

**City of Woodbury**  
**City Council Meeting Agenda**  
**February 23, 2022**  
**33 Delaware Street, Woodbury, NJ 08096**  
**6:30 p.m.**

---

**Pledge of Allegiance**

**Moment of Silent Reflection**

**Reading of the Open Public Meeting Statement**

**Roll Call**

**Approval of the Minutes**

- October 27, 2021
- January 26, 2022

**Open to the Public for Agenda Items**

**Ordinances**

**ORDINANCE NO. 2353-22** AN ORDINANCE AMENDING CHAPTER 3, ADMINISTRATION OF GOVERNMENT, ARTICLE IV, STANDING COMMITTEES, SECTION 18, ESTABLISHMENT

**ORDINANCE NO. 2354-22** AN ORDINANCE OF THE CITY OF WOODBURY ESTABLISHING A NEW CHAPTER FOR THE LICENSING, REGISTRATION AND REGULATION OF CANNABIS ESTABLISHMENTS

Second Readings

**ORDINANCE NO. 2355-22** AN ORDINANCE AMENDING CHAPTER 30, HUMAN RIGHTS COMMISSION AND ANTI-DISCRIMINATION POLICY OF THE CODE BOOK OF THE CITY OF WOODBURY

**ORDINANCE NO. 2356-22** AN ORDINANCE OF THE CITY OF WOODBURY ESTABLISHING THE DEFENSE AND INDEMNIFICATION OF PUBLIC OFFICIALS, OFFICERS AND EMPLOYEES OF THE CITY OF WOODBURY

**ORDINANCE NO. 2357-22** AN ORDINANCE AUTHORIZING THE PURCHASE OF PROPERTY KNOWN AS BLOCK 00075, LOT 00032 A/K/A 35-37 W. CENTRE STREET ON THE OFFICIAL TAX MAP OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY

First Readings

**Resolutions**

---

CONSENT AGENDA

---

**RESOLUTION NO. 22-58** RESOLUTION OF THE CITY OF WOODBURY AUTHORIZING EXECUTION OF SHARED SERVICE AGREEMENT BY AND BETWEEN THE CITY OF WOODBURY AND THE MANTUA TOWNSHIP FIRE DISTRICT NO. 1 FOR FIRE ADMINISTRATOR SERVICES FOR THE CITY OF WOODBURY FIRE DEPARTMENT

**RESOLUTION NO. 22-59** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY APPOINTING A PART-TIME INTERIM FIRE MARSHAL/FIRE OFFICIAL FOR THE CITY OF WOODBURY

**RESOLUTION NO. 22-60** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING THE EXECUTION OF AN EMERGENCY REPAIR CONTRACT WITH PIONEER PIPE FOR THE REPAIR OF A RUPTURED WATER MAIN AT 663 SOUTH BROAD STREET AND 209 EAST BARBER AVENUE

**RESOLUTION NO. 22-61** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING EXECUTION OF CDBG AMENDED SUBRECIPIENT AGREEMENT WITH THE COUNTY OF GLOUCESTER FOR #CD-19-MP9

**RESOLUTION NO. 22-62** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CHANGE ORDER FOR THE FY2021 SANITARY SEWER IMPROVEMENTS PROJECT WOOD STREET SEWER LINING

---

END CONSENT AGENDA

---

**Motion for Approval to Pay the Listed Vouchers**

**Reports:**

- **Committee Reports**
- **Report of the Mayor**
- **Report of the City Clerk**
- **Department Announcements**

**Unfinished Business**

**New Business**

**Open to the Public**

**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. 2353-22**

---

**AN ORDINANCE AMENDING CHAPTER 3, ADMINISTRATION OF GOVERNMENT,  
ARTICLE IV, STANDING COMMITTEES, SECTION 18, ESTABLISHMENT**

---

**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 3, Administration of Government, Article IV, Standing Committees, Section 18, Establishment, of the Code of the City of Woodbury is hereby amended by re-naming the title of the section to read as follows:

“Chapter 3, Administration of Government, Article IV,  
Committees, Section 18, Establishment”

**Section 2.** Chapter 3, Administration of Government, Article IV, Standing Committees, Section 18, Establishment, of the Code of the City of Woodbury, is hereby amended to read as follows:

18. The Committee(s) of City Council, consisting of three members each, unless otherwise approved by City Council, shall be established annually by Resolution at the Annual Reorganization Meeting of the City of Woodbury.

**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: \_\_\_\_\_  
**REED A. MERINUK,**  
**President of Council**

**ATTEST:**

---

**CASSIDY L. SWANSON,**  
**Acting City Clerk**

**APPROVED:**

**By:** \_\_\_\_\_  
**PEG SICKEL,**  
**Mayor**

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

**CERTIFICATION OF INTRODUCTION**

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance No. 2353-22 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 **January 26, 2022** 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				
Councilman Hagerty				
Councilwoman Harwell				
Councilman Miller				
Councilwoman Miller				
Councilwoman O'Connor				
Councilman Pizarick				
Council President Merinuk				
Mayor Sickel				

### **CERTIFICATION OF ADOPTION**

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2353-22 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 **February 23, 2022** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

---

Cassidy L. Swanson,  
Acting City Clerk

**ORDINANCE NO. 2354-22**

**AN ORDINANCE OF THE CITY OF WOODBURY ESTABLISHING A NEW  
CHAPTER FOR THE LICENSING, REGISTRATION AND REGULATION OF  
CANNABIS ESTABLISHMENTS**

**WHEREAS**, the Governing Body of the City of Woodbury, in the County of Gloucester, New Jersey (the “City”), a public body corporate and politic of the State of New Jersey (the “State”), wishes to create licensing requirements for regulated cannabis establishments that also protect the health, safety and general welfare of the community; and

**WHEREAS**, the Jake Honig Compassionate Use Medical Cannabis Act (the “Act”), N.J.S.A. 24:61-1 to 30, permits the authorized cultivation, processing, manufacturing, preparing, packaging, transferring, sale, purchase, research, possession, use, and consumption of medical cannabis and products created from or which include cannabis; and

