

City of Woodbury
City Council Meeting Agenda
March 6, 2023
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

- February 6, 2023

Open to the Public for Agenda Items Only

Resolutions

CONSENT AGENDA

RESOLUTION NO. 23-83 RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY AWARDING A CONTRACT TO P&A CONSTRUCTION, INC. FOR THE FY 2022 WATER MAIN IMPROVEMENTS PROJECT – MAPLE STREET & LAUREL STREET FROM COOPER STREET TO HUNTER STREET, HOLROYD PLACE AND REPAIRS ON S. GIRARD STREET AND N. BROAD STREET

RESOLUTION NO. 23-84 RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY AWARDING A CONTRACT TO A.C. SCHULTES, INC. FOR THE FY 2022 WELL REDEVELOPMENT & PUMP REPAIRS PROJECT – WELL FACILITY NO. 8 AT 319 EAST RED BANK AVENUE

RESOLUTION NO. 23-85 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY CANCELLING AND REFUNDING TAXES FOR RIVERA, ANTHONY L, A 100% DISABLED VETERAN, BLOCK 148.02 LOT 22.01 A.K.A. 232 HUNTER ST

RESOLUTION NO. 23-86 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING APPROVAL AND EXECUTION OF MEMORANDUM OF UNDERSTANDING (MOU) WITH TANTUM CANOE-BROOK POTENTIAL REDEVELOPER FOR PORTIONS OF THE 100 BLOCK OF SOUTH BROAD STREET

RESOLUTION NO. 23-87 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING CITY ENGINEER TO ISSUE NOTICE TO BIDDERS REGARDING THE FY2017 GREEN ACRES STEWART LAKE PARK IMPROVEMENTS PROJECT PLAYGROUND & PAVILION PLAZA

END CONSENT AGENDA

Approval of the Bill and Voucher List

Unfinished Business

New Business

Open to the Public

Adjournment

RESOLUTION NO. 23-88 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS REALTING TO LITIGATION, NEGOTIATIONS AND ATTORNEY-CLIENT PRIVILEGE

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. 23-83

**RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY
AWARDING A CONTRACT TO P&A CONSTRUCTION, INC. FOR THE
FY 2022 WATER MAIN IMPROVEMENTS PROJECT –
MAPLE STREET & LAUREL STREET FROM COOPER STREET TO
HUNTER STREET, HOLROYD PLACE AND REPAIRS ON S. GIRARD
STREET AND N. BROAD STREET**

WHEREAS, the City Clerk and Engineer received bids on March 1, 2023 for the FY 2022 Water Main Improvements Project, as set forth below:

<u>Contractor</u>	<u>Total Amount</u>
P&A Construction, Inc.	\$439,849.41
JVS Contractors, Inc.	\$526,289.00
Landberg Construction LLC	\$611,400.00
Kiely Construction Co.	\$657,567.00
South State, Inc.	\$688,881.00
R.E. Pierson Construction	\$694,925.08
Pioneer Pipe Contractors	\$711,003.54
Perna Finnigan, Inc.	\$745,780.00
Mount Construction Co.	\$803,931.00

WHEREAS, the City Engineer has reviewed the bids received and by correspondence dated March 3, 2023, has recommended award of the Contract to P&A Construction Co. for the total bid amount of \$439,849.41; and

WHEREAS, the low bid is compliant in all material non-waivable respects and the amount is consistent with the Engineer’s Estimate; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this project.

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

1. The contract is hereby awarded to P&A Construction Co. for the FY2022 Water Main Improvements Project in the total bid amount of \$\$439,849.41.
2. That the Mayor and/or Administrator is hereby authorized to execute a contract in accordance with the project specifications, the afore-described bid, and the within Resolution.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on March 6, 2023.

