

City of Woodbury
City Council Meeting Agenda
December 4, 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. 2392-23 AN ORDINANCE AMENDING CHAPTER 59, ANIMALS, OF THE CODE BOOK OF THE CITY OF WOODBURY

Second Reading

ORDINANCE NO. 2395-23 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODBURY IN GLOUCESTER COUNTY, NEW JERSEY ESTABLISHING PROCEDURES TO ADOPT PERSONNEL PRACTICES AND AUTHORIZING THE MAYOR TO IMPLEMENT SAID PRACTICES WITH ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, AND INDEPENDENT CONTRACTORS OF THE CITY

Second Reading

ORDINANCE NO. 2396-23 AN ORDINANCE AMENDING CHAPTER 67 – CANNABIS LICENSING, REGISTRATION AND BUSINESS REGULATIONS, ARTICLE I – CANNABIS ESTABLISHMENTS, SECTION 3, LICENSING, SUBSECTION (D)(h) OF THE CODE BOOK OF THE CITY OF WOODBURY

Second Reading

ORDINANCE NO. 2397-23 AN ORDINANCE OF THE CITY OF WOODBURY AMENDING CHAPTER 156 “SEWERS” AND CHAPTER 197 “WATER” OF THE CODE OF THE CITY OF WOODBURY

Second Reading

ORDINANCE NO. 2398-23 AN ORDINANCE TO FIX AND ESTABLISH SALARIES AND RATE OF COMPENSATION ON THE VARIOUS OFFICERS AND EMPLOYEES OF THE CITY OF WOODBURY IN THE COUNTY OF GLOUCESTER, AND TO PROVIDE THE MANNER OF PAYMENT THEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith

Second Reading

ORDINANCE NO. 2400-23 AN ORDINANCE AMENDING CHAPTER 106, HOUSING STANDARDS, OF THE CODE BOOK OF THE CITY OF WOODBURY BY ADDING A NEW SECTION TO BE ENTITLED LEAD BASED PAINT HAZARD INSPECTION REQUIREMENTS
First Reading

ORDINANCE NO. 2401-23 AN ORDINANCE AMENDING CHAPTER 106, HOUSING STANDARDS, BY ADDING A NEW ARTICLE TO BE ENTITLED “PROOF OF LIABILITY INSURANCE FOR OWNERS OF RENTAL UNIT(S)” OF THE CODE BOOK OF THE CITY OF WOODBURY
First Reading

Resolutions

CONSENT AGENDA

RESOLUTION NO. 23-219 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION FOR THE FISCAL YEAR 2024 AMERICAN RESCUE PLAN FIREFIGHTER GRANT THROUGH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE WOODBURY FIRE DEPARTMENT

RESOLUTION NO. 23-220 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY APPROVING THE SUBMISSION OF GRANT APPLICATION AND EXECUTION OF GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR THE FY2023 STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (SLCGP)

RESOLUTION NO. 23-221 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY TO REIMBURSE WATER OVERPAYMENT ACCOUNT #34690-0 177 W CENTRE ST LIHWAP

RESOLUTION NO. 23-222 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTING THE MAINTENANCE BOND OF P&A CONSTRUCTION, INC. FOR THE FY2022 WATER MAIN IMPROVEMENTS PROJECT

RESOLUTION NO. 23-223 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTING THE MAINTENANCE BOND OF LEXA CONCRETE, LLC FOR THE FY2021 NJDOT LOCAL AID PROJECT – RESURFACING OF PROGRESS AVENUE

RESOLUTION NO. 23-224 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AWARDING CONTRACT FOR DISPOSAL OF RECYCLABLE MATERIALS

RESOLUTION NO. 23-225 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY APPOINTING A DEPUTY CLERK

RESOLUTION NO. 23-226 AUTHORIZING THE SALE OF PUBLIC PROPERTY ONLINE THROUGH A NEW JERSEY STATE CONTRACT AUCTION SERVICE (GOVDEALS.COM)

RESOLUTION NO. 23-227 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY IMPOSING LIEN FOR PROPERTY MAINTENANCE PURSUANT TO MUNICIPALITY CODE §162-4

RESOLUTION NO. 23-228 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY EXECUTING STATEMENT OF WORK AND MASTER SERVICES AGREEMENT BETWEEN THE CITY OF WOODBURY AND CIVICPLUS

RESOLUTION NO. 23-229 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY AMENDING STATEMENT OF WORK AND MASTER SERVICES AGREEMENT BETWEEN THE CITY OF WOODBURY AND CIVICPLUS

RESOLUTION NO. 23-230 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY ESTABLISHING DATE FOR REORGANIZATION MEETING FOR 2024

RESOLUTION NO. 23-231 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY, IN THE COUNTY OF GLOUCESTER, NEW JERSEY AUTHORIZING AND APPROVING THE ASSIGNMENT OF THAT CERTAIN FINANCIAL AGREEMENT RELATED TO THE WOODBURY MEWS, A LICENSED ASSISTED LIVING FACILITY

END CONSENT AGENDA

Approval of the Bill and Voucher List

Unfinished Business

New Business

Open to the Public

RESOLUTION NO. 23-232 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 AND THE PURCHASE, LEASE ACQUISITION OF REAL PROPERTY OR INVESTMENT OF PUBLIC FUNDS 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. 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. Chapter 59-1, Definitions, is hereby amended by adding the following words:

Commercial kennel means an establishment for the treatment, care, boarding or training of dogs or cats for a fee or a place where dogs or cats are bred for resale or for a fee, and where the business is the primary course of income; and where such establishment has been currently inspected and approved for use by the Gloucester County Health Department, any other applicable state agencies and is a use that is permitted at the property location.

Dog of licensing age means any dog which has attained the age of seven months or which possesses a set of permanent teeth.

