

City of Woodbury
City Council Meeting Agenda
October 2, 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

Ordinances

ORDINANCE NO. 2389-23 AN ORDINANCE AMENDING ORDINANCE NO. 2342-21 AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WOODBURY IN GLOUCESTER COUNTY, NEW JERSEY AMENDING CHAPTER 202, ZONING, OF THE CITY CODE TO PERMIT THE OPERATION OF CERTAIN CLASSES OF LEGAL CANNABIS BUSINESSES WITHIN CERTAIN ZONING DISTRICTS OF THE CITY OF WOODBURY

Second Reading

ORDINANCE NO. 2390-23 AN ORDINANCE OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, NEW JERSEY, APPROPRIATING \$300,000 IN FUNDING FOR THE REPAIR AND REPLACEMENT OF VARIOUS WATER AND SANITARY SEWER LINES IN AND FOR THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, NEW JERSEY

Second Reading

ORDINANCE NO. 2391-23 AN ORDINANCE OF THE CITY OF WOODBURY ADOPTING A STANDARD OPERATING PROCEDURE (SOP) FOR THE COMMUNITY USE OF SOCIAL NETWORKING SITES FOR THE CITY OF WOODBURY

Second Reading

ORDINANCE NO. 2392-23 AN ORDINANCE AMENDING CHAPTER 59, ANIMALS, OF THE CODE BOOK OF THE CITY OF WOODBURY

First Reading

ORDINANCE NO. 2393-23 AN ORDINANCE AMENDING CHAPTER 190, VEHICLES AND TRAFFIC, ARTICLE III. LIMITING THE USE OF STREETS TO CERTAIN CLASS OF VEHICLES, SECTION 10, TRUCKS OVER FOUR TONS EXCLUDED OF THE CODE BOOK OF THE CITY OF WOODBURY

First Reading

ORDINANCE NO. 2394-23 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODBURY IN GLOUCESTER COUNTY, NEW JERSEY VACATING CHARLES STREET, AN UNIMPROVED STREET IN THE CITY OF WOODBURY

First Reading

Resolutions

CONSENT AGENDA

RESOLUTION NO. 23-184 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY CANCELLING AND REFUNDING TAXES FOR JOHNSON, PATZY F, A 100% DISABLED VETERAN, BLOCK 97.01 LOT 12 & 13 A.K.A. 28 STUART ST

RESOLUTION NO. 23-185 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY CANCELLING AND REFUNDING TAXES FOR ACEVEDO, JOSE, A 100% DISABLED VETERAN, BLOCK 91.01 LOT 45 A.K.A. 21 WATKINS AVE

RESOLUTION NO. 23-186 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY THE AUTHORIZING REIMBURSEMENT OF A TAX OVERPAYMENT BLOCK 33 LOT 20 565 SALEM AVE MEMAYETAN, MODUPE

RESOLUTION NO. 23-187 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING THE SALE OF PUBLIC PROPERTY ONLINE THROUGH A NEW JERSEY STATE CONTRACT AUCTION SERVICE (GOVDEALS.COM)

RESOLUTION NO. 23-188 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING THE SUBMISSION OF AN AWARD EXTENSION REQUEST FOR LA-2022 MA WOODBURY CITY RESURFACING OF W. CENTRE STREET FROM S. JACKSON ST. TO S. BROAD ST.-08 TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

RESOLUTION NO. 23-189 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CHANGE ORDER FOR THE FY2021 NJDOT LOCAL AID PROJECT – RESURFACING & SAFETY IMPROVEMENTS TO PROGRESS AVE FROM N. BROAD ST. TO WESTERN TERMINUS

RESOLUTION NO. 23-190 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTING THE MAINTENANCE BOND OF COMMAND COMPANY INC. FOR THE FY2022 WING-DICKERSON PARK IMPROVEMENTS PROJECT

RESOLUTION NO. 23-191 RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY AWARDED A CONTRACT TO ARAWAK PAVING COMPANY, INC. FOR THE FY 2023 LOCAL ROADS PROGRAM RESURFACING AND SAFETY IMPROVEMENTS PROJECT N. MAPLE STREET, LAUREL STREET, HOLROYD PLACE, S. GIRARD STREET AND BRIAR HILL LANE

END CONSENT AGENDA

Approval of the Bill and Voucher List

Unfinished Business

New Business

Open to the Public

RESOLUTION NO. 23-192 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS PERTAINING TO 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.

