

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 March, 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 March, 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 KLEINFELDER EAST, INC., 3 AAA DRIVE, FIRST FLOOR, HAMILTON, NEW JERSEY, FOR THE ADVANCEMENT OF EIGHT (8) SOIL BORINGS AND ONE (1) MONITORING WELL IN THE PUBLIC RIGHT-OF-WAY OF SOUTH FIFTH STREET AND THIRD AVENUE.**

WHEREAS, the Division of Engineering has reviewed an application submitted to the City of Elizabeth by Mr. Erik Person, Hydrogeologist, Kleinfelder East, Inc., 3 AAA Drive, First Floor, Hamilton, New Jersey on behalf of ExxonMobil Services Company for an encroachment permit for the advancement of eight soil borings and (1) monitoring well in the right-of-way of South Fifth Street and Third Avenue; 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 Kleinfelder East, Inc., 3 AAA Drive, First Floor, Hamilton, New Jersey on behalf of ExxonMobil Services Company for an encroachment permit for the advancement of eight (8) soil borings and one (1) monitoring well in the right-of-way of South Fifth Street and Third Avenue as set forth in the supporting documentation prepared by Mr. Erik Person, Hydrogeologist, and that are depicted on the plans on file in the City Engineer's Office.

**SECTION 2.** - 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 3.** - All ordinances or parts of ordinance inconsistent with the provisions of this ordinance be and the same are hereby repealed.

**SECTION 4.** - 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 5.** - 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: \_\_\_\_\_

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JOSEPH KEENAN  
PRESIDENT OF CITY COUNCIL~~

APPROVED: \_\_\_\_\_

~~\_\_\_\_\_  
J. CHRISTIAN BOLLWAGE  
MAYOR~~

ATTEST:

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