Section 2. Chapter 59 is hereby amended by adding 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 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.
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 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 **November 20, 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 **December 4, 2023**, at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

ORDINANCE NO. 2395-23

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODBURY IN
GLOUCESTER COUNTY, NEW JERSEY ESTABLISHING PROCEDURES TO
ADOPT PERSONNEL PRACTICES AND AUTHORIZING THE ADMINISTRATOR
TO IMPLEMENT SAID PRACTICES WITH ALL OFFICIALS, APPOINTEES,
EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, AND
INDEPENDENT CONTRACTORS OF THE CITY**

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

Section 1. The City of Woodbury (the “City”) shall by ordinance establish titles for public employment by the City and salary ranges for City employees. Said titles shall conform to the New Jersey Civil Service Act and regulations promulgated by the New Jersey State Department of Personnel.

Section 2. The City shall by resolution adopt and amend from time to time personnel policies and procedures including rules concerning the hiring and termination of employees, terms and conditions of employment, and regulations required to comply with applicable Federal and State employment related law. The personnel policies and procedures adopted pursuant to said resolution(s) shall be applicable to all officials, appointees, employees, prospective employees, volunteers and independent contractors of the City.

Section 3. The Administrator shall be responsible for implementing and enforcing the personnel practices adopted by ordinance or resolution authorized pursuant to this section. If there is a conflict between said personnel practices and any duly adopted and lawful collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, the practices adopted pursuant to this ordinance shall prevail.

Section 5. This ordinance shall take effect immediately upon 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 2395-23 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 **November 20, 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				
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Councilwoman Miller				
Councilperson Miller				
Council President Fleming				
Mayor Miller				

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Cassidy L. Swanson,
City Clerk

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2396-23

**AN ORDINANCE AMENDING CHAPTER 67 – CANNABIS LICENSING,
REGISTRATION AND BUSINESS REGULATIONS, ARTICLE I – CANNABIS
ESTABLISHMENTS, SECTION 3, LICENSING, SUBSECTION (D)(h) OF THE CODE
BOOK OF THE CITY OF WOODBURY**

WHEREAS, Chapter 67 was adopted at a time when the State regulatory system through the Cannabis Regulatory Commission was still in the early stages of implementation; and

WHEREAS, such an application and approval process had never been done in the State; and

WHEREAS, the City Council adopted Chapter 67 based upon reasonable projections of the time required to get a license and open a cannabis business; and

WHEREAS, the City Council recognizes that the time needed to get a State issued license and open a cannabis business may take longer than 18 months; and

WHEREAS, the City Council has agreed to an additional six-month extension beyond the initial six month extensions to obtain a license and open a cannabis business.

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 67 – Cannabis Licensing, Registration and Business Regulations, be and is hereby amended to read as follows:

Schedule 1. Chapter 67, Section 3(D)(h) is hereby to read as follows:

(h) Notwithstanding the foregoing competitive application process, a notification of award and conditional municipal license shall entitle the recipient applicant to pursue a State permit or license in the appropriate classification for up to 12 months, which may be extended in the City's discretion for up to two (2) additional six (6) months for good cause shown. No license to

operate shall issue until the applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award and conditional license has not received a State permit or license within 12 months from issuance, unless extended for good cause shown, the award and conditional license shall be void.

Schedule 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

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				
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Council President Fleming				
Mayor Miller				

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Cassidy L. Swanson
City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter				
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Mayor Miller				

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Cassidy L. Swanson
City Clerk

ORDINANCE NO. 2397 -23

**AN ORDINANCE OF THE CITY OF WOODBURY AMENDING
CHAPTER 156 “SEWERS” AND CHAPTER 197 “WATER”
OF THE CODE OF THE CITY OF WOODBURY**

WHEREAS, the Mayor and Council of the City of Woodbury have determined that certain amendments to Chapter 156 entitled “**Sewers**” and Chapter 197 entitled “**Water**” are necessary; and

WHEREAS, in all other respects Chapter 156 entitled “**Sewers**” and Chapter 197 entitled “**Water**” shall remain in full force and effect.

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, and it is hereby enacted and ordained by the authority of same as follows:

1. Chapter 156-1 of the Code of the City of Woodbury, “Rents and fees prescribed” is hereby amended and shall henceforth read in its entirety as follows:

§156-1. Rents and fees prescribed.

All persons whose houses, buildings or properties are connected with or which may be connected to the sanitary sewer system of the City shall pay the rents and fees prescribed as follows:

A. Minimum annual charge:

- (1) The following charges shall be made for sewer service for each unit connected with the sewer and receiving water service, payable quarterly on January 15, April 15, July 15 and October 15 of each year.

Type of User	Minimum Annual Charge
Each single-family user	\$ 737
Structures with apartments or stores, each apartment or store	\$ 737
Service stations and garages	\$1,474
Small businesses	\$ 737
Churches	\$ 737

- (2) For other types of users, the following schedule of charges is to be used, payable quarterly on January 15, April 15, July 15 and October 15, except that services having a water meter larger than one inch shall be billed per billing period.

- a. The charge for hotels, motels, boardinghouses, private dwellings with rented rooms, public buildings, self-service laundries, car washes, restaurants, public and private schools, diners, taverns, bars, hospitals, nursing homes, bowling alleys, theaters, shopping centers, large business establishments or plants and other commercial and industrial establishments not herein specifically mentioned shall be based upon metered water consumption. Such billing shall be based

upon the unit charge of \$184.25 for each 25,000 gallons of water or fraction thereof used per quarter.

- b. The rate for industrial users shall be established by resolution of the City Council, which rate shall be based on quantity and concentration of sewage other than that of domestic sewage and cost to the City of Woodbury for particular treatment process as well as the nature of the industry.