**WHEREAS**, the City finds that the expansion of the medical cannabis program in the State has provided needed compassionate relief to the many persons suffering from chronic and/or serious debilitating illnesses who may benefit; and

**WHEREAS**, on November 3, 2020, the citizens of New Jersey voted to approve Public Question No. 1, amending and supplementing Section VII of Article IV of the New Jersey Constitution to authorize the growth, cultivation, processing, manufacturing, preparing, packaging, transferring, and retail purchasing and consumption of cannabis, or products created from or which include cannabis for persons twenty-one (21) years or older in New Jersey, and further authorized municipalities to enact an additional municipal tax of up to two (2) percent on the receipts from each sale of cannabis or products created from or which include cannabis; and

**WHEREAS**, the City finds, given the Schedule I status of cannabis under the federal Controlled Substance Act, complexities with access to banking and the level of cash transactions in cannabis-related businesses, and other concerns associated with cannabis-related businesses, that only qualified operators should be permitted to safely operate strictly regulated cannabis facilities in the municipality on a limited basis and subject to reasonable time, manner, and place restrictions, in order to balance patients’ and consumers’ interests and the creation of jobs and economic opportunity within the City with public safety; and

**WHEREAS**, in light of the enactment of the Act on July 2, 2019, expanding the New Jersey Medical Marijuana Program, and the passage of Public Question No. 1 on November 3, 2020, it is in the best interest of the City to proactively establish licensing requirements for regulated cannabis establishments and imposing a municipal tax to support enforcement activities.

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

**SECTION 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**SECTION 2. CANNABIS LICENSING, REGISTRATION AND BUSINESS REGULATIONS**

A new Chapter entitled “Cannabis Licensing, Registration and Business Regulations” shall be added as follows:

**Article I. Cannabis Establishments**

**1. Definitions**

Definitions as used herein:

**CANNABIS**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**CANNABIS CULTIVATOR**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**CANNABIS ESTABLISHMENT**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**CANNABIS ITEMS**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**CANNABIS MANUFACTURER**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**CANNABIS RETAILER**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**CANNABIS WHOLESALER**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**CONSUMER**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**PREMISES**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

**2. Requirements**

Cannabis establishments shall be permitted, pursuant to this Chapter, only if the following requirements are complied with:

- a. The regulations of this Section are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities. If any provision of this Section is inconsistent with the statutes and/or regulations of the State of New Jersey, the State statutes and/or regulations shall prevail.

- b. Prior to the operation of any cannabis establishment, a permit or license must be obtained from the State of New Jersey and from the City of Woodbury for the applicable type(s) of cannabis establishment. No cannabis establishment shall be permitted to operate without State and municipal permits or licenses.
- c. Permitted uses shall, at all times, comply with the terms and conditions of the licensee's cannabis establishment license for permits or licenses issued by the State of New Jersey and the City of Woodbury.
- d. No cannabis establishment shall be allowed as a Home Professional Occupation or Home Office Use as defined in this Code.
- e. No cannabis establishment shall be housed in a vehicle or any movable or mobile structure.
- f. Smoking/Vaping. No cannabis establishment shall permit the smoking or vaping of cannabis on premises, indoors or outdoors.
- g. Noise. Outside generators and other mechanical equipment used for any kind of power supply, cooling or ventilation shall be enclosed and have appropriate baffles, mufflers and/or other noise reduction systems to mitigate noise pollution.
- h. Security. All cannabis establishments shall be secured in accordance with State of New Jersey statutes and regulations; shall have a round-the-clock video surveillance system, 365 days a year; and shall have trained security personnel onsite at all times during operating hours.
- i. Hours. No cannabis retailer may open to customers for business before 8:00 am or remain open to customers for business after 10:00 pm.
- j. Prohibited uses. Except as expressly permitted by this Chapter as well as any other activity involved in the cultivation, manufacture, processing, resting, dispensation, distribution and/or sale of cannabis, marijuana or cannabis products, are expressly prohibited as land uses or otherwise in the City of Woodbury.

### **3. Licensing**

#### **A. Local licensing authority.**

- 1. The City of Woodbury is hereby designated to act as the local licensing authority for the City for all cannabis establishments. Under all circumstances in which



State law requires communication to the City by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of cannabis establishments by the State, or in which State law requires any review or approval by the City of any action taken by the State licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be exercised by the City.

2. Under no circumstances shall a local license for a cannabis establishment issued by the City be effective until or unless the State has issued the requisite permits or licenses to operate such a facility. It is the intent of this Chapter that no cannabis establishment may lawfully operate in the City of Woodbury without the issuance of a State permit or license and full regulatory oversight of the cannabis establishment by the Cannabis Regulatory Commission or other state licensing authority as well as oversight and issuance of a license by the City.

B. Classification of licenses. The City, subject to land use approval and State licensure, may issue the following municipal licenses to operate a cannabis establishment:

- Class I: Cannabis cultivator license
- Class II: Cannabis manufacturer license
- Class III: Cannabis wholesaler license
- Class IV: Cannabis distributor license
- Class V: Cannabis retailer license
- Class VI: Cannabis delivery license

C. Maximum number of licenses. The City may issue a maximum of one (1) Class I license, one (1) Class II license, one (1) Class III licenses, one (1) Class IV license, three (3) Class V license; and three (3) Class VI license. Licensure in all classes may be, but are not required to be, held by the same entity or individual, but an entity may not hold more than one cannabis retailer license. Any license conditionally issued by the City is contingent upon the locally licensed entity's or individual's subsequent recipient of a State permit or license of the same class or type of regulated cannabis activity.