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2389-23

AN ORDINANCE AMENDING ORDINANCE NO. 2342-21 AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WOODBURY IN GLOUCESTER COUNTY, NEW JERSEY AMENDING CHAPTER 202, ZONING, OF THE CITY CODE TO PERMIT THE OPERATION OF CERTAIN CLASSES OF LEGAL CANNABIS BUSINESSES WITHIN CERTAIN ZONING DISTRICTS OF THE CITY OF WOODBURY

WHEREAS, on August 16, 2021, the City Council adopted Ordinance No. 2342-21 entitled “An Ordinance by The City Counsel of the City of Woodbury in Gloucester County, New Jersey Amending Chapter 202, Zoning, of the City Code to Permit the Operation of Certain Classes of Legal Cannabis Businesses Within Certain Zoning Districts of the City of Woodbury”(the “Ordinance”); and

WHEREAS, based on the recent opening of the first recreational cannabis store in the City of Woodbury located at the former Arby’s Restaurant on 642 Mantua Pike, the City wishes to revisit the Ordinance to allow for the use of curbside retail sales at a Cannabis Retail Establishment in accordance with N.J.A.C. § 17:30-14.4.

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

Schedule 1. Ordinance No. 2342-21, Section 2(4)(e) is hereby amended to read as follows:

- (a) A cannabis retailer may conduct curbside retail sales in accordance with this section upon approval of the Cannabis Control Commission (“Commission”);
- (b) Prior to initiating curbside retail sales, the cannabis business shall provide the Commission with, and shall seek approval from the Commission on, standard operating procedures regarding: (1) Taking cannabis item orders, verifying photographic identification, and receiving payment; (2) Logging transactions in the Commission-designated inventory management system, and, as applicable,

the internal inventory management system; and (3) Security needed to accommodate curbside retail sales.

- (c) When a cannabis retailer conducts curbside retail sales: (1) A consumer shall place an order with the cannabis retailer in advance; (2) Usable cannabis and cannabis products shall be labeled in the cannabis retailer's premises prior to retail sale on the exterior of the facility; (3) The cannabis retailer shall provide a consumer with an approximate pick-up time to reduce traffic around the premises; (4) Prior to making a retail sale, cannabis retailer personnel shall conduct an in-person visual verification of the consumer's photographic identification; (5) All transactions shall be appropriately logged in the Commission-designated inventory management system, and as applicable, the internal inventory management system in accordance with N.J.A.C. 17:30-9.7 and 9.13; and (6) All transactions shall be conducted in a secure and monitored manner in accordance with N.J.A.C. 17:30-9.10.
- (d) The cannabis retailer shall notify the municipality in which it is located and local law enforcement that it intends to conduct curbside retail sales.

Section 2. Ordinance No. 2342-21, Section 3(9)(e) is hereby amended to read as follows:

- (a) A cannabis retailer may conduct curbside retail sales in accordance with this section upon approval of the Cannabis Control Commission ("Commission");
- (b) Prior to initiating curbside retail sales, the cannabis business shall provide the Commission with, and shall seek approval from the Commission on, standard operating procedures regarding: (1) Taking cannabis item orders, verifying photographic identification, and receiving payment; (2) Logging transactions in the Commission-designated inventory management system, and, as applicable, the internal inventory management system; and (3) Security needed to accommodate curbside retail sales.
- (c) When a cannabis retailer conducts curbside retail sales: (1) A consumer shall place an order with the cannabis retailer in advance; (2) Usable cannabis and cannabis products shall be labeled in the cannabis retailer's premises prior to retail sale on the exterior of the facility; (3) The cannabis retailer shall provide a consumer with an approximate pick-up time to reduce traffic around the premises; (4) Prior to making a retail sale, cannabis retailer personnel shall conduct an in-person visual verification of the consumer's photographic identification; (5) All transactions shall be appropriately logged in the Commission-designated inventory management system, and as applicable, the internal inventory management system in accordance with N.J.A.C. 17:30-9.7 and 9.13; and (6) All transactions shall be conducted in a secure and monitored manner in accordance with N.J.A.C. 17:30-9.10.

- (d) The cannabis retailer shall notify the municipality in which it is located and local law enforcement that it intends to conduct curbside retail sales.

