

**City of Woodbury**  
**City Council Meeting Agenda**  
**January 18, 2023**  
**33 Delaware Street, Woodbury, NJ 08096**  
**6:30 p.m.**

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**Pledge of Allegiance**

**Moment of Silent Reflection**

**Reading of the Open Public Meeting Statement**

**Roll Call**

**Correspondence**

Woodbury Democratic Committee Candidate Submissions for the vacant Ward 3 Council Seat

**Open to the Public for Agenda and Non-Agenda Items**

**Resolutions**

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**CONSENT AGENDA**

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**RESOLUTION NO. 23-50** RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY AUTHORIZING APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR A LOCAL RECREATION IMPROVEMENT GRANT FOR IMPROVEMENTS AT THE FRANCES AVENUE PARK LITTLE LEAGUE FACILITY

**RESOLUTION NO. 23-51** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY REJECTING ALL BIDS FOR THE FY 2021 NJDOT LOCAL AID PROGRAM – PROGRESS AVENUE RESURFACING AND SAFETY IMPROVEMENTS PROJECT

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**END OF CONSENT AGENDA**

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**Unfinished Business**

**New Business**

**RESOLUTION NO. 23-52** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS RELATED TO THE PURCHASE, LEASE ACQUISITION OF REAL PROPERTY AND/OR INVESTMENT OF PUBLIC FUNDS AND LITIGATION, NEGOTIATIONS AND ATTORNEY-CLIENT PRIVILEGE

**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.

**RESOLUTION NO. 23-50**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY  
AUTHORIZING APPLICATION TO THE NEW JERSEY DEPARTMENT  
OF COMMUNITY AFFAIRS FOR A LOCAL RECREATION IMPROVEMENT  
GRANT FOR IMPROVEMENTS AT THE  
FRANCES AVENUE PARK LITTLE LEAGUE FACILITY**

**WHEREAS**, the City of Woodbury desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$150,000 to carry out a project to make improvements to the City's Little League Baseball fields and appurtenant facilities at Frances Avenue Park.

**BE IT THEREFORE RESOLVED** that the City Council of the City of Woodbury does hereby:

- 1) Authorize the application for such a grant to the Department; and,
- 2) Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully-executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Woodbury and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(Administrator)

**ADOPTED** at a regular meeting of the Mayor and City Council of the City of Woodbury on January 18, 2023.

**CITY OF WOODBURY**

By: \_\_\_\_\_  
**WILLIAM H. FLEMING,**  
**President of Council**

ATTEST:

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

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Garlic				
Councilman Hagerty				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Pisarcik				
Vacant				
Council President Fleming				
Mayor Miller				

**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 **January 18, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

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

**RESOLUTION NO. 23-51**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY  
REJECTING ALL BIDS FOR THE FY 2021 NJDOT LOCAL AID PROGRAM –  
PROGRESS AVENUE RESURFACING AND SAFETY IMPROVEMENTS  
PROJECT**

**WHEREAS**, the City Engineer went to bid for the FY2021 Progress Avenue Resurfacing & Safety Improvements Project;

**WHEREAS**, bids were opened on December 21, 2022; and

**WHEREAS**, nine bids were received as follows:

Landberg Construction LLC	Total = \$298,977.23
Lexa Concrete	Total = \$309,884.26
Paving Plus, LLC	Total = \$322,189.40
Think Pavers Hardscaping	Total = \$325,471.80
Gerald A. Barrett, LLC	Total = \$329,999.92
Charles Marandino LLC	Total = \$362,087.20
Ricky Slade Construction	Total = \$400,689.20
Command Co., Inc.	Total = \$491,190.00
Diamond Construction	Total = \$499,941.70

**WHEREAS**, the Statement of Corporate Ownership form in the Proposal Section of the Bid Documents was deemed invalid and non-waivable by the City Solicitor; and

**WHEREAS**, the City Solicitor by correspondence of January 5, 2023 to the City Clerk has recommended rejection of all bids.

**NOW, THEREFORE, BE IT RESOLVED** that all bids are hereby rejected as not being in compliance with the purposes or provisions of P.L.1971, c.198 (C.40A:11-1 et seq.).

**BE IT FURTHER RESOLVED** that the City Engineer is hereby authorized to re-advertise this project for bids with the revised Bid Documents.

**ADOPTED** at a regular meeting of the Mayor and City Council of the City of Woodbury held on January 18, 2023.

**CITY OF WOODBURY**

By: \_\_\_\_\_  
**William H. Fleming**  
**President of Council**

**ATTEST:**

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

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilwoman Garlic				
Councilman Hagerty				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Pisarcik				
Vacant				
Council President Fleming				
Mayor Miller				

**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 **January 18, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

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

## RESOLUTION NO. 23-52

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS RELATED TO THE PURCHASE, LEASE ACQUISITION OF REAL PROPERTY AND/OR INVESTMENT OF PUBLIC FUNDS AND LITIGATION, NEGOTIATIONS AND ATTORNEY-CLIENT PRIVILEGE**

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

- (1) *Matters required by law to be confidential*: Any matter which, by express provision of Federal law, State statute, or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) *Matters involving individual privacy*: Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by an institution or program, including but not limited to, information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress, or condition of any individual, unless the individual concerned.
- (4) *Matters pertaining to a collective bargaining agreement*: Any matter involving a collective bargaining agreement or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) *Matters relating to the purchase, lease acquisition of real property or investment of public funds*: Any matter involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates, or investment of public funds, if it could adversely affect the public interest if discussion of the matters were disclosed.
- (6) *Matters of public protection*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair that protection.
- (7) *Matters relating to litigation, negotiations and attorney-client privilege*: Any matter of pending or anticipated litigation or contract negotiation other than in subsection b. (4) above in which the City is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise ethical duties as a lawyer.
- (8) *Matters relating to the employment relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the

individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public.

(9) *Deliberations after public hearing.* Deliberations by the Authority occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party.

**NOW, THEREFORE BE IT RESOLVED**, the Mayor and Council of the City of Woodbury, County of Gloucester, and State of New Jersey will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

1. Matters relating to the purchase, lease acquisition of real property or investment of public funds - Pursuant to N.J.S.A. 10:4-12b(5)
2. Matters relating to litigation, negotiations and attorney-client privilege - Pursuant to N.J.S.A. 10:4-12b(7)

**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 14, 2022.

**CITY OF WOODBURY**

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

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

ATTEST:

\_\_\_\_\_

**CASSIDY L. SWANSON,**  
**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 the meeting held on **August 10, 2022** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

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Cassidy L. Swanson,  
City Clerk