CITY OF WOODBURY

By: _____
WILLIAM H. FLEMING, JR.
President of Council

ATTEST:

CASSIDY L. SWANSON
City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
Councilman Ferraino				
Councilwoman Garlic				
Councilman Hagerty				
Councilwoman Harwell				
Councilman Merinuk				
Councilwoman Miller				
Councilman Pisarcik				
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 **March 6, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-84

**RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY
AWARDING A CONTRACT TO A.C. SCHULTES, INC. FOR THE
FY 2022 WELL REDEVELOPMENT & PUMP REPAIRS PROJECT –
WELL FACILITY NO. 8 AT 319 EAST RED BANK AVENUE**

WHEREAS, the City Clerk and Engineer received bids on February 28, 2023 for the FY 2022 Redevelopment of Well No. 8 project, as set forth below:

<u>Contractor</u>	<u>Total Amount</u>
A.C. Schultes, Inc.	\$117,500.00

WHEREAS, the City Engineer has reviewed the bids received and by correspondence dated March 3, 2023, has recommended award of the Contract to A.C. Schultes, Inc. for the total bid amount of \$117,500.00; and

WHEREAS, the low bid is compliant in all material non-waivable respects and the amount is consistent with the Engineer’s Estimate; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this project.

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

1. The contract is hereby awarded to A.C. Schultes, Inc. for the FY2022 Redevelopment of Well No. 8 Project in the total bid amount of \$117,500.00.
2. That the Mayor and/or Administrator is hereby authorized to execute a contract in accordance with the project specifications, the afore-described bid, and the within Resolution.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on March 6, 2023.

CITY OF WOODBURY

By: _____
WILLIAM H. FLEMING, JR.
President of Council

ATTEST:

CASSIDY L. SWANSON
City Clerk

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

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Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-85

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
CANCELLING AND REFUNDING TAXES FOR RIVERA, ANTHONY L, A 100%
DISABLED VETERAN, BLOCK 148.02 LOT 22.01 A.K.A. 232 HUNTER ST**

WHEREAS, RIVERA, ANTHONY L, the owner of block 148.02 lot 22.01 A.K.A. 232 HUNTER ST has made an application for a 100% Disabled Veteran Exemption to the Gloucester County Tax Assessor, which has been accepted; and

WHEREAS, the Gloucester County Tax Assessor has approved for the cancellation of taxes effective APRIL 15, 2021 on Block 148.02 Lot 22.01 A.K.A. 232 HUNTER ST; and

WHEREAS, the Woodbury City Tax Collector has approved the cancellation and refunding of the 1ST quarter 2023 taxes in the amount of \$3397.99.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that the Tax Collector is hereby authorized to cancel and refund taxes as stated.

ADOPTED, at a regular meeting of the Mayor and City Council held on March 6, 2023.

By: _____
WILLIAM H. FLEMING JR.,
President of Council

ATTEST:

CASSIDY L. SWANSON,
City Clerk

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

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Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-86

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING APPROVAL AND EXECUTION OF MEMORANDUM OF
UNDERSTANDING (MOU) WITH TANTUM CANOE-BROOK POTENTIAL
REDEVELOPER FOR PORTIONS OF THE 100 BLOCK OF SOUTH BROAD STREET**

WHEREAS, the City of Woodbury (the “City”) purchased property identified on the Tax Maps of the City of Woodbury or (the “Property”) commonly known as portions of the 100 Block of South Broad Street; and more specifically known as:

Block 75, Lot 3.01: S. Broad Street Int (Parking Lot)

Block 75, Lot 3.02: 40 West Barber Ave

Block 75, Lot 4: 38 W. Barber Ave

Block 75, Lot 5: 32 W. Barber Ave

Block 75, Lot 7: 28 West Barber Ave

Block 75, Lot 13: 125 S. Broad Street

Block 75, Lot 15: 115 S. Broad Street

Block 75, Lot 27.01: Broad Street Back

Block 75, Lot 32: 35-37 W. Centre Street

Block 75, Lot 33: 29 W. Centre Street

Block 75, Lot 35: 25 W. Centre Street

WHEREAS, on May 4, 2009, the City’s Combined Planning and Zoning Board adopted a Resolution based upon an Investigation conducted by Group Melvin Design recommending that the City Council designate the Property and the Downtown Business District an Area in Need of Redevelopment pursuant to N.J.S.A. 40A:12A-1 et. seq. (the “Redevelopment Law”); and

