

RESOLUTION NO. 19-179

**RESOLUTION ESTABLISHING A 5 YEAR MORATORIUM ON THE
ISSUANCE OF ROAD OPENING PERMITS FOR WEST CENTRE STREET,
SOUTH JACKSON STREET TO SOUTH DREXEL STREET
FROM JULY 3, 2019 THROUGH JULY 2, 2024**

WHEREAS, there existed a need by the City of Woodbury to resurface West Centre Street from South Jackson Street to South Drexel Street; and

WHEREAS, the City of Woodbury performed this project through a FY2018 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 Landberg Construction, LLC of Dorothy, NJ on October 23, 2018; and

WHEREAS the City of Woodbury has accepted the final completion of the contract for the road improvement project known as “West Centre Street from South Jackson Street to South Drexel Street” on July 3, 2019; and

WHEREAS, the City of Woodbury has made final payment to the contractor, Landberg Construction, LLC for the aforementioned project on August 14, 2019; and

WHEREAS, the City of Woodbury has paid to Landberg Construction, LLC the retainer previously held from the submitted invoices and payments on September 24, 2019, and Landberg Construction, LLC has therefore submitted and the City has accepted a Maintenance Bond for the aforementioned project in the amount of \$354,623.05 for a period of two (2) years commencing on July 29, 2019; 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

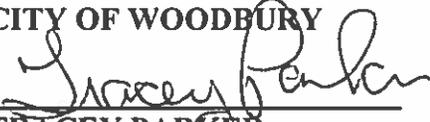
WHEREAS, §167-9 Paragraph B. states that no road opening permits shall be granted by the City for any opening or excavation on a street that has been covered with a hard surface, such as concrete or asphalt with a thickness of 2 inches or more, for a period of five (5) years from the date of completion 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 “West Centre Street from South Jackson Street to South Drexel Street” for a period of 5 years beginning on the date of final completion, July 3, 2019 and terminating on July 2, 2024, 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 November 26, 2019.

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 Hagerty	✓			
Councilman Johnson	✓			
Councilman Mellvaine	✓			
Councilwoman Miller	✓			
Councilwoman O'Connor	✓			
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 **November 26, 2019** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.


 Daneen D. Fuss
 City Clerk