

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 8th of February, 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 22nd 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

ORDINANCE NO. 4191

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO ENVIROTRAC, LTD, 3 TERRI LANE, BURLINGTON, NEW JERSEY 08016, ON BEHALF OF D & K FUELING STATION, TO CONDUCT A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIAL INVESTIGATION WHICH WILL REQUIRE THE INSTALLATION OF GROUND WATER MONITORING WELL IN THE SIDEWALK AREA AND WITHIN THE PUBLIC RIGHT-OF-WAY AT 845-849 SUMMER STREET, ELIZABETH, NEW JERSEY.

WHEREAS, the Division of Engineering has reviewed an application submitted to the City of Elizabeth by Philip W. Kunkle, Senior Scientist with EnvironTrac, Ltd., 3 Terri Lane, Burlington, New Jersey 08016 on behalf of D & K Fueling Station, a retail gasoline service station, to conduct a New Jersey Department of Environmental Protection site remedial investigation at 845-849 Summer Street, Elizabeth New Jersey; and

WHEREAS, all documentation submitted appear to be in order to grant permission to EnviroTrac, Ltd., 3 Terri Lane, Suite #8, Burlington, New Jersey 08016 to install a ground water monitoring well in the sidewalk area and within the public right- of- way at 845-849 Summer Street, Elizabeth, New Jersey; now, therefore,

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

SECTION 1. - That an encroachment permit be granted to EnviroTrac Ltd., 3 Terri Lane, Burlington, New Jersey to conduct a New Jersey Department of Environmental Protection Site Remedial Investigation which will require the installation of a ground water monitoring well in the sidewalk area and within the public right-of- way at 845-849 Summer Street, Elizabeth, New Jersey.

SECTION 2. - All documentation submitted appears to be in order, which are on file in the City Engineer's Office.

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: _____

JOSEPH KEENAN
PRESIDENT OF CITY COUNCIL

APPROVED: _____

J. CHRISTIAN BOLLWAGE
MAYOR

ATTEST:

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