

RESOLUTION NO. 18-102
RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY
ESTABLISHING A 5 YEAR MORATORIUM ON THE ISSUANCE OF ROAD
OPENING PERMITS FOR TATUM STREET, WEST RED BANK AVENUE TO
WATKINS AVENUE FROM JULY 25, 2017 THROUGH JULY 24, 2022

WHEREAS, there existed a need by the City of Woodbury to resurface Tatum Street from West Red Bank Avenue to Watkins Avenue; and

WHEREAS, the City of Woodbury performed this project through a FY2016 Municipal Aid grant from the NJDOT 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 Gerald A. Barrett, LLC of Berlin, NJ on February 28, 2017; and

WHEREAS the City of Woodbury has accepted the final completion of the contract for the road improvement project known as "Tatum Street Milling and Overlay – W. Red Bank Avenue to Watkins Avenue" on June 28, 2017; and

WHEREAS, the City of Woodbury has made final payment to the contractor, Gerald A. Barrett, LLC for the aforementioned project on August 8, 2017; and

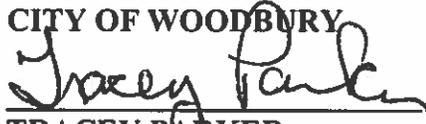
WHEREAS, the City of Woodbury has paid to Gerald A. Barrett, LLC the retainer previously held from the submitted invoices and payments on December 26, 2017, and Gerald A. Barrett, LLC has therefore submitted and the City has accepted a Maintenance Bond for the aforementioned project in the amount of \$213,584.33 for a period of two (2) years commencing on December 8, 2017; 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 "Tatum Street Milling and Overlay – W. Red Bank Avenue to Watkins Avenue" for a period of 5 years beginning on the date of final completion, June 28, 2017 and terminating on June 27, 2022, 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 May 22, 2018.

CITY OF WOODBURY

TRACEY PARKER
 President of Council

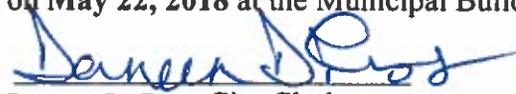
ATTEST:


DANEEN D. FUSS, City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter	✓			
Councilman Fleming	✓			
Councilman Johnson	✓			
Councilman McIlvaine	✓			
Councilwoman Miller	✓			
Councilwoman O'Connor	✓			
Councilman Swanson				✓
Councilwoman Tierney	✓			
Council President Parker	✓			
Mayor Floyd				

CERTIFICATION

I, Daneen D. Fuss 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 **May 22, 2018** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.


 Daneen D. Fuss, City Clerk