- (3) Notwithstanding anything to the contrary in this section, the minimum service charge to be paid with respect to any type of property or business shall be \$737 per annum.

B. Special rates. In any special case not contemplated in the schedule of rates set out in this section or not clearly defined herein, the City Council is hereby authorized to establish special rates or rentals under such schedules or formulas as the City Council may deem necessary and to make, execute and deliver such contracts or agreements with such special consumers as the circumstances may require.

C. Drainage water permits. No person, firm or corporation, either owner, user or tenant of any land and premises, shall cause to be drained or allow to flow or to be deposited into any part of the sewer system storm, roof or surface water or drainage of groundwater; provided, however, that upon proper application, a special permit, entitled "drainage water permit," shall be issued for an annual fee of \$179.30.

- 2. Chapter 197-23 of the Code of the City of Woodbury, "Minimum charges for metered service" is hereby amended and shall henceforth read in its entirety as follows:

All persons whose houses, buildings or properties are connected with or may be connected to the water system of the City shall pay the rates and fees prescribed as follows:

- A. There shall be a minimum charge for all water passing through meters installed pursuant to the provisions of this chapter, which shall be based upon the following schedule, such charges to be billed quarterly.

Size of Meter (inches)	Water Allowed (gallons)	Minimum Rate
5/8	Up to 5,000	\$42.90
3/4	Up to 5,000	\$42.90
1	Up to 5,000	\$42.90

- B. In addition to the foregoing minimum charge, there shall be an additional minimum charge for each connected service furnishing water to apartments, multiple-family dwellings, stores or any dual or multiple occupancy, in the sum of \$42.90 for each such unit in excess of one. Wherever such additional minimum charge is enforced, an additional 5,000 gallons of water will be allowed for each additional \$42.90 of minimum charge billed.

- C. Wherever there exists a sprinkler system designed to afford protection against destruction of property by fire, the following rates shall be charged quarterly:

Size of Service (inches)	Charge
4	\$102.85
6	\$205.70

- D. The foregoing minimum rates shall be charged whenever an established service exists even though there shall be no actual consumption of water through such service.

3. Chapter 197-24 of the Code of the City of Woodbury, "Additional charges based on water consumption" is hereby amended and shall henceforth read in its entirety as follows:

- A. In addition to the minimum charges enumerated in the preceding section, for all water drawn above the minimum used there shall be charged per billing period the following rates:

Gallons per quarter	Charge per 1,000 gallons
First 10,000 of excess	\$5.71
Next 10,000 of excess	\$6.86
All additional excess	\$9.11

- B. In special cases not contemplated in this schedule of rates or not clearly defined therein, the City Council is hereby authorized to establish special rates or rentals under such schedules or formulas as the City Council may deem necessary to keep and maintain the Public Works Department on a self-liquidating basis, and to make, execute and deliver such contracts with such special consumers as the circumstances may require; provided, however, that the City Council reserves the right to amend, alter or change this section by resolution from time to time as circumstances may require.

- C. Excess usage of the Woodbury Board of Education shall be billed at the City of Woodbury's first-tier excess use rate, i.e., the rate charged for the first 10,000 gallons of excess water usage as set forth in § 197-24A.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with 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				
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Council President Fleming				
Mayor Miller				

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Cassidy L. Swanson
City Clerk

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

ORDINANCE NO. 2398 -23

**AN ORDINANCE TO FIX AND ESTABLISH SALARIES AND RATE OF
COMPENSATION ON THE VARIOUS OFFICERS AND EMPLOYEES OF THE CITY
OF WOODBURY IN THE COUNTY OF GLOUCESTER, AND TO PROVIDE THE
MANNER OF PAYMENT THEREOF AND REPEALING ALL ORDINANCES OR
PARTS OF ORDINANCES INCONSISTENT HEREWITH**

BE IT ORDAINED by the Mayor and City Council of the City of Woodbury, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. The payment of all salaries and compensation required to be made under the provisions of this ordinance shall be on an annual, bi-weekly, quarterly or hourly pays-per-year basis commencing with the first pay period of January 2023 or as otherwise noted below.

SECTION 2. The salary of the following officers and employees' classifications shall be:

SECTION 2A. ANNUAL SALARY (Paid in 26 Bi-Weekly Pays in 2023)

1	Administrator		\$120,000.00 - \$140,000.00
2	Deputy Administrator		\$100,000.00 - \$120,000.00
3	JIF Safety Coordinator		\$8,300.00 - \$9,500.00
4	Deputy Emergency Management Coordinator		\$5,000.00 - \$7,300.00

SECTION 2B. ANNUAL SALARY (Paid Quarterly)

1	Mayor		\$3,700.00 - \$4,500.00
2	President of City Council		\$3,100.00 - \$3,900.00
3	Councilpersons		\$2,700.00 - \$3,500.00

SECTION 2C. HOURLY

1	Annual Dog Clinic Workers	for day	\$80.00 - \$100.00
2	Election Day City Hall Workers	per shift	\$80.00 - \$100.00
3	Police Cadet		NJ Minimum Wage - \$18.00
4	Police Special Officers	SLEO I	NJ Minimum Wage - \$19.00
5	Police Special Officers	SLEO II	\$16.00 - \$20.00
6	Police Special Officers	SLEO III	\$31.00 - \$38.00
7	Senior Special Law Enforcement Officer II		\$31.00 - \$38.00
8	Police Maintenance Person		\$23.00 - \$27.00
9	Crossing Guards		NJ Minimum Wage - \$18.00
10	Part-time Fire Fighter		\$17.00 - \$20.00
11	Intern		NJ Minimum Wage - \$18.00

SECTION 3. The City recognizes the following unions, whose member employees' salaries and hourly rates are stated in their respective collective bargaining agreements - PBA Local 122, IAFF Local 3592, and UFCW Local 360. In addition to the annual salary, certain members of the Police Department and Fire Department shall be paid for legal holidays in accordance with contractual agreements. Payment shall be made on or before December 1, 2023 or as specified in contractual agreements.

