

City of Woodbury
City Council Meeting Agenda
September 18, 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

Open to the Public for Agenda Items Only

Resolutions

CONSENT AGENDA

RESOLUTION NO. 23-176 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY CANCELLING AND REFUNDING TAXES FOR HOLMES, ANDREW R., A 100% DISABLED VETERAN, BLOCK 151 LOT 10 A.K.A. 731 WASHINGTON AVE

RESOLUTION NO. 23-177 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY CANCELLING AND REFUNDING TAXES FOR ZIRBSER, DENNIS J , A 100% DISABLED VETERAN, BLOCK 174.01 LOT 1 A.K.A. 450 HUNTER ST

RESOLUTION NO. 23-178 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTING THE MAINTENANCE BOND OF A.C. SCHULTES, INC. FOR THE WELL NO. 8 REDEVELOPMENT & PUMP REPAIRS PROJECT

RESOLUTION NO. 23-179 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTING THE MAINTENANCE BOND OF K CONCRETE LLC FOR THE FY2021 CDBG PROJECT – CONSTRUCTION OF 12 ADA-COMPLIANT RAMPS AT VARIOUS LOCATIONS CITY-WIDE

RESOLUTION NO. 23-180 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE IN THE BUDGET OF THE CITY OF WOODBURY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948)

RESOLUTION NO. 23-181 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE BOND OF THE MCDONALD'S CORPORATION REGARDING THE SITE PLAN APPROVAL FOR 444 NORTH BROAD STREET, BLOCK 122, LOT 3.07

RESOLUTION NO. 23-182 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODBURY REJECTING ALL BIDS FOR STEWART LAKE PARK IMPROVEMENT PROJECT –
PLAYGROUND & PAVILION PLAZA

END CONSENT AGENDA

Approval of the Bill and Voucher List

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.

RESOLUTION NO. 23-176

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODBURY CANCELLING AND REFUNDING TAXES FOR HOLMES, ANDREW R.,
A 100% DISABLED VETERAN, BLOCK 151 LOT 10 A.K.A. 731 WASHINGTON AVE**

WHEREAS; HOLMES, ANDREW R, the owner of block 151 lot 10 A.K.A. 731
WASHINGTON AVE 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 AUGUST 8, 2023 on Block 151 Lot 10 A.K.A. 731 WASHINGTON AVE; and

WHEREAS, the Woodbury City Tax Collector has approved the cancellation and refunding of
the 3RD quarter 2023 taxes in the amount of \$2706.61- and cancellation of 4th quarter taxes in
the amount of \$2544.25.

ANDREW R HOLMES

731 WASHINGTON AVE
WOODBURY, NJ 08096

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 September 5, 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 Hartwell				
Councilman Johnson				
Councilwoman Miller				
Councilperson Miller				
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 the meeting held on **September 18, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-177

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
CANCELLING AND REFUNDING TAXES FOR ZIRBSER, DENNIS J , A 100%
DISABLED VETERAN, BLOCK 174.01 LOT 1 A.K.A. 450 HUNTER ST**

WHEREAS; ZIRBSER, DENNIS J, the owner of block 174.01 lot 1 A.K.A. 450 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 AUGUST 23, 2022 on Block 174.01 Lot 1 A.K.A. 450 HUNTER ST ; and

WHEREAS, the Woodbury City Tax Collector has approved the cancellation and refunding of the 1ST quarter 2022 taxes on block 174.01 lot 1 in the amount of \$2597.60 and 2nd quarter 2022 in the amount of \$2597.59.

ZIRBSER, DENNIS J
450 HUNTER ST
WOODBURY, NJ 08096

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 September 18, 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 Hartwell				
Councilman Johnson				
Councilwoman Miller				
Councilperson Miller				
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 the meeting held on **September 18, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-178

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND
ACCEPTING THE MAINTENANCE BOND OF A.C. SCHULTES, INC. FOR THE
WELL NO. 8 REDEVELOPMENT & PUMP REPAIRS PROJECT**

WHEREAS, A.C. Schultes Inc. posted a Performance Guaranty, being Western Surety Company Bond No. 30182016 dated March 13, 2023, for the project known as the Well No. 8 Redevelopment & Pump Repairs Project; and

WHEREAS, Bryson & Yates, City Engineer on the Project, by correspondence dated September 12, 2023, recommends release of the Performance Guaranty contingent upon the posting of a Maintenance Guaranty in a form acceptable to the City Solicitor to be held for a period of two (2) years; and

WHEREAS, A.C. Schultes Inc. has posted Western Surety Company Maintenance Bond No. 30182016 in the amount of \$117,500.00 for a period of two (2) years commencing August 14, 2023; and

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

WHEREAS, Bryson & Yates, City Engineer on the Project, recommends release of the retainer held by the City of Woodbury in the amount of \$2,350.00 to A.C. Schultes. Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Woodbury, County of Gloucester and State of New Jersey on this 18th day of September, 2023, that:

1. The Performance Guaranty being Western Surety Company Bond No. 30182016 posted by A.C. Schultes Inc. for the project known as the Well No. 8 Redevelopment & Pump Repairs Project is hereby released; and
2. The Maintenance Bond being Western Surety Company Bond No. 30182016 posted by A.C. Schultes Inc. for the project known as the Well No. 8 Redevelopment & Pump Repairs Project in the amount of \$117,500.00 is hereby accepted; and
3. The Retainer held by the City of Woodbury in the amount of \$2,350.00, is hereby released to A.C. Schultes Inc.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on September 18, 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				
Councilperson Miller				
Councilwoman Miller				
Councilman Johnson				
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 **September 18, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-179