WHEREAS, on May 11, 2009 the City Council adopted Resolution 09-113 designating the Property and the downtown Business District an Area In Need of Redevelopment; and

WHEREAS, thereafter, the City Council adopted a redevelopment plan entitled “Woodbury Redevelopment Plan: Downtown Business District” dated May 24, 2010 and

prepared by Group Melvin Design, via Ordinance 2018-10 on May 24, 2010 (the “Redevelopment Plan”); and

WHEREAS, the Redevelopment Law permits the City Council, as the redevelopment entity, to contract with redevelopers for the planning, sale and redevelopment of the Property in accordance with the Redevelopment Plan; and

WHEREAS, the City authorized via Resolution a Request for Qualification (“RFQ”) for the sale and redevelopment of the Property in accordance with the Redevelopment Plan; and

WHEREAS, on January 23, 2023, the City adopted Resolution No. 23-65 Designating Tantum Canoe-Brook as Potential Redeveloper for the Property and authorized the drafting of a Memorandum of Understanding (MOU) between the parties; and

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

1. That the City Council of the City of Woodbury hereby approves the Memorandum of Understanding (MOU) between the City of Woodbury and Tantum Canoe-Brook in a form substantially similar to the attached for the negotiation of the Redevelopment Agreement.
2. The Mayor and/or Council President are hereby authorized to execute the MOU and any and all documents to effectuate the terms of the MOU.
3. That any and all other steps shall be taken in accordance with redevelopment law in an effort to effectuate the sale of said property to Tantum Canoe-Brook and the redevelopment of said property by Tantum Canoe-Brook.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on March 6, 2023.

CITY OF WOODBURY

By: _____
WILLIAM H. FLEMING, JR.
President of Council

ATTEST:

CASSIDY L. SWANSON
City Clerk

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

CERTIFICATION

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Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-87

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING CITY ENGINEER TO ISSUE
NOTICE TO BIDDERS REGARDING THE FY2017
GREEN ACRES STEWART LAKE PARK IMPROVEMENTS PROJECT
PLAYGROUND & PAVILION PLAZA**

WHEREAS, Bryson & Yates, LLC, Engineers for the City of Woodbury have completed the Plans, Specifications and accompanying bid documents for the Green Acres Playground & Pavilion Project (the “Project”); and

WHEREAS, the City Engineer would like to advertise the Notice to Bidders on or about March 12, 2023, with bid opening date of March 30, 2023; and

WHEREAS, the City of Woodbury wishes to proceed in accordance with the March 3, 2023 recommendation of the City Engineer for said Project.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Woodbury that the City Engineer is hereby authorized to issue the Notice to Bidders, advertise same and take any and all actions to provide the bid packages necessary in furtherance of receiving bids for the FY2017 Green Acres Playground & Pavilion Project.

ADOPTED at the regular meeting of the Mayor and City Council of the City of Woodbury held March 6, 2023.

CITY OF WOODBURY

By: _____
WILLIAM H. FLEMING, JR.
President of Council

ATTEST:

CASSIDY L. SWANSON

City Clerk

Council Member	Ayes	Nays	Abstain	Absent
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Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-88

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS REALTING TO
LITIGATION, NEGOTIATIONS AND ATTORNEY-CLIENT PRIVILEGE**

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

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

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

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

1. Matters relating to litigation, negotiations and attorney-client privilege - Pursuant to N.J.S.A. 10:4-12b(7) – Potential Litigation/Solvay

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 March 6, 2023.

CITY OF WOODBURY

By: _____
WILLIAM H. FLEMING, JR.
President of Council

ATTEST:

CASSIDY L. SWANSON
City Clerk

Council Member	Ayes	Nays	Abstain	Absent
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Cassidy L. Swanson,
City Clerk