

Resolution No. 15-53

**RESOLUTION ESTABLISHING A 5-YEAR MORATORIUM
ON THE ISSUANCE OF ROAD OPENING PERMITS
FOR DICKERSON STREET -
NOVEMBER 25, 2014 THROUGH NOVEMBER 25, 2019**

WHEREAS, there existed a need by the City of Woodbury to mill and overlay Dickerson Street from North Broad Street to its westerly terminus as part of Phase 4 of the North End Storm Sewer Improvement project; and

WHEREAS, the City of Woodbury performed this project through a Community Development Block Grant from the County of Gloucester and by advertising for bids pursuant to the provisions of the New Jersey Public Contracts Law *N.J.S.A. 40A:11 et seq.*; and

WHEREAS, the project was awarded to Perna Finnigan, Inc. of Vineland, NJ; and

WHEREAS the City of Woodbury has accepted the final completion of the Contract for the project known as “North End Storm Sewer Improvements - Phase 4 and Dickerson Street Resurfacing” on November 25, 2014; and

WHEREAS, the City of Woodbury has made final payment to the Contractor, Perna Finnigan, Inc., for the aforementioned project on December 16, 2014; and

WHEREAS, the City of Woodbury has paid to Perna Finnigan, Inc. the retainer previously held from the submitted invoices and payments on January 27, 2015, and Perna Finnigan, Inc. has therefore submitted and the City has accepted a Maintenance Bond for the aforementioned project in the amount of \$181,426.32 for a period of one (1) year from the date of project completion on November 25, 2014; and

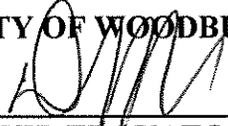
WHEREAS, the Code of the City of Woodbury, “Chapter 167 – STREETS AND SIDEWALKS” provides for road opening permits under the conditions as stated in “Article III – Openings and Excavations § 167-9 Application for and issuance of permit; filing fee and deposit.”; and

WHEREAS, § 167-9 Paragraph B. states that no road opening permits shall be granted by the City for any opening or excavation on a street that has been covered with a hard surface, such as concrete or asphalt with a thickness of 2 inches or more, for a period of five (5) years from the date of completion of construction of such hard surface, except that a permit may be issued upon majority vote of City Council to grant such permit based on the conditions and reasons stated in sub-paragraphs (1), (2) or (3) of §167-9 Paragraph B.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Woodbury has placed a moratorium from any road opening, excavations or disturbance otherwise, and from the issuance of permits thereto, on the area of new pavement constructed as part of the project known as “North End Storm Sewer Improvements - Phase 4 and Dickerson Street Resurfacing ” as described above, for a period of 5 years beginning on the date of final completion, November 25, 2014 and terminating on November 25, 2019, subject to the respective conditions as stated in the latest version of “Chapter 167 – STREETS AND SIDEWALKS” of the Code of the City of Woodbury.

ADOPTED at the regular meeting of the Mayor and City Council of the City of Woodbury held on January 27, 2015.

CITY OF WOODBURY



DAVID TROVATO
President of Council

ATTEST:



ROY A. DUFFIELD, City Clerk