Administrative and Clerical

1	Assistant Municipal Finance Officer		*Contract
2	Water & Sewer Meter Coordinator & Assistant Billing Clerk		*Contract
3	Administrative Secretary & Board of Health Secretary		*Contract
4	Police Clerk		*Contract
5	Police Administrative Assistant		*Contract
6	Housing Official & Code Enforcement Officer		*Contract
7	Tax & Utility Clerk		*Contract
8	City Hall Administrative Assistant		*Contract

Public Works Department

1	Driver / Laborer		*Contract
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Police Department

1	Chief of Police		*Contract
2	Captain		*Contract
3	Lieutenant		*Contract
4	Sergeant		*Contract
5	Corporal		*Contract
6	Detective		*Contract
7	Patrol Officer		*Contract

Fire Department

1	Fire Official		*Contract
2	Full-time Fire Fighter		*Contract

Supervisory Administrative

1	Chief Financial Officer		*Contract
2	City Clerk/Deputy Registrar		*Contract
3	Deputy Clerk/Registrar		*Contract
4	Tax and Utility Collector		*Contract
5	Senior Housing Inspector		*Contract
6	Public Works Manager		*Contract
7	Public Works Operations Stormwater Coordinator		*Contract
8	Public Works Operations Manager/Safety Coordinator		*Contract

SECTION 4. The following shall be paid in accordance with contractual agreements - shift differential, shift leader pay, on-call pay and clothing maintenance allowance.

SECTION 5. The use of private automobiles, where authorized on City business, shall be compensated on the basis as allowed by the Internal Revenue Service. Payment will be made by voucher upon proper certification of use by the employee.

SECTION 6. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect upon final passage and publication as required by law. If any section, paragraph, subdivision, clause or provision of the ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

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 2398-23 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 **November 20, 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 2398-23 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 **December 4, 2023**, at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2400-23

**AN ORDINANCE AMENDING CHAPTER 106, HOUSING STANDARDS, OF THE
CODE BOOK OF THE CITY OF WOODBURY BY ADDING A NEW SECTION TO BE
ENTITLED LEAD BASED PAINT HAZARD INSPECTION REQUIREMENTS**

WHEREAS, the City of Woodbury maintains registration and maintenance requirements for residential rental housing within the City; and

WHEREAS, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every single-family, two-family, and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards; and

WHEREAS, it is in the best interests of the residents of the City of Woodbury to amend the City Code at this time to require inspections for lead-based paint in residential rental dwellings to conform with this new State law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodbury, County of Gloucester and State of New Jersey that Chapter 106, Housing Standards, be amended as follows:

Section 1. Chapter 106 is hereby amended by adding a new Section to read as follows:

§ _____ Lead-based paint hazard inspection frequency requirements; single-family, two-family, and multiple rental dwellings

1. This ordinance is adopted pursuant to N.J.S.A. 52:27D-437.16.
2. The following is required in regard to lead-based paint hazard inspections for single-family, two-family and multiple rental dwellings:
 - a. The Housing Officer shall inspect every single-family, two-family, and multiple rental dwelling located within the City at tenant turnover for lead-based paint hazards or by July 22, 2024 , whichever is earlier. Thereafter, all such units shall be inspected for lead-based paint hazards the earlier of every three years or upon tenant turnover, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification pursuant to this section.
 - b. The City shall charge the dwelling owner or landlord a fee sufficient to cover the cost of the inspection as may be set from time to time by the City.

- i. The fee for inspection shall be \$20 in addition to the fee imposed by the State and set forth in §7 herein.
 - c. A rental dwelling owner or landlord may directly hire a lead evaluation contractor who is certified by the New Jersey Department of Health to provide lead paint inspection services to satisfy the requirements of paragraph (1) of this subsection.
 - d. The Housing Officer or lead evaluation contractor with the duty to inspect single-family, two-family, and multiple dwellings pursuant to this section may consult with the Local Health Board, the Department of Health, or the Department of Community Affairs concerning the criteria for the inspection and identification of areas and conditions involving high risk of lead poisoning in dwellings, methods of detection of lead in dwellings, and standards for repair of dwellings containing lead paint.
 - e. Fees established pursuant to this subsection shall be dedicated to meeting the costs of implementing and enforcing this subsection and shall not be used for any other purpose.
3. Notwithstanding subsection b. of this section to the contrary, a dwelling unit in a single-family, two-family, or multiple dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:
- a. has been certified to be free of lead based paint;
 - b. was constructed during or after 1978;
 - c. is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the “Hotel and Multiple Dwelling Law,” N.J.S.A. 55:13A-1.
 - d. Is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals; or
 - e. Has a valid lead-safe certification issued in accordance with this section.
4. Remediation; Certification.
- a. In the event a lead evaluation contractor or Housing Officer finds that lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to this section, then the owner of the dwelling unit shall remediate the lead-based paint hazard by using abatement or lead-based paint hazard control methods, approved in accordance with the provisions of the Lead Hazard Evaluation and Abatement Code N.J.A.C. 74:17-6.3 et al. Upon the remediation of the lead-based paint hazard, the lead evaluation contractor or permanent local agency shall conduct an additional inspection of the unit to verify that the hazard no longer exists.