Section 3. Ordinance No. 2342-21, Section 4(10)(e) is hereby amended to read as follows:

- (a) A cannabis retailer may conduct curbside retail sales in accordance with this section upon approval of the Cannabis Control Commission (“Commission”);
- (b) Prior to initiating curbside retail sales, the cannabis business shall provide the Commission with, and shall seek approval from the Commission on, standard operating procedures regarding: (1) Taking cannabis item orders, verifying photographic identification, and receiving payment; (2) Logging transactions in the Commission-designated inventory management system, and, as applicable, the internal inventory management system; and (3) Security needed to accommodate curbside retail sales.
- (c) When a cannabis retailer conducts curbside retail sales: (1) A consumer shall place an order with the cannabis retailer in advance; (2) Usable cannabis and cannabis products shall be labeled in the cannabis retailer’s premises prior to retail sale on the exterior of the facility; (3) The cannabis retailer shall provide a consumer with an approximate pick-up time to reduce traffic around the premises; (4) Prior to making a retail sale, cannabis retailer personnel shall conduct an in-person visual verification of the consumer’s photographic identification; (5) All transactions shall be appropriately logged in the Commission-designated inventory management system, and as applicable, the internal inventory management system in accordance with N.J.A.C. 17:30-9.7 and 9.13; and (6) All transactions shall be conducted in a secure and monitored manner in accordance with N.J.A.C. 17:30-9.10.
- (d) The cannabis retailer shall notify the municipality in which it is located and local law enforcement that it intends to conduct curbside retail sales.

Section 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

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

ATTEST:

CASSIDY L. SWANSON,
City Clerk

APPROVED:

By: _____
KYLE MILLER,
Mayor

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 OF INTRODUCTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2389-23 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 **August 7, 2023**, at the Gloucester County Ceremonial Courtroom, 1 North Broad Street, Woodbury, New Jersey 08096.

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 OF ADOPTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2389-23 was adopted after a 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 **October 2, 2023**, at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2390-23

AN ORDINANCE OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, NEW JERSEY, APPROPRIATING \$300,000 IN FUNDING FOR THE REPAIR AND REPLACEMENT OF VARIOUS WATER AND SANITARY SEWER LINES IN AND FOR THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, NEW JERSEY

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY ("CITY"), AS FOLLOWS:

Section 1. There is hereby appropriated the sum of \$89,751.22 from the Utility Capital Fund Balance and \$210,248.78 from the Utility Capital Improvement Fund, for a total sum of \$300,000, for the repair and replacement of various water and sanitary sewer lines in and for the City, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.

Section 2. It is hereby determined and stated that the improvement set forth in Section 1 is a general capital improvement and not a current expense.

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the City Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

CITY OF WOODBURY, NEW JERSEY

[SEAL]

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

ATTEST:

CASSIDY L. SWANSON,
City Clerk

APPROVED:

By: _____
KYLE MILLER,
Mayor

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				

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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 OF ADOPTION

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Cassidy L. Swanson,
City Clerk

ORDINANCE NO. 2391-23

AN ORDINANCE OF THE CITY OF WOODBURY ADOPTING A STANDARD OPERATING PROCEDURE (SOP) FOR THE COMMUNITY USE OF SOCIAL NETWORKING SITES FOR THE CITY OF WOODBURY

BE IT ORDAINED, by the Mayor and Council of the City of Woodbury, in the County of Gloucester, and the State of New Jersey, that there is hereby established a new Standard Operating Procedure for Community Use of Social Networking Sites of the City of Woodbury

Section 1. A “Standard Operating Procedure for Community Use of Social Networking Sites of the City of Woodbury” is hereby created for the City of Woodbury to read as follows:

PURPOSE:

This policy establishes guidelines for the establishment and use by the City of Woodbury of social media sites (including, but not limited to, Facebook®, Twitter®, Instagram®, and LinkedIn®) as a means of conveying the City of Woodbury, Woodbury City Police, and Woodbury Fire Department ("Woodbury"), information to its citizens.

The intended purpose behind establishing the City of Woodbury's social media sites is to disseminate information from Woodbury, about Woodbury, to its citizens. The City of Woodbury has an overriding interest and expectation in deciding what is "spoken" on behalf of the Woodbury social media sites.

For purposes of this policy, "social media" is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of social media include Woodbury websites, Facebook®, blogs, MySpace®, RSS, YouTube®, Second Life®, Twitter®, LinkedIn®, Delicious®, Pinterest®, Instagram® and Flickr®. For purposes of this policy, "comments" include information, articles, pictures, videos, or any other form of communicative content posted on a City of Woodbury social media site.

