

City of Woodbury
City Council Meeting Agenda
33 Delaware Street, Woodbury, NJ 08096
December 22, 2021
6:30 p.m.

Pledge of Allegiance

Moment of Silent Reflection

Reading of the Open Public Meeting Statement

Roll Call

Proclamations

Approval of the Minutes

- July 21, 2021
- September 8, 2021

Open to the Public for Agenda Items

Ordinances

Second Reading for
each Ordinance

ORDINANCE NO. 2351-21 AN ORDINANCE AMENDING CHAPTER 190, VEHICLES AND TRAFFIC, OF THE CODE BOOK OF THE CITY OF WOODBURY

ORDINANCE NO. 2352-21 AN ORDINANCE AMENDING CHAPTER 162, SOLID WASTE, OF THE CODE BOOK OF THE CITY OF WOODBURY

Resolutions

CONSENT AGENDA

RESOLUTION NO. 21-168 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE IN THE BUDGET OF THE CITY OF WOODBURY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948)

RESOLUTION NO. 21-169 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY FOR THE FY2021 SAFE AND

SECURE COMMUNITIES PROGRAM (P-22-0822)

RESOLUTION NO. 21-170 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING CANCELATION OF BALANCES AND CREDITS UNDER TEN DOLLARS (\$10.00) ON 2021 WATER/SEWER AND TAX ACCOUNTS IN THE CITY OF WOODBURY

RESOLUTION NO. 21-171 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY APPOINTING SPECIAL COUNSEL ENVIRONMENTAL AND TOXIC TORT LITIGATION ATTORNEY RELATED TO MUNICIPAL WELL FIELD CONTAMINATION

END CONSENT AGENDA

Unfinished Business

New Business

Open to the Public

RESOLUTION NO. 21-172 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS PERTAINING TO A COLLECTIVE BARGAINING AGREEMENT'Y KJ 'HO DC'NQE CN'84

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.

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2351-21

**AN ORDINANCE AMENDING CHAPTER 190, VEHICLES AND TRAFFIC, OF THE
CODE BOOK OF THE CITY OF WOODBURY**

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

Section 1. Chapter 190, Vehicle and Traffic, of the Code of the City of Woodbury is hereby amended by adding a new Schedule XXI to read as follows:

XXI. Municipal Parking Lots.

Section 2. Municipal parking lot regulations.

- A. No person shall park a tractor trailer or tractor trailer combo, semi-trailer, recreational vehicle, bus or a commercial box truck upon any municipal parking lot in the City of Woodbury or any other vehicle over four ton gross vehicle weight.
- B. No person shall park, whether attached to a car and/or truck, or unattached to a car and/or truck, any utility trailer(s) and/or box trailer(s) in any municipal parking lot.
- C. No person shall be permitted to sleep overnight (i.e., between the hours of 10:00 p.m. and 6:00 a.m.) in any vehicle legally parked in a municipal parking lot.
- D. Municipal parking lots are to be used only for the parking of passenger automobiles and/or passenger pick-up trucks.

Section 3. Repealer: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. Severability: Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

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: _____
PHILIP D. HAGERTY, Council President

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				
Councilman Miller				
Councilwoman Miller				
Councilwoman O'Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION OF INTRODUCTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 3252-21 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 **December 8, 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				
Councilman Miller				
Councilwoman Miller				
Councilwoman O'Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION OF ADOPTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2351-21 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 **December 22, 2021** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

ORDINANCE NO. 2352-21

AN ORDINANCE AMENDING CHAPTER 162, SOLID WASTE, OF THE CODE BOOK OF 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:

Section 1: Chapter 162, Solid Waste, Section 162-11, Preparation of garbage and refuse for collection, of the Code of the City of Woodbury is hereby amended to read as follows:

§ 162-11. Preparation of garbage and refuse for collection.

The occupant or owner of any building within the City of Woodbury who shall place for disposal, removal or collection the following named items shall do so in strict conformity with the following regulations:

A. On regularly scheduled trash days, residents are permitted to place up to three (3) trash cans (meeting the specifications set forth in (C) below) in the designated location for pick up. All trash must be placed in bags and be inside of the trash cans.

B. On regularly scheduled trash days, residents are permitted to place up to two (2) City-provided recycling cans in the designated location for pick up. All recycling materials must be placed in the recycling cans provided by the City, except for large cardboard items which may be bundled and placed out for collection separately and free of any styrofoam or plastic. Any cardboard soiled from food sources will not be collected for recycling and must be placed in the trash.