D. Application. Persons wishing to obtain any classification of cannabis license shall file a license application with the City, on a standardized form established by the City and available in the Clerk's office. The City shall establish a reasonable application period and deadline for all applications. An application shall be deemed incomplete, and shall not be processed by the City, until all documents and application fees are

submitted. To be deemed complete, all applications shall be accompanied by the following:

1. The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.
2. The applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.
3. The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in the City of Woodbury Code Book.
4. The applicant shall submit, to the satisfaction of the City, proof of financial capability to open and operate the marijuana establishment for which the applicant is seeking a license. Standards for proof of financial capability shall be determined by the City.
5. The applicant shall submit all required nonrefundable fees for the application and conditional license in accordance with the following fee schedule:

Class I:	\$10,000 Cannabis cultivator license
Class II:	\$10,000 Cannabis manufacturer license
Class III:	\$10,000 Cannabis wholesaler license
Class IV:	\$10,000 Cannabis distributor license
Class V:	\$10,000 Cannabis retailer license
Class VI:	\$5,000 Cannabis delivery license

6. The applicant shall submit all annual registration fees required in accordance with the following fee schedule, which shall be refundable in the event the applicant does not receive a license:

Class I:	\$40,000 per year Cannabis cultivator license
Class II:	\$20,000 per year Cannabis manufacturer license
Class III:	\$20,000 per year Cannabis wholesaler license
Class IV:	\$20,000 per year Cannabis distributor license
Class V:	\$10,000 per year Cannabis retailer license
Class VI:	\$5,000 per year Cannabis delivery license

7. In addition to complying with any State requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years.
8. The applicant and the application shall otherwise comply with any and all qualification standards set forth in the State and City laws or regulations.
9. In the event there are multiple applicants for a license, the City shall evaluate all applicants and issue a notification of award after consideration and evaluation of the following criteria:
  - (a) Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey and where the value of owners' experience shall outweigh the experience of non-owner principals (twenty percent, not to exceed 2,500 words);
  - (b) Applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement and drug enforcement (five percent, not to exceed 1,000 words), and a summary of the applicant's plans for storage of products and currency, physical security, video surveillance, security personnel, and visitor management (five percent, not to exceed 2,500 words);
  - (c) Applicant's or its owners' experience conducting or supporting or plans to conduct institutional review board-approved research involving human subjects that is related to medical cannabis or substance abuse, where the value of past or ongoing clinical research with IRB approval shall outweigh plans to conduct such research (five percent, not to exceed 2,500 words);

words), whether the applicant has had any assurance accepted by the U.S. Department of Health & Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 (five percent), and whether the applicant has a research collaboration or partnership agreement in effect with an accredited U.S. school of medicine or osteopathic medicine with experience conducting cannabis-related research (five percent);

- (d) Applicant's or its owners' demonstrated commitments or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement in the regulated cannabis industry for at least one year prior to application for a Cannabis Establishment license, in an effort to create well-paying jobs with employee benefits in the municipality (twenty percent in total; five points for labor peace, full twenty points for collective bargaining agreement in effect for at least one year);
- (e) Summary of the applicant's environmental impact and sustainability plan (four percent, not to exceed 500 words); whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for innovation in sustainability (three percent); and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system (three percent);
- (f) Applicant's ties to the host community, demonstrated by at least one shareholder's proof of residency in City for five or more years in the past ten years or at least one shareholder's continuous ownership of a business based in City for five or more years in the past ten years (five percent); and
- (g) Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices and whether the applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business (twenty percent in total; ten points for one certification and twenty points for two or more).

- (h) Notwithstanding the foregoing competitive application process, a notification of award and conditional municipal license shall entitle the recipient applicant to pursue a State permit or license in the appropriate classification for up to 12 months, which may be extended in the City's discretion for an additional 6 months for good cause. No license to operate shall issue until the applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award and conditional license has not received a State permit or license within 12 months from issuance, unless extended for good cause, the award and conditional license shall be void.

#### **4. Disciplinary Actions; Sanctions; Penalties**

- a. Disciplinary actions. Procedures for investigation of license violations and for suspension, revocation, or other licensing sanctions as a result of any such violation shall be as follows:
  - 1. First offense: Up to \$250 per violation per day;
  - 2. Second offense: Up to \$500 per violation per day;
  - 3. Third violation shall result in summary suspension.
  
- b. Summary suspension. Notwithstanding the foregoing section, when the City has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety and/or general welfare has been jeopardized and requires emergency action, the City may enter a summary suspension order for the immediate suspension of such license pending further investigation.
  - 1. The summary suspension order shall be in writing and shall State the reasons therefore. The licensee shall be afforded an opportunity for a hearing as outlined herein.
  - 2. The City shall convene a review panel consisting of the Administrator, a second administrative officer designated by the Mayor, and the Chief of Police. The hearing shall be scheduled within 30 days of the date of the order.
  - 3. The review panel is authorized to impose any fines, conditions, restrictions or combination thereof authorized by the State of New

Jersey. In the absence of State specified penalties, the City may issue fines up to, but not to exceed, \$2,500 per offense and/or suspension of license for a period not to exceed six months.

- c. Inactive licenses. Following the commencement of retail sales of cannabis or cannabis products, the City may suspend or revoke any license if the licensed premises have been inactive or unoccupied by the licensee for at least six months.
- d. State license. The City may suspend or revoke any license if the corresponding State license or permit for the subject location is expired, surrendered, suspended or revoked.

## **Article II. Taxation of Cannabis**

### **5. Transfer tax imposed.**

The City of Woodbury hereby imposes a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment that is located within the City.

### **6. Definitions.**

Definitions as used herein:

#### **CANNABIS**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

#### **CANNABIS CULTIVATOR**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

#### **CANNABIS ESTABLISHMENT**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

#### **CANNABIS ITEMS**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

#### **CANNABIS MANUFACTURER**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

#### **CANNABIS RETAILER**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

#### **CANNABIS WHOLESALER**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

#### **CONSUMER**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

## **PREMISES**

Shall have the meaning as defined in N.J.S.A. 24:6I-31.

### **7. Applicability.**

The transfer tax is applicable to:

- A. Receipts from the sale of cannabis and cannabis items by a cannabis cultivator to another cannabis cultivator;
- B. Receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; and
- C. Receipts from the retail sales of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older and any combination of sales between any cannabis establishment, cultivator, cannabis retailer and/or cannabis consumer.