GENERAL POLICY:

1. The establishment and use by any Woodbury department of Woodbury social media sites are subject to approval by the Woodbury Administrator or his/her designees. All City of Woodbury social media sites shall be administered by the Deputy City Administrator, City Clerk, and his/her designees.
2. Woodbury social media sites should make clear that they are maintained by the City of Woodbury and that they follow Woodbury's SOP for community use of social networking sites of the City of Woodbury.
3. Wherever possible, Woodbury social media sites should link back to the official City of Woodbury website for forms, documents, online services, and other information necessary to conduct business with the City of Woodbury.

4. The Deputy City Administrator, City Clerk, and his/her designees will monitor content on the City of Woodbury's social media sites to ensure adherence to both the City's social media policy and the interest and goals of the City of Woodbury.
5. The City of Woodbury reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law. Any content removed based on these guidelines must be retained by the City Clerk for a reasonable period of time, including the time, date, and identity of the poster, when available.
6. These guidelines must be displayed to users or made available by hyperlink.
7. The City of Woodbury will approach the use of social media tools as consistently as possible, enterprise-wide.
8. The City of Woodbury's website, Woodbury.nj.us, will remain the City of Woodbury's primary and predominant internet presence.
9. All Woodbury social media sites shall adhere to applicable federal, state, and local laws, regulations, and policies.
10. Woodbury social media sites are subject to the Open Public Records Act (OPRA).¹ Any content maintained in a social media format that is related to Woodbury business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
11. Employees representing the Woodbury government via Woodbury social media sites must conduct themselves at all times as representatives of Woodbury and in accordance with all Woodbury policies.
12. This standard operating procedure may be revised at any time.
13. Comments on topics or issues not within the jurisdictional purview of the City of Woodbury may be removed.
14. The City of Woodbury does not endorse any links or advertisements that may show up on social media pages.

COMMENT POLICY;

The following guidelines shall constitute the comment policy for any City social networking sites which allow for comment:

1. As a public entity, the City of Woodbury must abide by certain standards to serve all its constituents in a civil and unbiased manner.
2. The City of Woodbury's social media pages are intended to be family-friendly, so please keep your comments clean by following these simple rules. In addition to keeping it family-friendly, we require that you follow our posting guidelines here. Please note that we utilize Facebook's® automatic content filtering feature. All City of Woodbury social media content is subject to monitoring.
3. The intended purpose behind establishing the City of Woodbury's social media sites is to disseminate information from Woodbury, about Woodbury, to its citizens.
4. Comments containing any of the following inappropriate forms of content shall not be permitted on City of Woodbury social media sites and are subject to removal and/or restriction by the Deputy City Administrator, City Clerk, and his/her designees:

- a. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;
 - b. Defamatory or personal attacks;
 - c. Comments not related to the original topic, including random or unintelligible comments; Profane, obscene, violent, or pornographic content and/or language;
 - d. Threats to any person or organization;
 - e. Comments in support of, or opposition to, any political campaigns or ballot measures;
 - f. Solicitation of commerce, including, but not limited to, advertising of any business or product for sale;
 - g. Conduct in violation of any federal, state, or local law;
 - h. Encouragement of illegal activity;
 - i. Information that may tend to compromise the safety or security of the public or public systems; Content that violates a legal ownership interest, such as a copyright, of any party;
 - j. Harassment or content which constitutes and/or facilitates stalking;
 - k. Content which violates the right to privacy;
 - l. Encouragement of violence;
 - m. Repetitive content;
 - n. Comments which may reasonably interfere with, inhibit, or compromise law enforcement investigations, police tactics, police responses to incidents, and/or the safety of police staff and officers;
 - o. Posts or comments that contain any external links.
5. A comment posted by a member of the public on any City of Woodbury social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Woodbury, nor do such comments necessarily reflect the opinions or policies of the City of Woodbury.
 6. The City of Woodbury reserves the right to deny access to City of Woodbury social media sites to any individual or group who violates the City of Woodbury's standard operating procedure for community use of social networking sites of the City of Woodbury at any time and without prior notice.
 7. Comments posted to this page will be monitored, and inappropriate content as defined above will be removed as soon as possible and without prior notice. Please note, comments posted to this page are monitored, and our Facebook® setting will automatically hide a comment if profanity is used within the post.
 8. If you need to contact the Woodbury Police Department, please call its front desk at (856) 881-1500, or if it is an emergency, call 911 and ask for assistance. While comments posted on Woodbury's Facebook® page are monitored, posting a comment is neither the recommended nor best way to contact the City of Woodbury or the Woodbury Police Department.
 9. Departments shall monitor their social media sites for comments requesting responses from Woodbury and for comments in violation of this policy.
 10. When a City of Woodbury employee responds to a comment, in his/her capacity as a City of Woodbury employee, the employee's name and title should be made available,

and the employee shall not share personal information about himself or herself, or other Woodbury employees.

