9th day of November, 2021, that:

1. The Performance Guaranty being Western Surety Company Bond No. 30133643 posted by A.C. Schultes Inc. for the project known as the Well No. 7 Redevelopment & Pump Repairs Project is hereby released; and
2. The Maintenance Bond being Western Surety Company Bond No. 30133643 posted by A.C. Schultes Inc. for the project known as the Well No. 7 Redevelopment & Pump Repairs Project in the amount of \$66,500.00 is hereby accepted; and
3. The Retainer held by the City of Woodbury in the amount of \$6,650.00, is hereby released to A.C. Schultes Inc.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on November 9, 2021.

CITY OF WOODBURY

By: _____
Tracey Parker, Council President Pro-Tempore

ATTEST:

Cassidy L. Swanson, Acting City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman O' Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION

I, Cassidy L. Swanson hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **November 9, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

RESOLUTION NO. 21-149

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
ESTABLISHING A 5 YEAR MORATORIUM ON THE ISSUANCE OF ROAD
OPENING PERMITS FOR RAILROAD AVENUE, NJSH 45 TO SOUTH
BARBER AVENUE FROM JULY 14, 2020 THROUGH JULY 13, 2025**

WHEREAS, there existed a need by the City of Woodbury to resurface Railroad Avenue from Route 45 to South Barber Avenue; and

WHEREAS, the City of Woodbury performed this project through a FY2019 Municipal Aid grant from the NJDOT and by advertising for bids pursuant to the provisions of the New Jersey Public Contracts Law *N.J.S.A. 40A:11 et seq.*; and

WHEREAS, the project was awarded to Arawak Paving Co., Inc. of Hammonton, NJ on February 12, 2020; and

WHEREAS the City of Woodbury has accepted the final completion of the contract for the road improvement project known as “Railroad Avenue from Route 45 to South Barber Avenue” on July 14, 2020; and

WHEREAS, the City of Woodbury has made final payment to the contractor, Arawak Paving Co., Inc. for the aforementioned project on March 3, 2021; and

WHEREAS, the City of Woodbury has paid to Arawak Paving Co., Inc. the retainer previously held from the submitted invoices and payments on April 14, 2021, and Arawak Paving Co., Inc. has therefore submitted and the City has accepted a Maintenance Bond for the aforementioned project in the amount of \$24,699.05, which is 15% of the final contract amount of \$164,660.30, for a period of two (2) years commencing on July 14, 2020; and

WHEREAS, the Code of the City of Woodbury, “Chapter 167 – STREETS AND SIDEWALKS” provides for road opening permits under the conditions as stated in “Article III – Openings and Excavations § 167-9 Application for and issuance of permit; filing fee and deposit.”; and

WHEREAS, §167-9 Paragraph B. states that no road opening permits shall be granted by the City for any opening or excavation on a street that has been covered with a hard surface, such as concrete or asphalt with a thickness of 2 inches or more, for a period of five (5) years from the date of completion of construction of such hard surface, except that a permit may be issued upon majority vote of City Council to grant such permit based on the conditions and reasons stated in sub-paragraphs (1),(2) or (3) of §167-9 Paragraph B.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Woodbury has placed a moratorium from any road opening, excavations or disturbance otherwise, and from the issuance of permits thereto, on the area of new pavement constructed as part of the project known as “Railroad Avenue from Route 45 to South Barber Avenue” for a period of 5 years beginning on the date of final completion, July 14, 2020 and terminating on July 13, 2025, subject to the respective conditions as stated in the latest version of “Chapter 167 – STREETS AND SIDEWALKS” of the Code of the City of Woodbury.

ADOPTED at the regular meeting of the Mayor and City Council of the City of Woodbury held November 9, 2021.

CITY OF WOODBURY

Tracey Parker,
Council President Pro-Tempore

ATTEST:

Cassidy L. Swanson, Acting City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman O’Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION

I, Cassidy L. Swanson hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **November 9, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

 Cassidy L. Swanson, Acting City Clerk

RESOLUTION NO. 21-150

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
ESTABLISHING A 5-YEAR MORATORIUM ON THE ISSUANCE OF ROAD
OPENING PERMITS FOR THE PORTIONS OF THE ROADS RESURFACED
AS PART OF THE FY2020 LOCAL ROAD MILLING & OVERLAY PROJECT
FROM JULY 1, 2021 THROUGH JUNE 30, 2026**

WHEREAS, there existed a need by the City of Woodbury to mill and overlay portions of certain Local Roads as part of the 5-Year Road Resurfacing Program commencing in 2018; and

WHEREAS, the “FY2020 Local Road Resurfacing Project” consisted of Leona Court, High Street (S. Warner St. to S. Columbia St.), Station Drive (S. Evergreen Ave to Washington Ave.), and East Barber Avenue (S. Evergreen Ave. to S. Woodland Ave); and

WHEREAS, the City of Woodbury performed this project through a Bond Ordinance and by advertising for bids pursuant to the provisions of the New Jersey Public Contracts Law *N.J.S.A. 40A:11 et seq.*; and

WHEREAS, the project was awarded to Arawak Paving Co., Inc. of Hammonton, NJ on March 10, 2021; and

WHEREAS the City of Woodbury has accepted the final completion of the Contract for the road improvement project known as “FY2020 Local Road Resurfacing Project” on July 1, 2021; and

WHEREAS, the City of Woodbury has made final payment to the Contractor, Arawak Paving Co., Inc., for the aforementioned project on October 27, 2021; and

WHEREAS, the City of Woodbury has paid to Arawak Paving Co., Inc. the retainer previously held from the submitted invoices and payments on October 27, 2021, and Arawak Paving Co., Inc. has therefore submitted and the City has accepted a Maintenance Bond for the aforementioned project in the amount of \$35,480.29, which is 15% of the final contract amount of \$236,535.24, for a period of two (2) years from the date of project completion on July 1, 2021; and