- b. In the event a lead evaluation contractor or Housing Officer finds that no lead-based paint hazards exist in a dwelling unit upon conducting an inspection pursuant to this section or following remediation of a lead-based paint hazard pursuant to paragraph (a) of this subsection, then the lead evaluation contractor or Housing Officer shall certify the dwelling unit as lead-safe on a form prescribed by the Department of Community Affairs as provided for in regulations or guidance promulgated pursuant to section 8 of N.J.S.A. 52:27D-437.20. The lead-safe certification provided to the property owner pursuant to this paragraph shall be valid for two years.
5. In the event a lead evaluation contractor or Housing Officer finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to this section, notification shall be made to the Commissioner of Community Affairs, in accordance with section 8 of the "Lead Hazard Control Assistance Act" N.J.S.A. 52:27D-437.8.
6. Beginning upon the adoption date of this Ordinance, Property owners shall notify the Housing Officer of all tenant turnovers.
7. In addition to the fees permitted to be charged for inspection of rental housing pursuant to this section, each unit owner shall be charged an additional fee of \$20 per unit inspected by a certified lead evaluation contractor or permanent local agency for the purposes of the "Lead Hazard Control Assistance Act," N.J.S.A. 52:27D-437.1 et al. concerning lead hazard control work, unless the unit owner demonstrated that the Department of Community Affairs has already assessed an additional inspection fee of \$20 pursuant to the provision of section 10 of N.J.S.A. 52:27D-437.10. In a common interest community, any inspection fee charged pursuant to this subsection shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit. The fees collected pursuant to this subsection shall be deposited in the "Lead Hazard Control Assistance Fund" established pursuant to section 4 of the N.J.S.A. 52:27D-437.4.
7. A rental owner that has failed to comply with the requirements for inspection and/or remediation and abatement after 30 days written notice to cure shall be subject to a penalty not to exceed \$1,000.00 per week until the required inspection has been conducted or remediation efforts have been initiated.

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 2400-32 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 **December 4, 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 2400-23 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 **December 18, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

CITY OF WOODBURY, NEW JERSEY

ORDINANCE NO. 2401-23

AN ORDINANCE AMENDING CHAPTER 106, HOUSING STANDARDS, BY ADDING A NEW ARTICLE TO BE ENTITLED “PROOF OF LIABILITY INSURANCE FOR OWNERS OF RENTAL UNIT(S)” OF THE CODE BOOK OF THE CITY OF WOODBURY

WHEREAS, the City of Woodbury maintains registration and maintenance requirement for residential rental housing within the City pursuant to Chapter 106 of the Code Book; and

WHEREAS, pursuant to P.L. 2022, Chapter 92, owners of a rental unit or units, and owners of a multi-family homes of four or fewer units, one of which is owner occupied, shall maintain liability insurance and shall annually register the Certificate of Insurance demonstrating compliance with Section 2 of P.L. 2022, Chapter 92, with the municipality in which the rental units, or multi-family home is located.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodbury, County of Gloucester and State of New Jersey that Chapter 106, Housing Standards, be amended by adding a new article to be entitled “Proof of Liability Insurance for Owners of Rental Unit(s)” to read as follows:

Section 1.

- a. The owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of not less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
- b. The owner of multi-family home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

Section 2.

- a. The owner of a rental unit or units, and the owner of a multi-family home of four or fewer units, one of which is owner occupied, shall annually register the Certificate of Insurance demonstrating compliance with section 1 of this Article with the municipality in which the rental units or multi-family home is located.

Section 3.

- a. The City may enforce the registration provisions of this Article through a summary proceeding pursuant to the “Penalty Enforcement Law of 1999,” P.L. 1999, c. 274

(C.2A:58-10 et seq.), and may collect a fine of not less than \$500 but not more than \$5,000 against an owner who failed to comply with the provisions of this act.

Section 4. Repealer: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 5. 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 2401-32 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 **December 4, 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 2401-23 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 **December 18, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-219

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORISING APPROVAL TO SUBMIT A GRANT APPLICATION FOR THE
FISCAL YEAR 2024 AMERICAN RESCUE PLAN FIREFIGHTER GRANT THROUGH
THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE
WOODBURY FIRE DEPARTMENT**

WHEREAS, the Woodbury Fire Department desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for an amount not to exceed \$75,000 to carry out a project to purchase Turnout Gear and ensure that its firefighters are properly protected;

BE IT THEREFORE RESOLVED,

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

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

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-220

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
APPROVING THE SUBMISSION OF GRANT APPLICATION AND EXECUTION OF
GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY
FOR THE FY2023 STATE AND LOCAL CYBERSECURITY
GRANT PROGRAM (SLCGP)**

WHEREAS, the U.S. Department of Homeland Security and NJ Office of Homeland Security and Preparedness (NJOHSP) is offering a program known as the State and Local Cybersecurity Grant Program (SLCGP); and

WHEREAS, the SLCGP Program aims to improve cybersecurity in state and local governments; and

WHEREAS, the City of Woodbury carefully considers grant programs that assist the City in achieving projects and programs for the safety of the community; and

WHEREAS, actions taken through this Program will result in greater cybersecurity; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Woodbury, County of Gloucester, State of New Jersey, authorizes the submission of the FY2023 State and Local Cybersecurity Grant Program and execution of the grant agreement.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-221

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY TO
REIMBURSE WATER OVERPAYMENT ACCOUNT #34690-0 177 W CENTRE ST
LIHWAP**

WHEREAS, LIHWAP made an overpayment in the amount of \$1017.84- for account #34690-0 177 W CENTRE ST and the resident that qualified for this low income housing water assistance program no longer lives at this property which has a zero balance; and

WHEREAS, the LIHWAP representative Fidel Eklelar asked to have such overpayment refunded.