### **8. Rates.**

The rates of the transfer tax shall be as follows:

- A. Two percent of the receipts from each sale by a cannabis cultivator;
- B. Two percent of the receipts from each sale by a cannabis manufacturer;
- C. One percent of the receipts from each sale by a cannabis wholesaler; and
- D. Two percent of the receipts from each sale by a cannabis retailer.

### **9. User tax imposed.**

A user tax is also hereby imposed, at the equivalent transfer tax rates, on any concurrent license holder, as permitted by N.J.S.A. 24:6I-46 operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items which are not otherwise subject to the transfer tax, from the license holder's establishment that is located in the municipality to any of the other license holder's establishments, whether located in the municipality or another municipality.

### **10. Transfer and user tax in addition to other tax.**

The transfer tax and user tax imposed herein shall be in addition to any other tax imposed by law.

### **11. Collection and payment.**

The transfer tax or user tax shall be collected or paid, and remitted to the City by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer. The transfer tax or user tax shall be stated, charged, and shown

separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.

**12. Liability to collect tax.**

Every cannabis establishment required to collect a transfer tax or user tax imposed by this article shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment or the consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to nonpayment of the transfer tax or user tax by the cannabis establishment or consumer, as if the transfer tax or user tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that the chief fiscal officer of the City shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

**13. Charge and refund of tax.**

No cannabis establishment required to collect a transfer tax or user tax imposed by this article shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax or user tax will be refunded to the cannabis establishment or the consumer.

**14. Remittance of revenues.**

All revenues collected from a transfer tax or user tax imposed by this article shall be remitted to the chief financial officer of the City. The City shall enforce the payment of delinquent taxes or transfer fees imposed by ordinance pursuant to this section in the same manner as provided for municipal real property taxes.

**15. Unpaid tax to become lien.**

In the event that the transfer tax or user tax imposed by this article is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.

**16. Enforcement of lien.**

The City shall file in the office of its Tax Collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block



number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

**SECTION 3.** Any and all ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**SECTION 4.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 5.** This Ordinance shall take effect upon passage and publication as provided by law.

**CITY OF WOODBURY**

By: \_\_\_\_\_

**REED A. MERINUK,**  
**President of Council**

ATTEST:

\_\_\_\_\_

**CASSIDY L. SWANSON,**  
**Acting City Clerk**

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				

Councilman Fleming				
Councilman Hagerty				
Councilwoman Harwell				
Councilwoman Miller				
Councilman Miller				
Councilwoman O'Connor				
Councilman Pisarcik				
Council President Merinuk				
Mayor Sickel				

**CERTIFICATION OF INTRODUCTION**

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance No. 2354-22 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 **February 9, 2022** 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				
Councilman Hagerty				
Councilwoman Harwell				
Councilwoman Miller				
Councilman Miller				
Councilwoman O'Connor				
Councilman Pisarcik				
Council President Merinuk				
Mayor Sickel				

**CERTIFICATION OF ADOPTION**

I, Cassidy Swanson hereby certify that the foregoing Ordinance 2354-22 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 **February 23, 2022** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

---

Cassidy Swanson, Acting City Clerk

L:\WOODBURY CITY\Ordinances\013122 Ord Establishing New Chapter for Licensing, Registration and Regulation of Cannabis Establishments.docx

**CITY OF WOODBURY, NEW JERSEY**

**ORDINANCE NO. 2355-22**

---

**AN ORDINANCE AMENDING CHAPTER 30, HUMAN RIGHTS COMMISSION AND ANTI-DISCRIMINATION POLICY 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 30, Article I, Title, shall be changed to read as follows: Human Rights Commission

**Section 2.** Chapter 30, Section 1. Organization, is hereby amended to read as follows:

- A. There is hereby organized in the City of Woodbury a Human Rights Commission to consist of seven members, being the Mayor and six members who shall receive their appointment from and be subject to removal by the Mayor with the advice and consent of City Council.
- B. There shall be appointed six persons, residents of the City, to be members of the Human Rights Commission. Up to three members of such Commission may be either the Mayor or members of City Council, two of whom shall be appointed for one year, two for two years, and two for three years, annually and thereafter there shall be appointed two members for the term of three years, such term to commence on the date of the annual reorganization meeting of Council.
- C. In case of the death, resignation, disqualification or removal of, or the neglect or refusal to perform the duties incumbent upon them by any or all of the members of the Human Rights Commission, the Mayor with the advice and consent of Council, may remove such person and fill such place or places by new appointments for the unexpired term or terms.

**Section 3.** Chapter 30, Section 2. Meetings; quorums, is hereby amended to read as follows:

The regular meeting of the Human Rights Commission shall be held in the Council Chambers in City Hall or at such place and times as determined by a vote of the majority of the Commission but in no event less than four times annually. Special meetings may be called at any time by the

President or by any three members requesting the secretary, in writing, to schedule a meeting. A majority of the Commission shall constitute a quorum for the transaction of business.

**Section 4.** Chapter 30, Section 3. Officers, is hereby amended to read as follows:

- A. Generally. The officers of the Human Rights Commission shall consist of a President and Secretary and such other officers at the discretion of the Commission, to be elected annually at the 1<sup>st</sup> meeting of each year of the Commission and shall hold office for one year or until their successors are chosen. In the event the Commission is unable to elect a President and Secretary by a majority vote of the quorum in attendance, at such meeting, the Mayor shall designate a President and Secretary of the Commission.
- B. President. The President shall preside at the meeting of the Commission and appoint all commissions.
- C. Secretary. The Secretary shall keep a record of all proceedings of the Board, preserve its books and papers, conduct its correspondence and perform all duties as directed by the Commission.
- D. All members of the Human Rights Commission shall serve without compensation.
- E. The Human Rights Commission may utilize the services of the City Solicitor with the consent of the City Administrator.