(1) Acceptable items for recycling include: Newspaper/paper, plastic bottles, glass bottles/jars, aluminum/tin cans, phone books, junk mail, magazines, and cardboard.

(2) Items that may not be placed out for recycling collection include: Plastic bags, used oil containers, styrofoam, trash, food contaminated paper/cardboard, electronics, ceramics, porcelain, cookware, coat hangers, rigid plastic (kid's toys), tires or rims, appliances, and batteries.

C. Trash cans must have a lid and handles and cannot exceed 50 pounds or 45 gallons.

D. Trash, debris and garbage shall be placed in plastic bags securely tied, with a total weight not to exceed 50 pounds.

E. Plastic containers, paper products, glass and aluminum items shall be placed in the reusable recycling cans supplied by the City of Woodbury.

F. Brush. Branches shall be tied in bundles not to exceed four feet in length and of sufficient size and weight, not to exceed 50 pounds, to be handled by one person. Any vines or brushes with thorns must be placed in a container meeting the requirements for trash cans in (C) above.

G. Large nonmetal items provisions are as follows:

- (1) Upholstered furniture, box springs, and mattresses are to be placed in plastic bags and sealed or wrapped in plastic and securely taped so that the contents are fully enclosed.
- (2) Rugs are to be cut into five-foot lengths, rolled and securely taped or tied.
- (3) Tires shall be considered bulk trash and shall be placed out for collection in compliance with Section (I) below. Residents shall be limited to one tire placed out for collection per bulk trash pick up day.
- (4) Syringes needles must be broken off and both parts must be placed inside a sealed heavy container and disposed of with the trash. Empty laundry detergent bottles are recommended.

H. Yard and tree refuse. Grass clippings, lawn thatchings and leaves shall be placed separately in black plastic, clear plastic, or paper open-topped bags for collection. Dirt, stone, wood, fencing, creosote-soaked wood, root balls, or any type of pottery shall not be collected.

I. On designated bulk trash pick up days, residents may place, in addition to the trash and recycling cans permitted under (A) and (B) above, up to five (5) additional tied trash bags and up to two (2) bulk items (e.g. couch, refrigerator, mattress, etc.) in the designated right of way for collection. The use of 55 gallon drums is not permitted.

J. The following items may not be placed out for collection by Public Works: Cement, bricks, asphalt, drywall, sheetrock, construction debris, pianos, organs, vinyl siding, shingles, roofing tiles, cabinets, plywood, flooring, porcelain fixtures (ex. toilets, sinks, bathtubs etc.), oil, water, and gas tanks, fencing, pressure treated wood, creosote soaked wood, fire extinguishers, batteries (car, button, rechargeable), propane tanks, paint (water based paint cans should be dried out with lid off for pickup). Oil based paints and solvents will not be collected and are considered special household waste, any type of spray or chemical is also considered special household waste.

K. On designated metal collection pick up days, residents may place, in addition to the trash and recycling cans permitted under (A) and (B) above, metal items not to exceed fifty (50) pounds in the designated right of way for collection.

- (1) The following metal items may not be placed out for collection by Public Works, regardless of whether it is a metal collection day: oil tanks, gas tanks, propane tanks, fire extinguishers.

(2) Any items with a locking/sealed closure (ex. refrigerator, freezer, dishwasher units, etc.), must have doors removed before placing in right of way for pick up. All glass must be removed from any such items.

L. On designated electronic waste pick up days, residents may place, in addition to the trash and recycling cans permitted under (A) and (B) above, and after contacting public works to specially schedule a pick up, place electronic waste, including flat screen TVs (excluding tube TVs), computer towers, flat computer monitors, radios, DVD players, VCRs, Stereos, CD players, microwaves, cell phones (battery must be taken out), speakers, printers, scanners, chargers, iPods, game consoles, calculators, vacuums, and other electronics, in the designated right of way for collection.

(1) The following metal items may not be placed out for collection by Public Works, regardless of whether it is an electronic waste collection day:
Conventional ovens, tube TVs, projection TVs, batteries of any kind, old computer monitors.

M. Nothing in this subsection shall prevent the hiring by a resident of a private contractor for removal or collection of trash, debris or garbage, provided that proper collection vehicles or receptacles are used. Such receptacle shall have affixed or painted upon it the identity of the party which has contracted for such service. Such party shall be responsible for the placement and maintenance of the receptacle and maintenance of the surrounding area.