11. All comments posted to any City of Woodbury Facebook® site are bound by Facebook's® Statement of Rights and Responsibilities and Community Standards, located at <http://www.facebook.com/terms.php> and <http://www.facebook.com/communitystandards>, respectively. The City of Woodbury reserves the right to report any violation of Facebook's® Statement of Rights and Responsibilities and/or Community Standards to Facebook® with the intent of Facebook® taking appropriate and reasonable responsive action.
12. By posting or commenting on the City of Woodbury's social media platforms, you agree to our terms of use. You participate by your own choice, taking personal responsibility for your comments, your username, and any information you provide therein.

BE RESPECTFUL.

Always be fair and courteous to fellow citizens. Also, keep in mind that you are more likely to resolve Woodbury municipality complaints by speaking directly with a Woodbury municipal representative than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating; that disparages customers, members, associates, or suppliers; or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile community environment on the basis of race, sex, disability, religion, or any other status protected by law or Woodbury policy. Discriminatory language presents a discriminatory, demeaning, or derogatory portrayal of individuals or groups or contains anything which, in light of generally prevailing community standards, is likely to cause deep or widespread offense. It is also language that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, family status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation.

Section 2. Repealer

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. 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

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

ATTEST:

CASSIDY L. SWANSON,
City Clerk

Approved: _____
KYLE MILLER,
Mayor

Date introduced: _____

Date advertised: _____

Date adopted: _____

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 OF INTRODUCTION

I, Cassidy L. Swanson, hereby certify that the foregoing Ordinance No. 2391-23 was introduced 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 **August 7, 2023**, at the Gloucester County Ceremonial Courtroom, 1 North Broad Street, Woodbury, New Jersey 08096.

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 OF ADOPTION

I, Cassidy L. Swanson, hereby certify that the foregoing Ordinance No. 2391-23 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 **October 2, 2023**, at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2392-23

AN ORDINANCE AMENDING CHAPTER 59, ANIMALS, OF THE CODE BOOK OF THE CITY OF WOODBURY

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Woodbury, County of Gloucester, and State of New Jersey that Chapter 59, Animals, is hereby amended as follows:

Section 1. A new sub-section is hereby created and to be entitled “Number of Permitted Dogs/Cats” and to read as follows:

- A. Number of dogs/cats permitted. A property within the City of Woodbury shall be limited to five (5) total dogs/cats, with the exception of those having a valid commercial kennel license. Apartment complexes shall be exempt from this section, subject to the requirements of such apartment complex.
- B. Grandfather clause. Notwithstanding Sub-section A of this section, an owner who, as of the date of the adoption of this Ordinance, should possess more than five (5) total dogs/cats, shall be permitted to keep and maintain said number of dogs and/or cats as long as all such dogs/cats are properly licensed and altered or sterilized in accordance with the requirements of this article as of that date. An owner shall be entitled to maintain the presently existing number of dogs/cats greater than the number permitted by this article until such dog/cat dies or is otherwise transferred out of the City of Woodbury. When one of the number of dogs/cats in excess of the number permitted by this article shall die or be transferred out of the City of Woodbury, such animal may not be replaced unless and until the number of dogs/cats owned or possessed by said owner is in compliance with this article.

Section 2. **Repealer:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. **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: _____
WILLIAM H. FLEMING, JR.
Council President

ATTEST:

CASSIDY L. SWANSON,
City Clerk

APPROVED:

By: _____
KYLE MILLER,
Mayor

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 OF INTRODUCTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2392-23 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 **October 2, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

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 OF ADOPTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2392-23 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 **October 16, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2393-23

AN ORDINANCE AMENDING CHAPTER 190, VEHICLES AND TRAFFIC, ARTICLE III. LIMITING THE USE OF STREETS TO CERTAIN CLASS OF VEHICLES, SECTION 10, TRUCKS OVER FOUR TONS EXCLUDED OF THE CODE BOOK OF THE CITY OF WOODBURY

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Woodbury, County of Gloucester, and State of New Jersey that Chapter 190, Vehicles and Traffic, Article III, Limiting the Use of Streets to Certain Class of Vehicles, Section 10 – Truck over four tons excluded, be and is hereby amended to read as follows:

Schedule 1. The title of Article III, Chapter 190, Section 10 is hereby re-titled to read as follows:

Chapter 190-10. Trucks over five (5) tons excluded.

