

**RESOLUTION NO. 18-137**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY  
ESTABLISHING A 5-YEAR MORATORIUM ON THE ISSUANCE OF ROAD  
OPENING PERMITS FOR THE PORTIONS OF THE ROADS RESURFACED  
AS PART OF THE FY2017 LOCAL ROAD MILLING & OVERLAY PROJECT  
FROM JUNE 29, 2018 THROUGH JUNE 28, 2023**

**WHEREAS**, there existed a need by the City of Woodbury to mill and overlay portions of certain Local Roads as part of the 5-Year Road Resurfacing Program commencing in 2013; and

**WHEREAS**, the “FY2017 Local Road Resurfacing Project” consisted of Hunter Street (N. Evergreen Ave. to Rugby Place), Walnut Street, Cherry Street, and Chestnut Street; and

**WHEREAS**, the City of Woodbury performed this project through a Bond Ordinance 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 Ricky Slade Construction, Inc. of Bridgeton, NJ on January 23, 2018; and

**WHEREAS** the City of Woodbury has accepted the final completion of the Contract for the road improvement project known as “FY2017 Local Road Resurfacing Project” on June 29, 2018; and

**WHEREAS**, the City of Woodbury has made final payment to the Contractor, Ricky Slade Construction, Inc., for the aforementioned project on July 24, 2018; and

**WHEREAS**, the City of Woodbury has paid to Ricky Slade Construction, Inc. the retainer previously held from the submitted invoices and payments on July 24, 2018, and Ricky Slade Construction, Inc. has therefore submitted and the City has accepted a Maintenance Bond for the aforementioned project in the amount of \$216,087.53 for a period of one (1) year from the date of project completion on June 29, 2018; and

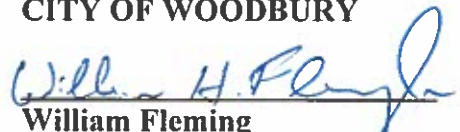
**WHEREAS**, the Code of the City of Woodbury, “Chapter 167 – STREETS AND SIDEWALKS” provides for road opening permits under the conditions as stated in “Article III – Openings and Excavations § 167-9 Application for and issuance of permit; filing fee and deposit.”; and

**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 “FY2017 Local Road Resurfacing Project” as described above, for a period of 5 years beginning on the date of final completion, June 29, 2018 and terminating on June 28, 2023, 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 August 14, 2018.

**CITY OF WOODBURY**

  
**William Fleming**  
**Council President Pro-Tempore**

**ATTEST:**

  
**DANEEN D. FUSS, City Clerk**

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter	✓			
Councilman Fleming	✓			
Councilman Johnson	✓			
Councilman McIlvaine	✓			
Councilwoman O'Connor	✓			
Councilwoman Miller				✓
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 **August 14, 2018** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.



Daneen D. Fuss, City Clerk