**Section 5.** Chapter 30, Section 4. Purpose of Commission, is hereby amended to read as follows:

The purpose of the Commission shall be to make recommendations to the Mayor and City Council for the formulation of policies in an attempt to foster, through community effort or otherwise, goodwill, cooperation and conciliation among the groups and residents of the City with the intent of eradicating bias incidents in our community due to race, color, creed, ethnicity, religious or sexual orientation. Additionally, the Commission is to assist or make recommendations to the Mayor and City Council for the development of policies and procedures in general and for programs of formal or informal education that will aid in eliminating all kinds of discrimination, mentioned above and shall have such further powers and duties as may be provided by the law against discrimination of the State of New Jersey. (N.J.S.A. 10:5-1 et seq.)

**Section 6.** Chapter 30, Section 5. Duties and responsibilities of Commission, is hereby amended to read as follows:

1. To inform and educate our residents about the vast array of community services provided by the City.
2. To provide a forum for discussions regarding community issues and concerns.
3. To promote goodwill, cooperation and trust among the diverse groups of residents in our community.
4. To eradicate bias in our community due to race, color, creed, gender, ethnicity, physical, mental, or cognitive disability, religious affiliation, political affiliation, or sexual orientation.

**Section 7.** Chapter 30, Article 2, Antidiscrimination Policy, Sections 6, 7, 8, 9 and 10 are hereby deleted.

**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: \_\_\_\_\_  
**REED A. MERINUK,**  
**President of Council**

**ATTEST:**

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

**APPROVED:**

By: \_\_\_\_\_  
**PEG SICKEL,**  
**Mayor**

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

**CERTIFICATION OF INTRODUCTION**

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2355-22 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 **February 23, 2022** 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				
Councilman Hagerty				
Councilwoman Harwell				
Councilwoman Miller				
Councilman Miller				
Councilwoman O'Connor				
Councilman Pisarcik				
Council President Merinuk				
Mayor Sickel				

## **CERTIFICATION OF ADOPTION**

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2355-22 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 **March 9, 2022** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

---

Cassidy L. Swanson,  
Acting City Clerk



**ORDINANCE NO. 2356-22**

**AN ORDINANCE OF THE CITY OF WOODBURY ESTABLISHING THE DEFENSE AND INDEMNIFICATION OF PUBLIC OFFICIALS, OFFICERS AND EMPLOYEES OF THE CITY OF WOODBURY**

**WHEREAS**, the City Council of the City of Woodbury proposes to establish legislation to provide for the defense of actions against and the indemnification of public officials, officers and employees for civil actions as permitted by N.J.S.A. 59:10-1 et seq., and as further permitted by this Ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AS FOLLOWS:**

**SECTION 1. Statutory Authority.**

Pursuant to N.J.S.A. 59:10-1 et seq., indemnification is provided for defense costs and payment of a judgment rendered against a municipal/state employee for actions or failures to act while in the scope of his/her employment. Pursuant to N.J.S.A. 5:10-4, local public entities are empowered to indemnify local public employees and officials consistent with the provisions of the New Jersey Tort Claims Act. The City Council deems it in the best interest of the city to indemnify city officials, officers and employees consistent with the New Jersey Tort Claims Act.

**SECTION 2. Definitions.**

For the purpose of this chapter, unless the context clearly indicates a different meaning, the following words and phrases shall have the meanings set forth:

**INSURANCE**

Coverage afforded by insurance policies of any and every kind, whether the premium be paid by the City, the municipal official or someone on his behalf, including, without limitation, coverage provided by and through the Joint Insurance Fund (JIF) and/or the Municipal Excess Liability (MEL) Policies.

**OFFICIAL, OFFICER OR EMPLOYEE**

Any person, presently or in the future, elected or appointed to any public office, board or commission of the City of Woodbury, whether full- or part-time, whether or not compensated for the appointed or elected position. It shall include all other boards, commissions and authorities which are subdivisions of municipal government. It shall also mean any person employed or retained by the City for any office, commission or board thereof, whether or not said person serves in a paid or unpaid capacity; provided, however, that the terms do not include independent contractors employed by the City.

### **SECTION 3. Intent and Purpose.**

It is the intent and purpose of this chapter to provide for the defense of actions against and the indemnification of public officials, officers and employees for civil actions as permitted by N.J.S.A. 59:10-1 et seq., as permitted by this chapter. This chapter shall be liberally construed to provide the fullest defense and indemnification allowed by law.

### **SECTION 4. Indemnification for Civil Claims.**

Whenever an official, officer or employee of the City of Woodbury is a named defendant in any civil action or civil legal proceeding arising out of or incidental to the performance of his or her duties as an official, officer or employee of the City, the City shall provide the official, officer or employee with the necessary and reasonable defense and shall hold such official, officer or employee harmless and indemnify him or her from the payment of any settlement or judgment resulting from the proceedings, except as otherwise set forth in this chapter. The City shall indemnify officials, officers and employees from all civil claims, including defense costs, if any only if the person establishes that the act or omission upon which the claim or judgment was based occurred within the scope of his or her employment as an official, officer or employee of the City and the person establishes that he or she did not act or failed to act because of actual fraud, actual malice or willful conduct. The following sets forth situations in which the city shall not have a duty to defend or indemnify.

- A. Where the action has been brought by the municipality, itself or any board, commission or authority established as a subdivision of municipal government against said official, officer or employee.
- B. Where the official, officer or employee has been specifically found by a court or other competent tribunal in the proceedings to have acted with actual fraud, actual malice or willful misconduct or to have acted or failed to act within the scope of employment.
- C. Where the official, officer or employee is found to have violated any code of ethics existing by and pursuant to the Laws of the State of New Jersey.

### **SECTION 5. Criminal Actions.**

Wherever an official, officer or employee of the City of Woodbury is a defendant in any criminal action or legal proceeding arising out of or incidental to the performance of his or her duties and in the event that said action or legal proceeding is dismissed or finally determined in favor of the official, officer or employee, he or she shall be entitled to be reimbursed for the reasonable defense costs. This shall only include any criminal action instituted against an official, officer or employee based upon an act or omission of that official, officer or employee arising out of and directly related to the lawful exercise of his or her official duty or under color of his authority and that action is dismissed or results in a final disposition in favor of that official, officer or employee.