Schedule 2. Trucks with a gross weight being determined by the combined weight of the vehicle and load in excess of five tons (10,000 lbs.) are hereby excluded from all local streets or parts of local streets except for the pickup and delivery of materials on such local streets. The penalty for a violation of this section shall be a fine of \$200.00, community service not exceeding 90 days or imprisonment for a term not exceeding 15 days, or any combination thereof.

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: _____
WILLIAM H. FLEMING, JR.
Council President

ATTEST:

CASSIDY L. SWANSON,
City Clerk

APPROVED:

By: _____
KYLE MILLER,
Mayor

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 OF INTRODUCTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2393-23 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 **October 2, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

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 OF ADOPTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2393-23 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 **October 16, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2394-23

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODBURY IN
GLOUCESTER COUNTY, NEW JERSEY VACATING CHARLES STREET, AN
UNIMPROVED STREET IN THE CITY OF WOODBURY**

WHEREAS, the City of Woodbury (the “City”) does possess rights-of-way through all public streets, thoroughfares and sidewalks located within the City; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:61-1 et seq. and N.J.S.A. 40A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the City; and

Whereas, Charles Street is an unimproved street located within the City of Woodbury, County of Gloucester, State of New Jersey; and

WHEREAS, the City desires to vacate the unimproved street.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Woodbury, in the County of Gloucester and State of New Jersey that the City hereby vacates the unimproved Street, Charles Street, as depicted in Exhibit A.

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

ATTEST:

CASSIDY L. SWANSON,
City Clerk

APPROVED:

By: _____
KYLE MILLER,
Mayor

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 OF INTRODUCTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2394-23 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 **October 1, 2023**, at the Gloucester County Ceremonial Courtroom, 1 North Broad Street, Woodbury, New Jersey 08096.

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 OF ADOPTION

I, Cassidy L. Swanson hereby certify that the foregoing Ordinance 2394-23 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 **October 16, 2023**, at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-184

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
CANCELLING AND REFUNDING TAXES FOR JOHNSON, PATZY F, A 100%
DISABLED VETERAN, BLOCK 97.01 LOT 12 & 13 A.K.A. 28 STUART ST**

WHEREAS, JOHNSON, PATZY F, the owner of block 97.01 lot 12 & 13 A.K.A. 28 STUART 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 the cancellation of taxes effective AUGUST 4, 2023 on Block 97.01 Lot 12 & 13 A.K.A. 28 STUART ST; and

WHEREAS, the Woodbury City Tax Collector has approved the cancellation of the 3RD quarter 2023 taxes on block 97.01 lot 12 in the amount of \$1416.59, on block 97.01 lot 13 in the amount of \$208.11 and cancellation of 4th quarter taxes on block 97.01 lot 12 in the amount of \$1331.61, block 97.01 lot 13 in the amount of \$195.62.

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 of the City of Woodbury held on October 2, 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 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 **October 2, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-185

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
CANCELLING AND REFUNDING TAXES FOR ACEVEDO, JOSE, A 100%
DISABLED VETERAN, BLOCK 91.01 LOT 45 A.K.A. 21 WATKINS AVE**

WHEREAS, ACEVEDO, JOSE, the owner of block 91.01 lot 45 A.K.A. 21 WATKINS 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 1, 2023 on Block 91.01 Lot 45 A.K.A. 21 WATKINS AVE; and

WHEREAS, the Woodbury City Tax Collector has approved the cancellation and refunding of the 3RD quarter 2023 taxes in the amount of \$1826.72, and cancellation of 4th quarter taxes on block 91.01 lot 45 in the amount of \$1717.14,

ACEVEDO,JOSE

21 WATKINS 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 of the City of Woodbury held on October 2, 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 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 **October 2, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-186

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY THE
AUTHORIZING REIMBURSEMENT OF A TAX OVERPAYMENT
BLOCK 33 LOT 20 565 SALEM AVE MEMAYETAN, MODUPE**

WHEREAS, MEMAYETAN, MODUPE made an overpayment of \$1780.47- on the 3rd
Qt. 2023 tax; and

WHEREAS, MEMAYETAN, MODUPE asked to have such overpayment refunded to

**MEMAYETAN, MODUPE
565 SALEM AVE
WOODBURY, NJ 08096
For: overpayment of tax**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Woodbury, that the Tax & Utility Collector is hereby authorized to reimburse the overpayment
as stated.