**TREASURER, STATE OF NJ
ATTN: FIDEL EKHELAR
101 S BROAD ST, 5TH FLOOR
P. O. 811 TRENTON, NJ 08625-0806
FOR FUNDS RETURNED**

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 December 4, 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 **December 4, 2023** at City Hall 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-222

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND
ACCEPTING THE MAINTENANCE BOND OF
P&A CONSTRUCTION, INC. FOR THE
FY2022 WATER MAIN IMPROVEMENTS PROJECT**

WHEREAS, P&A Construction, Inc. posted a Performance Guaranty, being Great American Insurance Company Bond No. 4621215 dated March 16, 2023, for the project known as the FY2022 Water Main Improvements Project; and

WHEREAS, Bryson & Yates, City Engineer on the Project, by correspondence dated December 1, 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 one (1) year; and

WHEREAS, P&A Construction, Inc. posted a Maintenance Guaranty, being Great American Insurance Company Bond No. 4621215 in the amount of \$518,158.96 for a period of one (1) year, commencing on July 19, 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 \$9,983.02 to P&A Construction, 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 4th day of December 2023, that:

1. The Performance Guaranty being Great American Insurance Company Bond No. 4621215 posted by P&A Construction, Inc. for the project known as the FY2022 Water Main Improvements Project is hereby released; and
2. The Maintenance Bond being Great American Insurance Company Bond No. 4621215 posted by P&A Construction, Inc. for the project known as the FY2022 Water Main Improvements Project in the amount of \$518,158.96 is hereby accepted; and
3. The Retainer held by the City of Woodbury in the amount of \$9,983.02, is hereby released to P&A Construction, Inc.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-223

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND
ACCEPTING THE MAINTENANCE BOND OF
LEXA CONCRETE, LLC FOR THE FY2021 NJDOT LOCAL AID PROJECT –
RESURFACING OF PROGRESS AVENUE**

WHEREAS, Lexa Concrete, LLC posted a Performance Guaranty, being Ohio Casualty Insurance Company Bond No. 68C219646 dated February 1, 2023, for the project known as the FY2021 NJDOT Local Aid Project – Resurfacing of Progress Ave; and

WHEREAS, Bryson & Yates, City Engineer on the Project, by correspondence dated December 1, 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, Lexa Concrete, LLC posted a Maintenance Bond, being Ohio Casualty Insurance Company Bond No. 68C219646 in the amount of \$47,104.25 for a period of two (2) years, commencing on September 13, 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 \$6,280.57 to Lexa 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 4th day of December, 2023, that:

1. The Performance Guaranty, being Ohio Casualty Insurance Company Bond No. 68C219646 posted by Lexa Concrete, LLC for the project known as the FY2021 NJDOT Local Aid Project – Resurfacing of Progress Ave is hereby released; and
2. The Maintenance Bond being Ohio Casualty Insurance Company Bond No. 68C219646 posted by Lexa Concrete, LLC for the project known as the FY2021 NJDOT Local Aid Project – Resurfacing of Progress Ave in the amount of \$47,104.25 is hereby accepted; and
3. The Retainer held by the City of Woodbury in the amount of \$6,280.57, is hereby released to Lexa Concrete, LLC

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-224

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AWARDING CONTRACT FOR DISPOSAL OF RECYCLABLE MATERIALS**

WHEREAS, the City of Woodbury is in need of a vendor to dispose of recyclable materials; and

WHEREAS, the Qualified Purchasing Agent and Director of Public Works have recommended that the Mayor and City Council authorize an award a contract for the disposal of recyclable materials to OMNI Recycling, LLC under N.J. S.A. 40A:11-5(1)(s); and

WHEREAS, the Qualified Purchasing Agent and Director of Public Works have recommended the attached Contract for approval.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Woodbury that the Mayor and/or Administrator are hereby authorized to execute the attached contract with Omni Recycling, LLC for the disposal of recyclable materials.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-225

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
APPOINTING A DEPUTY CLERK**

WHEREAS, there is a need to appoint a Deputy Clerk for the City of Woodbury, to assume the roles of the City Clerk in the event that the City Clerk is not available; and

WHEREAS, Nicole Root is qualified for the position of Deputy Clerk.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Woodbury, County of Gloucester, State of New Jersey, that Nicole Root be and is hereby appointed Deputy Clerk of the City of Woodbury effective nunc pro tunc November 6, 2023.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-226

**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 December 4, 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 **December 4, 2023**, at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson
City Clerk

RESOLUTION NO. 23-226

EXHIBIT A

PUBLIC WORKS VEHICLE 2004 NISSAN SENTRA VIN 3N1CB51D34L910615

RESOLUTION NO. 23-227

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
IMPOSING LIEN FOR PROPERTY MAINTENANCE PURSUANT TO
MUNICIPALITY CODE §162-4**

WHEREAS, the property owner(s) on the attached exhibit failed to maintain to their properties as required by the Code of the City of Woodbury; and

WHEREAS, following written (10) days notices, the property owners failed to alleviate the maintenance issues; and

WHEREAS, the City of Woodbury, was forced to utilize City labor, equipment and supplies and performed the required maintenance on the property; and

WHEREAS, pursuant to Woodbury Municipal Code, §162-4 the City Official in charge of performing such services has certified to City Council the cost of performing such maintenance as set forth in the attached exhibit; and

WHEREAS, the City Council has examined the certificates and found same correct.