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND
ACCEPTING THE MAINTENANCE BOND OF K CONCRETE LLC FOR THE FY2021
CDBG PROJECT – CONSTRUCTION OF 12 ADA-COMPLIANT RAMPS
AT VARIOUS LOCATIONS CITY-WIDE**

WHEREAS, K Concrete, LLC posted a Performance Guaranty, being Harco National Insurance Company Bond No. 0825523 dated February 15, 2023, for the project known as the FY2021 CDBG Project – Construction of 12 ADA-Compliant Ramps at Various Locations; and

WHEREAS, Bryson & Yates, City Engineer on the Project, by correspondence dated September 12, 2023, recommends release of the Performance Guaranty contingent upon the posting of a Maintenance Guaranty in a form acceptable to the City Solicitor to be held for a period of two (2) years; and

WHEREAS, K Concrete LLC has posted Harco National Insurance Company Maintenance Bond No. 0825523 in the amount of \$13,992.52 for a period of two (2) years commencing August 25, 2023; and

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

WHEREAS, Bryson & Yates, City Engineer on the Project, recommends release of the retainer held by the City of Woodbury in the amount of \$1,865.67 to K Concrete LLC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Woodbury, County of Gloucester and State of New Jersey on this 18th day of September, 2023, that:

1. The Performance Guaranty being Harco National Insurance Company Performance Bond No. 0825523 posted by K Concrete LLC for the project known as the FY2021 CDBG Project – Construction of 12 ADA-Compliant Ramps at Various Locations is hereby released; and
2. The Maintenance Bond being Harco National Insurance Company Maintenance Bond No. 0825523 posted by K Concrete LLC for the project known as the FY2021 CDBG Project – Construction of 12 ADA-Compliant Ramps at Various Locations in the amount of \$13,992.52 is hereby accepted; and
3. The Retainer held by the City of Woodbury in the amount of \$1,865.67, is hereby released to K Concrete LLC.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on September 18, 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				
Councilwoman Miller				
Councilperson Miller				
Councilman Johnson				
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 **September 18, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-180

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

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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

WHEREAS, the City of Woodbury has received grant funding from the NJ Department of Law & Public Safety, not included in the adopted 2023 budget; and wishes to amend its 2023 budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED that the City of Woodbury, County of Gloucester, hereby requests that the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2023 in the sum below, which item is now available as a revenue from: Special Item of Revenue Anticipated With Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Drive Sober or Get Pulled Over Labor Day	\$ 3,360.00
Safe and Secure Communities Program	\$30,444.68

BE IT FURTHER RESOLVED that the like sums below be and the same are hereby appropriated under the caption of General Appropriations – Operations Excluded from “CAPS”:

Drive Sober or Get Pulled Over Labor Day	\$ 3,360.00
Safe and Secure Communities Program	\$30,444.68

BE IT FURTHER RESOLVED that the Chief Financial Officer forward a copy of this resolution to the Director of Local Government Services.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury held on September 18, 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 Johnson				
Councilwoman Miller				
Councilperson Miller				
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 **September 18, 2023** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
City Clerk

RESOLUTION NO. 23-181

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING RELEASE OF THE PERFORMANCE BOND OF THE MCDONALD'S
CORPORATION REGARDING THE SITE PLAN APPROVAL FOR 444 NORTH
BROAD STREET, BLOCK 122, LOT 3.07**

WHEREAS, McDonald's Corporation posted a Performance Bond, issued by xxxxx National Insurance Company Bond No. 404012497 dated September xx, 2014, for the project known as Woodbury Planning/Zoning Board Site Plan Application #P/Z-8-14 for the McDonald's Restaurant located at 444 North Broad Street; and

WHEREAS, Bryson & Yates, City Engineer on the Project, by correspondence dated September 14, 2023, recommends release of the Performance Bond as requested by McDonald's Corporation since all of the site improvements were completed to the satisfaction of the City Engineer in October 2014; and

WHEREAS, the release is contingent upon the payment of all outstanding escrows, fees and costs due and owing to all City professionals in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Woodbury, County of Gloucester and State of New Jersey on this 18th day of September, 2023, that the Performance Bond issued by xxxx National Insurance Company, Bond No. 404012497 posted by McDonald's Corporation for the project known as Site Plan #P/Z-8-14 for the McDonald's Restaurant located at 444 North Broad Street is hereby released.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on September 18, 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				
Councilwoman Miller				
Councilperson Miller				
Councilman Johnson				
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 **September 18, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-182

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
REJECTING ALL BIDS FOR STEWART LAKE PARK IMPROVEMENT
PROJECT – PLAYGROUND & PAVILION PLAZA**

WHEREAS, the City Engineer went to bid for the Green Acres Stewart Lake Park Improvement Project – Playground & Pavilion Plaza;

WHEREAS, bids were opened on August 29, 2023; and

WHEREAS, two bids were received as follows:

Think Pavers	Total Base Bid = \$704,488.00
Command Co., Inc.	Total Base Bid = \$836,989.00

WHEREAS, the bids substantially exceeded the engineer’s cost estimate; and

WHEREAS, the bids substantially exceed the contracting unit’s appropriation for the goods or services; and

WHEREAS, the City Engineer, by correspondence of September 15, 2023, and City Administrator have recommended rejection of all bids.

NOW, THEREFORE, BE IT RESOLVED that all bids are hereby rejected as substantially exceeding the City Engineer’s estimate and substantially exceeds the contracting unit’s appropriation for the goods or services.

BE IT FURTHER RESOLVED that the City Engineer is hereby authorized to re-advertise this project for bids at a reduced scope of work.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury held on September 18, 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 Johnson				
Councilwoman Miller				
Councilperson Miller				
Council President Fleming				
Mayor Miller				

CERTIFICATION

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Cassidy L. Swanson
City Clerk