ADOPTED, at a regular meeting of the Mayor and City Council of the City of
Woodbury held on October 2, 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 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 **October 2, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-187

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING THE SALE OF PUBLIC PROPERTY ONLINE THROUGH A NEW
JERSEY STATE CONTRACT AUCTION SERVICE (GOVDEALS.COM)**

WHEREAS, the City of Woodbury has various surplus vehicles and equipment no longer needed for use by the City of Woodbury; and

WHEREAS, *N.J.S.A. 40A:11-36* permits the sale of such vehicles and equipment at public auction; and

WHEREAS, staff is of the opinion that the sale of such vehicles and equipment at public auction through GovDeals.com is likely to produce the best price; and

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

1. The vehicles and equipment listed on the attached Exhibit A may be auctioned off at public auction through New Jersey State Contract Vendor (N.J. State Contract #A-70967) GovDeals.com pursuant to *N.J.S.A. 40A:11-36* and Local Finance Notice 2008-9; and
2. Notice of the date, time and place of the public auction together with a description of the items to be sold and the conditions of sale shall be published as required by law; and
3. Sale shall be held not less than seven (7) nor more than fourteen (14) days after the latest publication of the notice thereof; and
4. The City of Woodbury reserves the right to reject all bids for any specific vehicle and/or equipment or all bids for all vehicles and/or equipment, if it determines such rejection to be in the public interest; and
5. The sale will be conducted online and the address of the auction site is GovDeals.com; and
6. The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property and subject to the conditions as Exhibit A; and
7. The terms and conditions of the agreement entered into with GovDeals, Inc. is available online at GovDeals.com and also available from the Clerk’s Office at the City of Woodbury Municipal Building.

ADOPTED at the regular meeting of the Mayor and City Council of the City of Woodbury held on October 2, 2023.

CITY OF WOODBURY

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 **October 2 2023**, at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
City Clerk

RESOLUTION NO. 23-187

EXHIBIT A

1. **PUBLIC WORKS VEHICLE** 1975 FORD TRACTOR MODEL C1023C VIN C463893
2. **PUBLIC WORKS VEHICLE** 2004 NISSAN VIN 3N1CB 51D94 L9110 42
3. **PUBLIC WORKS** VARIOUS PARTS AND BLADES FOR WOODS BRUSH HOG
4. **PUBLIC WORKS** 3 MEYER SNOW PLOWS

RESOLUTION NO. 23-188

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING THE SUBMISSION OF AN AWARD EXTENSION REQUEST
FOR LA-2022 MA WOODBURY CITY RESURFACING OF W. CENTRE
STREET FROM S. JACKSON ST. TO S. BROAD ST.-08 TO THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Woodbury has been awarded a grant in the amount of \$296,915 from the New Jersey Department of Transportation for the “West Centre Street Resurfacing & Safety Improvements” project (the “Project”); and

WHEREAS, in accordance with the adoption of the recent Municipal Aid regulations on July 29, 2021, whereby municipalities are required to award the Municipal Aid projects within 2 years of grant notification; and

WHEREAS, the City of Woodbury was, therefore, required to award the FY2022 Municipal Aid project for West Centre Street Resurfacing by October 21, 2023; and

WHEREAS, the construction plans have not been finalized for the Bid Phase, and the Bid Opening and Award of the Contract will be scheduled for a date after October 21, 2023.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Woodbury that the Council formally approves the request for a Three (3) month award extension for the Project until January 21, 2024.

BE IT FURTHER RESOLVED that the Mayor and City Clerk, or those authorized on their behalf, are to submit a formal request for a Three (3) month award extension for the Project to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that the Mayor, City Administrator and City Clerk are hereby authorized to sign the Three (3) month award extension request on behalf of the City of Woodbury and that their signature constitutes acceptance of the terms and conditions of the grant agreement.

ADOPTED at the regular meeting of the Mayor and City Council of the City of Woodbury held October 2, 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 **October 2, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-189

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING A CHANGE ORDER FOR THE FY2021 NJDOT LOCAL AID
PROJECT – RESURFACING & SAFETY IMPROVEMENTS TO
PROGRESS AVE FROM N. BROAD ST. TO WESTERN TERMINUS**

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 Lexa Concrete, LLC of Hammonton, New Jersey for the FY2021 NJDOT Local Aid Project – Resurfacing & Safety Improvements to Progress Ave From N. Broad St. to Western Terminus, the “Project”, by Resolution #23-61 for the contract amount of \$297,681.26; and