NOW, THEREFORE, BE IT RESOLVED that the sums set forth on the attached exhibit shall forthwith be charged as liens upon the property as set forth on the attached exhibit and shall be added to and become and form part of the taxes next to be assessed and levied upon such dwellings and lands and shall bear interest at the same rates as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

ADOPTED, at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at the Gloucester County Ceremonial Courtroom, 1 North Broad Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-227

EXHIBIT A

CITY OF WOODURY							
BOARD UP & CLEAN UP/PROPERTY LIENS							ALTERNATE
BLOCK	LOT	ADDRESS	OWNER NAME	TOTAL	BILLED ORIGINALLY		ADDRESS AVAILABLE
96	1	32 MANOR LANE	WOODBURY APARTSMENTS	198.70	11/13/2023	GRASS PROPERTY CLEANUP	DISPLACED TENANT HOTEL CHARGE

RESOLUTION NO. 23-228

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AUTHORIZING EXECUTION OF STATEMENT OF WORK AND MASTER
SERVICES AGREEMENT BETWEEN THE CITY OF WOODBURY AND
CIVICPLUS**

WHEREAS, the City of Woodbury wishes to enter into a Master Service Agreement for Agenda and Minutes Management services; and

WHEREAS, the City received a proposal dated November 20, 2023 from CivicPlus at a cost of \$ 9,903.61 for an initial one (1) year term and an additional \$9,032.10 for each additional year, which is attached hereto and incorporated herein; and

WHEREAS, the initial term of the Contract shall be for one (1) year at a cost of \$ 9,903.61, effective upon signing, which shall be automatically renewed at a cost of \$9,032.10 unless terminated by either party as set forth in the attached agreement; and

WHEREAS, a Certification has been issued by the Chief Financial Officer of the City of Woodbury certifying that sufficient funds have been appropriated and are available to cover this contract and the original of said Certification is attached to the original of this Resolution and shall be kept on file at the City Municipal Building.

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

1. That the governing body does hereby approve and authorize the execution of the attached Master Services Agreement between the City of Woodbury and CivicPlus for Agenda and Minutes Management services (1) year at at

a cost of \$ 9,903.61, effective upon signing, which shall be automatically renewed at a cost of \$9,032.10 unless terminated by either party as set forth in the attached agreement.

2. That the City Administrator is hereby authorized to execute said Master Service Agreement on behalf of the City of Woodbury.

ADOPTED, at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at the Gloucester County Ceremonial Courtroom, 1 North Broad Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-229

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
AMENDING STATEMENT OF WORK AND MASTER SERVICES
AGREEMENT BETWEEN THE CITY OF WOODBURY AND CIVICPLUS**

WHEREAS, the City of Woodbury entered into a Master Service Agreement for website redesign and hosting services with CivicPlus via Resolution No. 22-195; and

WHEREAS, the City of Woodbury wishes to amend the Statement of Work and Master Service Agreement for website redesign and hosting services to include CivicPlus Chatbot Subscription and Virtual Webmaster; and

WHEREAS, the inclusion of the CivicPlus Chatbot Subscription shall be for one (1) year at a cost of \$ 3,375, effective upon signing; and

WHEREAS, the inclusion of a Virtual Webmaster shall be for one (1) year at a cost of \$ 2,750, effective upon signing; and

WHEREAS, a Certification has been issued by the Chief Financial Officer of the City of Woodbury certifying that sufficient funds have been appropriated and are available to cover this contract and the original of said Certification is attached to the original of this Resolution and shall be kept on file at the City Municipal Building.

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

1. That the governing body does hereby approve and authorize the execution of the attached amended Master Services Agreement between the City of

Woodbury and CivicPlus for the inclusion of the CivicPlus Chatbot Subscription shall be for one (1) year at a cost of \$ 3,375, effective upon signing.

2. That the governing body does hereby approve and authorize the execution of the attached amended Master Services Agreement between the City of Woodbury and CivicPlus for the inclusion of a Virtual Webmaster shall be for one (1) year at a cost of \$ 2,750, effective upon signing.
3. That the City Administrator is hereby authorized to execute said Master Service Agreement on behalf of the City of Woodbury.

ADOPTED, at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at the Gloucester County Ceremonial Courtroom, 1 North Broad Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-230

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY
ESTABLISHING DATE FOR REORGANIZATION MEETING FOR 2024**

WHEREAS, there exists a legal requirement for this public body to annually establish a Reorganization Meeting for the Mayor and City Council of the City of Woodbury; and

WHEREAS, the public body hereby agrees to establish Wednesday, January 3, 2024 at 6:30 p.m. as the time for said meeting; and

NOW, THEREFORE, BE IT RESOLVED by City Council of the City of Woodbury, the Mayor concurring, that the Reorganization Meeting shall occur on Wednesday, January 3, 2024 at 6:30 p.m. at the Gloucester County Ceremonial Courthouse, located at 1 N. Broad St., Woodbury, NJ 08096; and

BE IT FURTHER RESOLVED that the Clerk/Administrator give due notice of such meeting pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-1.

ADOPTED, at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at the Gloucester County Ceremonial Courtroom, 1 North Broad Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

CITY OF WOODBURY, NEW JERSEY

RESOLUTION NO. 23-231

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY, IN
THE COUNTY OF GLOUCESTER, NEW JERSEY AUTHORIZING AND
APPROVING THE ASSIGNMENT OF THAT CERTAIN FINANCIAL
AGREEMENT RELATED TO THE WOODBURY MEWS, A LICENSED
ASSITED LIVING FACILITY**

WHEREAS, the Woodbury City Council (the "Governing Body") previously designated the following parcels as "an area in need of redevelopment" known as Redevelopment Zone #1 (the "Redevelopment Area") in accordance with the New Jersey Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et. seq., as amended and supplemented (the "Redevelopment Law"): Tax Block 142, Lots 1, 2, 3, 4, 5 and 6, all as shown on the official Tax Maps of the City of Woodbury (collectively, the "Property"); and

WHEREAS, WOODBURY I URBAN RENEWAL SENIOR HOUSING I PROPCO, LLC, a Delaware limited liability company (f/k/a WOODBURY MEWS III URBAN RENEWAL, LLC) ("Three Owner"), is the owner of the realty and improvements known as Three Woodbury Mews, a licensed assisted living facility located at 124 Green Avenue (sometimes referred to as 160 Green Avenue), City of Woodbury, Gloucester County, New Jersey 08096, also known as Block 142, Lot 2 on the City of Woodbury Tax Maps ("Three Woodbury Mews"); and