Section 2: Chapter 162, Solid Waste, Section 162-15, Responsibility of contractors for hire, subsection (C), of the Code of the City of Woodbury is hereby amended to read as follows:

§ 162-15. Responsibility of contractors for hire.

C. Nothing herein shall be interpreted to preclude the pickup of construction debris and/or waste generated by work physically performed by a resident at the property which he or she owns or in which he or she resides in the City of Woodbury. However, the owner or occupant must make arrangements with the City of Woodbury Public Works Department to have the debris removed in compliance with trash pick up limitations set forth in §162-11.

Section 3: Chapter 162, Solid Waste, Section 162-18, Discarding, throwing or storing of debris and litter, subsection (D), of the Code of the City of Woodbury is hereby amended to read as follows:

§ 162-15. Responsibility of contractors for hire.

D. No person shall store in any area within the City of Woodbury any bulky household item such as an appliance, furniture or mattresses, tanks or barrels except in a fully enclosed structure.

Section 4: Chapter 162, Solid Waste, Section 162-35, Definitions, of the Code of the City of Woodbury is hereby amended to amend the definition of 'Electronic Waste' to read as follows:

§ 162-35. Definitions.

ELECTRONIC WASTE — A computer central processing unit and associated hardware, including keyboards, modems, printers, scanners and fax machines; a flat panel display or similar video display device with a screen that is greater than four inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones;

Section 5: Chapter 162, Solid Waste, Section 162-37, Collection of recyclable materials, subsection (B), of the Code of the City of Woodbury is hereby amended to read as follows:

§ 162-37. Collection of recyclable materials.

B. All Recycling items must be placed in City provided recycling cans, and shall not exceed two cans per weekly pick up as set forth in section §162-11.

Section 6: Chapter 162, Solid Waste, Section 162-38, Residential dwelling compliance requirements, of the Code of the City of Woodbury is hereby amended to read as follows:

§ 162-38. Residential dwelling compliance requirements.

(A) The owner of any property shall be responsible for compliance with this article. For multifamily units, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner and/or management, in those instances where the violator is not easily identifiable. The owner and/or management shall issue notification and collection rules to new tenants when they arrive and every six months during their occupancy.

(B) Multi-family dwellings are limited to two (2) City-provided recycling cans per unit.

Section 7: Chapter 162, Solid Waste, Section 162-43, Violations and penalties, subsection (A), of the Code of the City of Woodbury is hereby amended to read as follows:

§ 162-43. Violations and penalties.

A. Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this article or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$250, nor more

than \$1,000 or by a period of community service not to exceed 90 days. Each day for which a violation of this article occurs shall be considered a separate offense.

Section 8. Repealer: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 9. Severability: Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

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: _____
PHILIP D. HAGERTY, Council President

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				
Councilman Miller				

Councilwoman Miller				
Councilwoman O'Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION OF INTRODUCTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 3252-21 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 **December 8, 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				
Councilman Miller				
Councilwoman Miller				
Councilwoman O'Connor				
Councilwoman Parker				
Council President Hagerty				
Mayor Sickel				

CERTIFICATION OF ADOPTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2352-21 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 **December 22, 2021** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

L:\WOODBURY CITY\Ordinances\Ordinances Authorizing\102221 Ordinance Auth Transfer to Habita for Humanity Block 168 Lots 2 and

RESOLUTION NO. 21-168

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE IN THE
BUDGET OF THE CITY OF WOODBURY PURSUANT TO N.J.S. 40A:4-87
(CHAPTER 159, P.L. 1948)**

WHEREAS, N.J.S. 40A:4-87 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 thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said director may also approve the insertion of any item of appropriation for equal amount, and

WHEREAS, the City of Woodbury has received grant funding from the NJ Department of Law & Public Safety, Division of Highway Traffic Safety, not included in the adopted 2021 budget; and wishes to amend its 2021 budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED that the City of Woodbury, County of Gloucester, hereby requests that the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2021 in the sum below, which item is now available as a revenue from: Special Item of Revenue Anticipated With Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Drive Sober or Get Pulled Over Holiday	\$ 7,500.00
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BE IT FURTHER RESOLVED that the like sums below be and the same are hereby appropriated under the caption of General Appropriations – Operations Excluded from “CAPS”:

Drive Sober or Get Pulled Over Holiday	\$ 7,500.00
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BE IT FURTHER RESOLVED that the Chief Financial Officer forward a copy of this resolution to the Director of Local Government Services.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury held on December 22, 2021.