## **SECTION 6. Limitations.**

The provisions of a defense and indemnification, as set forth in the above sections of this Ordinance, shall justifiably be refused by the municipality if it is the determination of the governing body that:

- A. The act or omission alleged was not within the scope of the person's employment or official duties;
- B. The act of failure to act alleged was because of actual fraud, willful misconduct or actual malice or intentional wrongdoing;
- C. There exists policies of insurance, either obtained by the City or by any other, by virtue of which the official, officer or employee is entitled to a defense of the action in question from any insurer, including coverage pursuant to the JIF or MEL;
- D. It is not deemed appropriate by the City Council pursuant to N.J.S.A. 59:10-1 et seq.;
- E. The public official, officer or employee has failed to cooperate fully with the defense provided by the municipality;
- F. Where the legal proceeding involves questions concerning election laws;
- G. The official, officer or employee fails to notify the City in a prompt manner and as soon as possible as to any action threatened against him or her; or
- H. The suit or claims assert a right for punitive damages.

## **SECTION 7. Procedure for Claims; Method of Providing Defense.**

- A. The City may provide any defense required of it pursuant to the within Ordinance through an attorney from its own staff or by employing other counsel selected by the City. It shall be the City's sole option to select counsel and wherever permissible by law and/or canons of professional ethics controlling attorney's practice of law, the City may assume exclusive control of the representation of said official, officer or employee.
- B. A municipal official, officer or employee shall not be entitled to indemnification or reimbursement pursuant to this chapter unless within 15 calendar days of the time he is served with a summons, complaint, process

notice, demand or other pleading he delivered the original or a copy thereof to the City Clerk with a request to defend and indemnify. The municipal official, officer or employee shall be obligated to cooperate to the fullest extent possible with the City in the conduct of the defense. Wherever competent and disinterested legal counsel is available to the City through any insurance coverage, the municipal official, officer or employee shall be obligated to be represented by such counsel. If the City wishes to use the City Municipal Attorney or the attorney for any board or committee of the City to defend the claim, the municipal official, officer or employee shall be obligated to be represented by that attorney unless there is a conflict of interest. The refusal of the municipal official, officer or employee to cooperate with the City shall terminate the City's obligation to provide a defense and/or indemnify or to otherwise reimburse any municipal official, officer or employee.

**SECTION 8. Approval of Settlements.**

If the legal proceeding is terminated by an agreement among the parties, then the City shall not be obligated to reimburse the municipal official, officer or employee unless the City, by and through the governing body and/or by court order, approves the settlement agreement.

**SECTION 9. Counsel Fees and Costs of Litigation.**

Counsel fees to be paid to outside counsel, other than the Municipal Solicitor or the solicitor for any board or commission, for services rendered in connection with a claim subject to this chapter, shall be reasonable and shall be established by the City council through resolution prior to the retention of such counsel. The City may reimburse a municipal official, officer or employee for a portion of any expense incurred prior to the final decision in the legal proceeding at the City's sole discretion. The City shall be entitled to wait for a final determination before making a determination to reimburse defense costs and/or honor indemnity.

**SECTION 10. Precedence of Other Statutes.**

To the extent that N.J.S.A. 40A:14-155 provided broader indemnification to members of the municipality's Police Department, that statute shall supersede the provisions of this chapter.

**SECTION 11. Counterclaims or Affirmative Causes of Action.**

If the municipal official, officer or employee files a counteraction, counterclaim or asserts any affirmative claims in the legal proceeding, the municipality shall not be

obligated to reimburse him for any attorney's fees or costs attributed to said counteraction, counterclaim or affirmative cause of action.

**SECTION 12. Commission of Crimes.**

Nothing in this Ordinance shall authorize or require the City to pay for punitive or exemplary damages or damages resulting from the commission of a crime.

**SECTION 13. When Effective; Effect on Prior Actions.**

This Ordinance shall take effect upon final passage and publication according to law, and it shall apply to any and all claims and suits filed or brought after the effective date of this chapter whether or not said claim or suit relates to conduct or omissions occurring before the effective date of this chapter.

**SECTION 14. Incorporation by Reference.**

The "whereas" clauses are incorporated herein by reference.

**SECTION 15.** Any and all ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**SECTION 16.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 17.** This Ordinance shall take effect upon passage and publication as provided by law.

**CITY OF WOODBURY**

By: \_\_\_\_\_  
**REED A. MERINUK,**  
**President of Council**

**ATTEST:**

\_\_\_\_\_  
**CASSIDY L. SWANSON,**  
**Acting City Clerk**

**APPROVED:**

By: \_\_\_\_\_  
**PEG SICKEL,**  
**Mayor**

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

**CERTIFICATION OF INTRODUCTION**

I, Cassidy Swanson hereby certify that the foregoing Ordinance 2356-22 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 **February 23, 2022** 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				
Councilman Hagerty				
Councilwoman Harwell				
Councilwoman Miller				
Councilman Miller				
Councilwoman O'Connor				
Councilman Pisarcik				
Council President Merinuk				
Mayor Sickel				

### CERTIFICATION OF ADOPTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2356-22 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 **March 9, 2022** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

---

Cassidy L. Swanson,  
Acting City Clerk

L:\WOODBURY CITY\Ordinances\Ordinances Establishing\012022 Ord Establishing New Chapter for Defense and Indemnification.docx

**CITY OF WOODBURY, NEW JERSEY**

**ORDINANCE NO. 2357-22**

---

**AN ORDINANCE AUTHORIZING THE PURCHASE OF  
PROPERTY KNOWN AS BLOCK 00075, LOT 00032 A/K/A 35-37 W. CENTRE  
STREET ON THE OFFICIAL TAX MAP OF THE CITY OF WOODBURY,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

*WHEREAS*, there is a need to obtain certain property within the City of Woodbury, more particularly described as Block 00075, Lot 00032 a/k/a 35-37 W. Centre Street on the Official Tax Map of the City of Woodbury; and

*WHEREAS*, this property is intended as a part of the City's redevelopment plan; and

*WHEREAS*, this property is presently owned by Gantz Holdings LLC (hereinafter referred to as "Owners"); and

*WHEREAS*, the Owners have agreed to sell the property to the City of Woodbury for \$78,000.00 under a Contract for the Sale of Real Estate attached hereto and incorporated herein as Exhibit "A", said Contract being on file and is available for inspection by the public in the Office of the City Clerk;

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

1. The Mayor and/or Council President and Acting City Clerk are hereby authorized to execute the Contract for the Sale of Real Estate attached hereto as Exhibit "A" and to pay the sum of Seventy Eight Thousand (\$78,000.00) Dollars plus costs for the purchase of Block 00075, Lot 00032 a/k/a 35-37 W. Centre Street, Woodbury, New Jersey.