WHEREAS, WOODBURY MEWS IV URBAN RENEWAL, LLC, a Delaware limited liability company ("Four Owner"), is the owner of the realty and improvements known as Four Woodbury Mews, a senior independent living facility located at 122 Green Avenue, City of Woodbury, Gloucester County, New Jersey 08096, also known as Block 142, Lot 3 on the City of Woodbury Tax Maps; and

WHEREAS, WOODBURY MEWS URBAN RENEWAL LAND PARCELS, LLC, a Delaware limited liability company ("Lots 4&5 Owner"), is the owner of certain parcels of land known as Block 142, Lots 4 and 5 as shown on the City of Woodbury Tax Maps; and

WHEREAS, WM LAND URBAN RENEWAL TRS, LLC, a Delaware limited liability company ("Lots 1&6 Owner" and, together with Three Owner, Four Owner, and Lots 4&5 Owner, the "Owner"), is the owner of certain parcels of land known as Block 142, Lots 1 and 6 as shown on the City of Woodbury Tax Maps; and

WHEREAS, the City of Woodbury ("City") and Owner entered into that certain Amended and Restated Financial Agreement dated October 21, 2013 (the "Financial")

Agreement”) providing for the exemption from real property taxation of the improvements to be constructed on the Property; and

WHEREAS, Owner desires to assign to **122-124 GREEN NJ PROPCO I URBAN RENEWAL LLC**, a New Jersey limited liability company (“Three Purchaser”), **122-124 GREEN NJ PROPCO II URBAN RENEWAL LLC**, a New Jersey limited liability company (“Lots 4&5 Purchaser”), **122-124 GREEN NJ PROPCO III URBAN RENEWAL LLC**, a New Jersey limited liability company (“Four Purchaser”), and **122-124 GREEN NJ PROPCO IV URBAN RENEWAL LLC**, a New Jersey limited liability company (“Lots 1&6 Purchaser,” and, together with Three Purchaser, Four Purchaser, Lots 4&5 Purchaser, the “Purchaser”) all of Owner’s right, title and interest in and to the Financial Agreement, and Purchasers desire to accept such assignment and assume all obligations of Owners under the Financial Agreement accruing or arising on or after the Effective Date, subject to the terms and conditions hereof; and

WHEREAS, in connection therewith, the Owner and the Purchaser have heretofore determined that the Owner shall assign and the Purchaser shall assume all of Owner’s right, title and interest to and the Owner’s duties and obligations under the Financial Agreement; and

WHEREAS, for purposes of memorializing the assignment of the Financial Agreement, the Owner and the Purchaser have determined to execute and deliver an Assignment of Financial Agreement (the “Assignment”); and

WHEREAS, upon the execution and delivery of the Assignment, the Owner shall transfer to the Purchaser, and the Purchaser shall assume all of the Owner’s rights, obligations, covenants, duties and liabilities under the Financial Agreement; and

WHEREAS, pursuant to Article VII of the Financial Agreement, the assignment and assumption of the Financial Agreement requires the prior written consent of the City; and

WHEREAS, Owner has presented the City with a Consent to Assignment to evidence the City’s consent as required by Article VII of the Financial Agreement; and

WHEREAS, Owner has provided information, materials, and affidavits confirming (i) the Purchaser owns no other project subject to the New Jersey Long Term Tax Exemption Law; and (ii) copies of the Purchaser’s certificate of filing and approval as an Urban Renewal Entity, and the City is satisfied that the conditions precedent set forth in the Financial Agreement related to the assignment of the Financial Agreement have been, or will be, met prior to the execution and delivery of the Assignment; and

WHEREAS, the City is now desirous of authorizing the assignment of the Financial Agreement from the Redeveloper to the Substitute Redeveloper as described above.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, in the County of Gloucester, and State of New Jersey, that:

Section 1. In accordance with the terms of Article VII of the Financial Agreement and other applicable law, the assignment of the Financial Agreement from the Owner the Purchaser is hereby authorized and approved by the City.

Section 2. If necessary or required, the Mayor, City Administrator and City Clerk (or Deputy City Clerk) are each hereby authorized and directed to execute, acknowledge and deliver the Assignment on behalf of the City, including the Consent to Assignment attached hereto.

Section 3. All actions heretofore taken and documents prepared or executed by or on behalf of the City by the Mayor, City Administrator, City Clerk, Deputy City Clerk or other City officials and by the City's professional advisors, in connection with the assignment of the Financial Agreement, are hereby ratified, confirmed, approved and adopted.

Section 4. The Mayor, City Administrator, City Clerk and Deputy City Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the assignment of the Financial Agreement not determined or otherwise directed to be executed, or by this or any subsequent resolution, and the signature of the Mayor, City Administrator, City Clerk or Deputy City Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 5. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 6. This Resolution shall take effect immediately upon adoption this 4th day of December 2023.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on December 4, 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 **December 4, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk

RESOLUTION NO. 23-232

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 AND THE PURCHASE, LEASE ACQUISITION OF REAL PROPERTY OR INVESTMENT OF PUBLIC FUNDS 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 involving Wells 7&8
2. Matters relating to the purchase, lease acquisition of real property or investment of public funds privilege - Pursuant to N.J.S.A. 10:4-12b(5) – Land Identified As Block 75, Lots 3.01, 3.02, 4, 5, 7, 13, 15, 27.01, 32, 33 & 35 & Block 57, Lot 14

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 December 4, 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 **December 4, 2023** at City Hall, 33 Delaware Street, Woodbury, New Jersey 08096.

Cassidy L. Swanson,
City Clerk