CITY OF WOODBURY

By: _____
PHILIP D. HAGERTY
Council President

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 the meeting held on **December 22, 2021** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
Acting City Clerk

RESOLUTION NO. 21-169

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE STATE OF NEW
JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY FOR THE FY2021 SAFE
AND SECURE COMMUNITIES PROGRAM (P-22-0822)**

WHEREAS, the City of Woodbury is authorized to accept a subgrant award from the State of New Jersey Department of Public Safety, Office of the Attorney General, in the amount of \$32,400.00, with a match of \$220,891.00, for total project total cost of \$253,291.00, under the FY2022 Safe and Secure Communities Program (Grant #P-22-0822) for the grant period January 8, 2022 to January 7, 2023; and

WHEREAS, the Mayor and City Council has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the City of Woodbury for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Woodbury that:

- 1) As a matter of public policy the City of Woodbury wishes to participate to the fullest extent possible with the Department of Law and Public Safety, and does accept the Subaward amount of \$32,400.00.
- 2) The Attorney General will receive funds on behalf of the applicant.
- 3) The Department of Law and Public Safety shall be responsible for the receipt and review of the applications for said funds.
- 4) The Department of Law and Public Safety shall initiate allocations to each applicant as authorized.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury held on December 22, 2021.

CITY OF WOODBURY

By: _____
PHILIP D. HAGERTY
Council President

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 the meeting held on **December 22, 2021** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
Acting City Clerk

RESOLUTION NO. 21-170

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING CANCELTION OF BALANCES AND CREDITS UNDER TEN
DOLLARS (\$10.00) ON 2021 WATER/SEWER AND TAX ACCOUNTS IN THE CITY
OF WOODBURY**

WHEREAS; The Tax & Utility Collector of the City of Woodbury has certified to the City Council that the properties named in Exhibit A have balances of ten dollars(\$10.00) and under; and

WHEREAS; The Tax & Utility Collector of the City of Woodbury has certified to the City Council that the unpaid water/sewer and tax balances for 2021 be canceled on the books of said Tax & Utility Collector; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Woodbury, the balances under ten dollars (\$10.00) are canceled from the water/sewer and tax accounts.

ADOPTED, at a regular meeting of the Mayor and City Council of the City of Woodbury held on December 22, 2021.

PHILIP D. HAGERTY
Council President

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				
Councilman 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 **December 22, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

RESOLUTION NO. 21-171

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
APPOINTING SPECIAL COUNSEL FOR ENVIRONMENTAL AND TOXIC TORT
LITIGATION ATTORNEY RELATED TO MUNICIPAL WELL FIELD
CONTAMINATION**

WHEREAS, there exists a need for the appointment of Special Counsel for Environmental and Toxic Tort Litigation Attorney Related to Municipal Well Field Contamination; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, this appointment and/or contract was advertised and is hereby awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4 et seq., with the award of the contract and/or the appointment being in the best interest and the most advantageous to the City of Woodbury considering all factors.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Woodbury that **KATHLEEN B. CAMPBELL, ESQ. of MANKO, GOLD, KATCHER & FOX, LLP** is hereby appointed as Special Counsel for Environmental and Toxic Tort Litigation Attorney Related to Municipal Well Field Contamination for the City of Woodbury; and

BE IT FURTHER RESOLVED that a contract be entered into with the above appointee, in the form attached hereto, and such contract be awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because the aforesaid agreement encompasses professional services recognized, licensed and regulated by law, and is of a nature where it is not possible to obtain competitive bids, and is hereby awarded under a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

BE IT FURTHER RESOLVED that a notice of this resolution shall be published in the South Jersey Times as required by law within ten (10) days of its passage.

ADOPTED, at a regular meeting of the Mayor and City Council of the City of Woodbury held on December 22, 2021.

PHILIP D. HAGERTY
Council President

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				
Councilman 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 **December 22, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson, Acting City Clerk

RESOLUTION NO. 21-172

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS PERTAINING TO A COLLECTIVE BARGAINING AGREEMENT WITH FMBA LOCAL 62

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 pertaining to a collective bargaining agreement with the New Jersey State Firemen’s Mutual Benevolent Association Local 62 – Pursuant to N.J.S.A. 10:4-12b(4)

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 December 22, 2021.

CITY OF WOODBURY

By: _____

**PHILLIP D. HAGERTY,
Council President**

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 the meeting held on **December 22, 2021** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
Acting City Clerk