2. The Mayor and/or Council President and Acting City Clerk are further authorized to execute such documents as are approved by the City Solicitor in order to complete acquisition of the above parcel and to obtain title insurance for said property.



3. Exhibit "A" shall remain on file in the City Clerk's Office and may be viewed during regular business hours.

**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: \_\_\_\_\_  
**REED A. MERINUK,**  
**President of Council**

**ATTEST:**

\_\_\_\_\_  
**CASSIDY L. SWANSON,**  
**Acting City Clerk**

**APPROVED:**

By: \_\_\_\_\_  
**PEG SICKEL,**  
**Mayor**

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

**CERTIFICATION OF INTRODUCTION**

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2357-22 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 **February 23, 2022** 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				
Councilman Hagerty				
Councilwoman Harwell				
Councilwoman Miller				
Councilman Miller				
Councilwoman O'Connor				
Councilman Pisarcik				
Council President Merinuk				
Mayor Sickel				

**CERTIFICATION OF ADOPTION**

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2357-22 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 **March 9, 2022** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

\_\_\_\_\_  
Cassidy L. Swanson,  
Acting City Clerk

**RESOLUTION NO. 22-58**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY  
AUTHORIZING EXECUTION OF SHARED SERVICE AGREEMENT BY AND  
BETWEEN THE CITY OF WOODBURY AND THE MANTUA TOWNSHIP FIRE  
DISTRICT NO. 1 FOR FIRE ADMINISTRATOR SERVICES FOR THE CITY OF  
WOODBURY FIRE DEPARTMENT**

**WHEREAS**, the City Council of the City of Woodbury had previously appointed Peg Sickel, Mayor of the City of Woodbury, as the Acting Fire Administrator for the City of Woodbury pursuant to Resolution No. 21-85 adopted on May 12, 2021; and

**WHEREAS**, the City Council of the City of Woodbury have determined that a Shared Service Agreement with the Mantua Township Fire District No. 1 for a Fire Administrator for the City of Woodbury would be advantageous and beneficial to the management and oversight of the City of Woodbury Fire Department.

**NOW BE IT RESOLVED** by the Mayor and Council of the City of Woodbury, County of Gloucester, and State of New Jersey as follows:

1. That the City Council does hereby approve and authorize the execution of the attached Shared Service Agreement between the City of Woodbury and the Mantua Township Fire District No. 1 for the provision of Fire Administrator services to the City of Woodbury pursuant to Chapter 20-9 of the Code Book of the City of Woodbury effective as March 1, 2022.
2. That the Mayor and/or Interim City Administrator be and is hereby authorized to execute the Shared Service 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 February 23, 2022.

**CITY OF WOODBURY**

\_\_\_\_\_  
**REED A. MERINUK,**  
**President of Council**

**ATTEST:**\_\_\_\_\_  
**CASSIDY L. SWANSON,**  
**Acting City Clerk**

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilman Hagerty				
Councilwoman Harwell				
Councilwoman Miller				
Councilman Miller				
Councilwoman O'Connor				
Councilman Pisarcik				
Council President Merinuk				
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 **February 23, 2022** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

\_\_\_\_\_  
Cassidy L. Swanson  
Acting City Clerk

**RESOLUTION NO. 22-59**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY  
APPOINTING A PART-TIME INTERIM FIRE MARSHAL/FIRE OFFICIAL FOR THE  
CITY OF WOODBURY**

**WHEREAS**, the City of Woodbury has determined there is a need to appoint a part-time Fire Marshal/Fire Official for the City of Woodbury for enforcement of the New Jersey Fire Code; and

**WHEREAS**, \_\_\_\_\_ is a licensed Fire Marshal/Fire Official in the State of New Jersey; and

**WHEREAS**, the City Council is in agreement with the appointment.

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

1. That \_\_\_\_\_ is hereby appointed as the part-time Interim Fire Marshal/Fire Official for the City of Woodbury for enforcement of the New Jersey Fire Code in the City of Woodbury.
2. That this appointment shall be effective as of February 24, 2022 and until such time that further action is taken by City Council.
3. That a copy of this Resolution be forwarded to the New Jersey Department of Community Affairs.

**ADOPTED** at a regular meeting of the Mayor and City Council of the City of Woodbury on February 23, 2022.

**CITY OF WOODBURY**

\_\_\_\_\_  
**REED A. MERINUK**  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**CASSIDY L. SWANSON,**

**Acting City Clerk**

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Fleming				
Councilman Hagerty				
Councilwoman Harwell				
Councilwoman Miller				
Councilman Miller				
Councilwoman O'Connor				
Councilman Pisarcik				
Council President Merinuk				
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 **February 23, 2022** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

\_\_\_\_\_  
Cassidy L. Swanson  
Acting City Clerk

L:\WOODBURY CITY\Resolutions\Resolution Appointing\2022\022322 Res Appointing Fire Marshall Fire Official.docx

**RESOLUTION NO. 22-60**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY  
AUTHORIZING THE EXECUTION OF AN EMERGENCY REPAIR CONTRACT  
WITH PIONEER PIPE FOR THE REPAIR OF A RUPTURED WATER MAIN AT 663  
MANTUA AVENUE AND 209 EAST BARBER AVENUE**

