

Resolution No. 14-188

**RESOLUTION ESTABLISHING A 5-YEAR MORATORIUM
ON THE ISSUANCE OF ROAD OPENING PERMITS
FOR THE PORTIONS OF THE ROADS RESURFACED
AS PART OF THE FY2014 LOCAL ROAD MILLING & OVERLAY PROJECT
OCTOBER 29, 2014 THROUGH OCTOBER 29, 2019**

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 “FY2014 Local Road Resurfacing Project” consisted of Driscoll Avenue, Hendrickson Avenue, Hemlock Terrace, Aberdeen Place, Glover Street from Penn Street to High Street, and Lupton Avenue from High Street to West Barber Avenue; 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 American Asphalt Company, Inc.; and

WHEREAS the City of Woodbury has accepted the final completion of the Contract for the road improvement project known as “FY2014 Local Road Resurfacing Project” on October 29, 2014; and

WHEREAS, the City of Woodbury has made final payment to the Contractor, American Asphalt Company, Inc. of West Collingswood Heights, NJ for the aforementioned project on December 2, 2014; and

WHEREAS, the City of Woodbury has paid to American Asphalt Company, Inc. the retainer previously held from the submitted invoices and payments on December 2, 2014, and American Asphalt Company, Inc. has therefore submitted and the City has accepted a Maintenance Bond for the aforementioned project in the amount of \$231,517.77 for a period of one (1) year from the date of project completion on October 29, 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

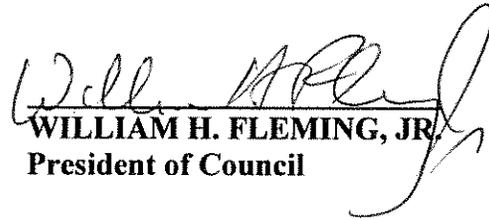
WHEREAS, § 167-9 Paragraph B. states that no road opening permits shall be granted by the City for any opening or excavation on a street that has been covered with a

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.

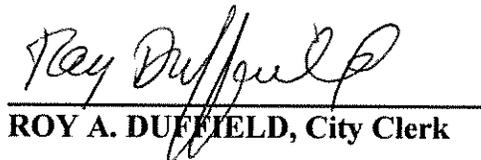
NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Woodbury has placed a moratorium from any road opening, excavations or disturbance otherwise, and from the issuance of permits thereto, on the area of new pavement constructed as part of the project known as “FY2014 Local Road Resurfacing Project” as described above, for a period of 5 years beginning on the date of final completion, October 29, 2014 and terminating on October 29, 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 December 16, 2014.

CITY OF WOODBURY


WILLIAM H. FLEMING, JR.
President of Council

ATTEST:


ROY A. DUFFIELD, City Clerk