WHEREAS, the Code of the City of Woodbury, “Chapter 167 – STREETS AND SIDEWALKS” provides for road opening permits under the conditions as stated in “Article III – Openings and Excavations § 167-9 Application for and issuance of permit; filing fee and deposit.”; and

WHEREAS, § 167-9 Paragraph B. states that no road opening permits shall be granted by the City for any opening or excavation on a street that has been covered with a hard surface, such as concrete or asphalt with a thickness of 2 inches or more, for a period of five (5) years from the date of completion of construction of such hard surface, except that a permit may be issued upon majority vote of City Council to grant such permit based on the conditions and reasons stated in sub-paragraphs (1), (2) or (3) of §167-9 Paragraph B.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Woodbury has placed a moratorium from any road opening, excavations or disturbance otherwise, and from the issuance of permits thereto, on the area of new pavement constructed as part of the project known as “FY2020 Local Road Resurfacing Project” as described above, for a period of 5 years beginning on the date of final completion, July 1, 2021 and terminating on June 30, 2026, subject to the respective conditions as stated in the latest version of “Chapter 167 – STREETS AND SIDEWALKS” of the Code of the City of Woodbury.

ADOPTED at the regular meeting of the Mayor and City Council of the City of Woodbury held on November 9, 2021.

CITY OF WOODBURY

Tracey Parker,
Council President Pro-Tempore

ATTEST:

Cassidy L. Swanson, Acting City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman O’Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION

I, Cassidy L. Swanson hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **November 9, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

RESOLUTION NO. 21-151

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY TO
REIMBURSE TAX PAYMENT BLOCK 46 LOT 6 104 S DAVIS ST**

WHEREAS, taxes were overpaid on Block 46 Lot 6 a/k/a 104 S DAVIS ST due to the Title Co and Mortgage Co making a payment on the 3rd quarter 2021 taxes. The Title Co. would like a refund of the overpayment.

WHEREAS, the payment has been identified as an overpayment in the amount of \$1798.86 and this amount should be reimbursed to the following:

**AMERICAN LAND SETTLEMENT SERVICES, LLC
1479 WILMINGTON PIKE
WEST CHESTER, PA 19382
For: Block 46 Lot 6**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that the Tax Collector is hereby authorized to reimburse overpayment as stated

ADOPTED, at a regular meeting of the Mayor and City Council held on NOVEMBER 9, 2021.

**Tracey Parker,
Council President Pro-Tempore**

ATTEST: _____
**Cassidy L. Swanson
Acting City Clerk**

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman Harwell				
Councilwoman O'Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION

I, Cassidy Swanson hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **NOVEMBER 9, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

RESOLUTION NO. 21-152

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING THE EXECUTION OF FIRM AGREEMENT FOR INTERIM CITY
ADMINISTRATOR**

WHEREAS, the City of Woodbury had previously approved a contract with Municipal Solutions, LLC for consulting services to assist in the selection of an Interim City Administrator; and

WHEREAS, Municipal Solutions, LLC provided potential City Interim Administrator candidates for consideration by the City of Woodbury; and

WHEREAS, the City of Woodbury is in agreement to approve a Firm Agreement with Municipal Solutions, LLC (as per the attached Exhibit "A") for the engagement of an Interim City Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Woodbury as follows:

1. The City Council does hereby approve and authorize the execution of the Firm Agreement between Municipal Solutions, LLC and the City of Woodbury for the engagement of Len Sossaman as the Interim City Administrator for the City of Woodbury.
2. The Mayor and/or Council President be and are hereby authorized to execute said Firm Agreement on behalf of the City of Woodbury.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on November 9, 2021.

CITY OF WOODBURY

Tracey Parker,
Council President Pro-Tempore

ATTEST: _____
Cassidy L. Swanson,

Acting City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman O' Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION

I, Cassidy L. Swanson hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **November 9, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
Acting City Clerk

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RESOLUTION NO. 21-153

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS RELATING TO LITIGATION, NEGOTIATIONS AND ATTORNEY-CLIENT PRIVILEGE; HUGHES VS. THE CITY OF WOODBURY ET AL

WHEREAS, the Open Public Meetings Act authorizes the exclusion of the public from that portion of a meeting involving matters related to attorney-client privilege to *N.J.S.A. 10:4-12b*; and

- (1) *Matters required by law to be confidential*: Any matter which, by express provision of Federal law, 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 a right to receive funds from the Government of the United States.
- (3) *Matters involving individual privacy*: Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, 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 an 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 purchase, lease, or acquisition of real property with public funds, the setting of banking rates, or investment of public funds, if it could adversely affect the public interest if discussion of the matters were disclosed.
- (6) *Matters of public protection*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair that protection.
- (7) *Matters relating to litigation, negotiations and attorney-client privilege*: Any matter of pending or anticipated litigation or contract negotiation other than in subsection b. (4) above in which the City is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order 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 the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public.

(9) *Deliberations after public hearing.* Deliberations by the Authority 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.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the City of Woodbury, County of Gloucester, and State of New Jersey 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:

1. Matters relating to litigation, negotiations and attorney-client privilege– Pursuant to N.J.S.A. 10:4-12b(8)

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.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on November 9, 2021.

CITY OF WOODBURY

By: _____
Tracey Parker,
Council President Pro-Tempore

ATTEST:

Cassidy L. Swanson,
Acting City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Miller				
Councilwoman O' Connor				

Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION

I, Cassidy L. Swanson hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **November 9, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,

Acting City Clerk