**WHEREAS**, emergency repairs were needed for a ruptured water main at 663 Mantua Avenue and 209 East Barber Avenue; and

**WHEREAS**, the emergency condition falls under the jurisdiction of the Water and Sewer Utility within the Public Works Department; and

**WHEREAS**, the Manager of the Public Works Department has determined that the condition constitutes an emergency affecting the immediate health, safety and welfare of the public requiring the immediate delivery of goods and services; and

**WHEREAS**, the scope of the necessary emergency repairs are beyond the scope of the City's in house repair capabilities; and

**WHEREAS**, the Manager of the Public Works Department pursuant to *N.J.S.A. 40A:11-6* notified the Interim Administrator and CFO of the existence of the emergency and the need for the performance of a contract to address the emergency situation, which notification was reduced to writing and filed with the Interim Administrator, CFO and purchasing agent pursuant to the provisions of the Local Public Contracts Law and the procedures established by the City of Woodbury; and

**WHEREAS**, the Public Works Director has requested the award of an emergency contract to Pioneer Pipe on an emergency basis pursuant to *N.J.S.A. 40A:11-6* and the policies and procedures established by the City of Woodbury for repairs to water value in the amount of \$30,480.25 and \$13,578.50; and

**WHEREAS**, said work to be completed is designed to address only the extent of the emergency and could not have been anticipated.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Woodbury that the contract awarded to Pioneer Pipe on an emergency basis pursuant to *N.J.S.A. 40A:11-6* and the policies and procedures established by the City of Woodbury for repairs to the ruptured water mains in the amount of \$30,480.25 and \$13,578.50, and the Mayor and/or Interim Administrator are hereby authorized to execute a contract consistent with the within resolution; and the CFO is hereby directed to make payment to Pioneer Pipe with the approval of the Interim Administrator and the Manager of the Public Works Department as to satisfactory completion of the provisions of the contracted good and services.

**ADOPTED**, at a meeting of the Mayor and City Council of the City of Woodbury on February 23, 2022.

**CITY OF WOODBURY**

\_\_\_\_\_  
**REED A. MERINUK**  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**CASSIDY L. SWANSON,**  
**Acting City Clerk**

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



**RESOLUTION NO. 22-61**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY  
AUTHORIZING EXECUTION OF CDBG AMENDED SUBRECIPIENT AGREEMENT  
WITH THE COUNTY OF GLOUCESTER FOR #CD-19-MP9**

**WHEREAS**, the City Council of the City of Woodbury had previously entered an agreement with the County of Gloucester for PY2019 Community Development Block Grant funds in the amount of \$50,000 via Resolution No. 19-177 on November 26, 2019; and

**WHEREAS**, the purpose of the application for grant funds was for reconstruction of South Maple Avenue including sidewalk/ADA curbs; and

**WHEREAS**, the City of Woodbury's application was approved on November 5, 2019 as project #CD-19-MP9, and the funds provided under the agreement must be fully expended by November 5, 2021; and

**WHEREAS**, the City of Woodbury and the County of Gloucester have determined the need to extend the Agreement through February 1, 2023 in order to finalize the project.

**NOW BE IT RESOLVED** by the Mayor and Council of the City of Woodbury, County of Gloucester, and State of New Jersey as follows that the Mayor and/or Administrator is hereby authorized to execute the attached Amended Subrecipient Agreement extending the term through February 1, 2023 for use of Community Development Block Grant Funds between the County of Gloucester and the City of Woodbury for the specified purposes.

**ADOPTED** at a regular meeting of the Mayor and City Council of the City of Woodbury on February 23, 2022.

**CITY OF WOODBURY**

\_\_\_\_\_  
**REED A. MERINUK,**  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**CASSIDY L. SWANSON,**  
**Acting City Clerk**

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilwoman Carter				
Councilman Fleming				
Councilman Hagerty				
Councilwoman Harwell				
Councilman Miller				
Councilwoman Miller				
Councilwoman O'Connor				
Councilman Pisarick				
Council President Merinuk				
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 **February 23, 2022** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

\_\_\_\_\_  
Cassidy L. Swanson  
Acting City Clerk

**RESOLUTION NO. 22-62**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY  
AUTHORIZING A CHANGE ORDER FOR THE FY2021 SANITARY SEWER  
IMPROVEMENTS PROJECT WOOD STREET SEWER LINING**

**WHEREAS**, the City of Woodbury (Woodbury), with its principal place of business at 33 Delaware Street, Woodbury, New Jersey 08096, entered into a contract with Vortex Services, LLC of Freehold, New Jersey for the FY2021 Sanitary Sewer Improvements Project – Wood Street Sewer Lining, the “Project”, by Resolution #21-166 for the contract amount of \$126,101.00; and

**WHEREAS**, the Change Order 1 is required to reconcile the additional cost based on completion of the extra work by the Contractor as directed by the City Engineer, as set forth in the attached Change Order 1 dated February 8, 2022; and

**WHEREAS**, the final contract price including the Change Order 1 is \$134,651.50 resulting in an overall increase in the original contract price of \$8,550.50, or 6.78%; and

**WHEREAS**, such additions have been reviewed and approved by the City Engineer; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this change order.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Woodbury that the Mayor is hereby authorized to execute the attached Change Order No. 1 to the contract with Vortex Services, LLC for the FY2021 Sanitary Sewer Improvements Project – Wood Street Sewer Lining.

**ADOPTED** at a regular meeting of the Mayor and City Council of the City of Woodbury on February 23, 2022.

**CITY OF WOODBURY**

\_\_\_\_\_  
**REED A. MERINUK,**  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**CASSIDY L. SWANSON,**  
**Acting City Clerk**

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilwoman Carter				
Councilman Fleming				
Councilman Hagerty				
Councilwoman Harwell				
Councilman Miller				
Councilwoman Miller				
Councilwoman O'Connor				
Councilman Pisarick				
Council President Merinuk				
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 **February 23, 2022** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

---

Cassidy L. Swanson  
Acting City Clerk