

PUBLIC NOTICE  
CITY OF ELIZABETH, NEW JERSEY  
NOTICE OF PUBLIC HEARING

Notice is hereby given that the following proposed ordinance was introduced and passed on its first reading at a meeting of City Council of the City of Elizabeth, the County of Union, held on the 25th of January, 2011, and that said ordinance will be taken up for further consideration for final passage at a meeting of the City Council to be held in the City Council Chamber, City Hall, Winfield Scott Plaza, Elizabeth, New Jersey, on the 8th day of February, 2011, at 7:30 P.M. or as soon thereafter as the matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the ordinance.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the City Hall, and a copy is available up to and including the time of said meeting to the members of the general public of the City who shall request same, at the City Clerk's Office, City Hall, Elizabeth, New Jersey.

YOLANDA M. ROBERTS, R.M.C.  
CITY CLERK

**AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO GEI CONSULTANTS, INC., 18000 HORIZON WAY, MT. LAUREL, NEW JERSEY ON BEHALF OF AGL RESOURCES, FOR REPAIR AND IMPROVEMENT TO EXISTING DRAINAGE SWALE WORK AT ERIE STREET IN COMPLIANCE WITH NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) REQUIREMENTS.**

**WHEREAS**, the Division of Engineering has reviewed an application submitted to the City of Elizabeth by Sue B. Boyle, Sr., Environmental Practice Leader with GEI Consultants, Inc., on behalf of AGL Resources for an encroachment permit to repair and improve the existing drainage swale along the northern border of the AGL Resource site on Erie Street; and

**WHEREAS**, all documentation submitted appear to be in order, including a letter dated December 2, 2010 from Stacey M. Jensen, Chief Eastern Section, NY US Army Corps of Engineers indicating that an ACOE Permit is not required; and

**WHEREAS**, GEI Consultants, Inc., is requesting that the appropriate City Official's execute the NJDEP Land Use Regulation Application Form (LURP-2). At a later date, upon adoption of ordinance, the original LURP form will be sent by GEI Consultants; now, therefore, be it

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH:**

**SECTION 1.** - That an encroachment permit be granted to **GEI Consultants, Inc., 18000 Horizon Way, Suite 200, Mt. Laurel, New Jersey 08054** to repair and improve the existing drainage swale along the Elizabeth River Basin in accordance with the plans prepared by GEI Consultants, Inc., sheets one through four, which are on file in the City Engineer's Office.

**SECTION 2.** - That the proper City Officials are hereby authorized to execute the NJDEP Land Use Regulation Application Form (LURP-2).

**SECTION 3.** - The Permittee shall provide a liability insurance certificate in the aggregate amount determined by the City Engineer for property damage and personal injury naming the City of Elizabeth as an additional insured and giving the City a thirty (30) day notice of cancellation of policy. The Permittee shall also be responsible for all maintenance with regard to the encroachment.

**SECTION 4.** - All ordinances or parts of ordinance inconsistent with the provisions of this ordinance be and the same are hereby repealed.

**SECTION 5.** - If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

**SECTION 6.** - The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

**PASSED:**

**APPROVED:**

**ATTEST:**

**YOLANDA M. ROBERTS, R.M.C.  
MUNICIPAL CLERK**

**JOSEPH KEENAN  
PRESIDENT OF CITY COUNCIL**

**J. CHRISTIAN BOLLWAGE  
MAYOR**