WHEREAS, the Final Change Order is required to reconcile the actual quantities constructed plus additional costs based on completion of the extra work by the Contractor as directed by the City Engineer on behalf of the City of Woodbury, as set forth in the attached Final Change Order dated September 27, 2023; and

WHEREAS, the final contract price including the Change Order is \$314,028.30 resulting in an overall increase in the original contract price of \$16,347.04, or 5.49%; 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 Final Change Order to the contract with Lexa Concrete, LLC for the FY2021 NJDOT Local Aid Project – Resurfacing & Safety Improvements to Progress Ave from N. Broad St. to Western Terminus.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on October 2, 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 **October 2, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
City Clerk

RESOLUTION NO. 23-190

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND
ACCEPTING THE MAINTENANCE BOND OF
COMMAND COMPANY INC. FOR THE
FY2022 WING-DICKERSON PARK IMPROVEMENTS PROJECT**

WHEREAS, Command Company, Inc. posted a Performance Guaranty, being Hudson Insurance Company Bond No. HICNE-239-0968 dated November 30, 2022, for the project known as the FY2022 Wing-Dickerson Park Improvements Project; and

WHEREAS, Bryson & Yates, City Engineer on the Project, by correspondence dated September 28, 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, Command Company, Inc. has posted Hudson Insurance Company Maintenance Bond No. HICNE-239-0968M in the amount of \$36,458.10 for a period of two (2) years, commencing on July 12, 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 \$4,648.68 to Command Company, 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 2nd day of October, 2023, that:

1. The Performance Guaranty being Hudson Insurance Company Bond HICNE-239-0968 posted by Command Company, Inc. for the project known as the FY2022 Wing-Dickerson Park Improvements Project is hereby released; and
2. The Maintenance Bond being Hudson Insurance Company Bond No. HICNE-239-0968M posted by Command Company, Inc. for the project known as the FY2022 Wing-Dickerson Park Improvements Project in the amount of \$36,458.10 is hereby accepted; and
3. The Retainer held by the City of Woodbury in the amount of \$4,648.68, is hereby released to Command Company, Inc.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on October 2, 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				
Councilman Harwell				
Councilman Johnson				
Councilwoman Miller				
Councilperson Miller				
Council President Fleming				
Mayor Kyle 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 **October 2, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-191

**RESOLUTION OF THE CITY COUNCIL OF THE CITY WOODBURY
AWARDING A CONTRACT TO ARAWAK PAVING COMPANY, INC.
FOR THE FY 2023 LOCAL ROADS PROGRAM
RESURFACING AND SAFETY IMPROVEMENTS PROJECT
N. MAPLE STREET, LAUREL STREET, HOLROYD PLACE,
S. GIRARD STREET AND BRIAR HILL LANE**

WHEREAS, the City Clerk and Engineer received bids on September 27, 2023 for the FY 2023 Local Roads Program – Resurfacing and Safety Improvement Project – N. Maple Street, Laurel Street, Holroyd Place, S. Girard Street and Briar Hill Lane, as set forth below:

<u>Contractor</u>	<u>Base</u>	<u>Alt. 1</u>	<u>Total Amount</u>
Arawak Paving Company, Inc.	\$213,900.00	\$28,900.00	\$242,800.00
Landberg Construction LLC	\$219,212.28	\$35,673.25	\$254,885.53
Think Pavers Hardscaping	\$251,536.00	\$27,617.00	\$279,153.00
Earle Asphalt Company	\$240,313.13	\$40,400.00	\$280,713.13
Paving Plus, LLC	\$251,528.25	\$30,971.85	\$282,500.10
Gerald A. Barrett, LLC	\$291,928.47	\$28,149.85	\$320,078.32

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 the Base Bid plus Construction Management & Inspection Costs plus 10% contingencies for this project; and

WHEREAS, the City Engineer has reviewed the bids received and by correspondence dated September 29, 2023, has recommended award of the Contract to Arawak Paving Company Inc. for the Base Bid Amount of \$213,900.00; and

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

1. The contract is hereby awarded to Arawak Paving Company Inc. for the FY 2023 Local Roads Program – Resurfacing and Safety Improvement Project – N. Maple Street, Laurel Street, Holroyd Place, S. Girard Street and Briar Hill Lane in the Base Bid amount of \$213,900.00.
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 October 2, 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 **October 2, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-192

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING A CLOSED SESSION TO DISCUSS MATTERS PERTAINING 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 with 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 special meeting of the Mayor and City Council of the City of Woodbury on October 2 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 **October 2, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk