

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO ENVIRONMENTAL REMEDIATION AND FINANCIAL SERVICES, LLC, 999 AIRPORT ROAD, UNIT 4, LAKEWOOD, NEW JERSEY 08701 TO PERFORM ENVIRONMENTAL WORK CONSISTING OF ONE (1) GROUNDWATER MONITORING WELL AND FOUR (4) INJECTION WELLS WITHIN THE PUBLIC RIGHT-OF-WAY IN FRONT OF THE PROPERTY LOCATED AT 942-944 & 946-948 VAN BUREN AVENUE (BLOCK 8, LOTS 1777.C & 1777.D), ELIZABETH, NEW JERSEY

WHEREAS, the Division of Engineering has reviewed an application submitted by Environmental Remediation and Financial Services, LLC, 999 Airport Road, Unit 4, Lakewood, New Jersey 08701 dated December 5, 2018 with respect to environmental work within the right-of-way of Van Buren Avenue. Environmental Remediation and Financial Services, LLC is performing environmental remediation activities related to a leaky underground storage tank that was removed at 946-948 Van Buren Avenue which requires the installation of one (1) off-site monitoring well in the right-of-way across the street from, subject property and four (4) injection wells within the right-of-way in front of 942-944 & 946-948 Van Buren Avenue (Block 8, Lots 1777.C & 1777.D); and

WHEREAS, Environmental Remediation and Financial Services, LLC has submitted most necessary documentation; however, a policy endorsement was not provided. Additionally, the two (2) year maintenance bond in the amount of \$7,500.00 will need to have its term extended prior to the issuance of the Encroachment Permit. Insurance will need to be provided yearly until the wells are properly abandoned; and

WHEREAS, the plan and application package will be kept in the Division of Engineering files for reference along with the two-year maintenance bond and current insurance policy when received. The current insurance policy submitted expires April 20, 2019; now, therefore, be it

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

**SECTION 1.** - An Encroachment permit be granted to Environmental Remediation and Financial Services, LLC, 999 Airport Road, Unit 4, Lakewood, New Jersey 08701, contingent upon proper insurance documentation and bonding, to perform environmental work consisting of one (1) groundwater monitoring well and four (4) injection wells within the right-of-way Van Buren Avenue as depicted on a plan entitled "Road Opening Permit Plan, Rodrigues Residence, 946 Van Buren Avenue, Elizabeth, New Jersey," prepared by Environmental Remediation and Financial Services, LLC dated April 2, 2018 and which is on file in the Municipal Engineer's Office; and

**SECTION 2.** - A copy of all documents pertaining to the Encroachment Permit request shall be kept on file in the Division of Engineering along with the two-year maintenance bond and current insurance policy when received. The insurance policy submitted expires April 20, 2019.

**SECTION 3.** - The contractor shall comply with all City Code requirements prior to the issuance of the Encroachment Permit.


**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.

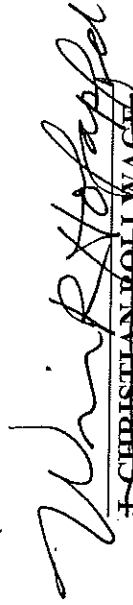
**SECTION 6.** - The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

PRESENTED to the Mayor for APPROVAL or DISAPPROVAL on JAN 23 2019 City Clerk

PASSED: Jan 22, 2019

  
WILLIAM GALLMAN, JR.  
PRESIDENT OF CITY COUNCIL

APPROVED: January 24, 2019

  
J. CHRISTIAN BOLLWAGE  
MAYOR

William R. Holzgoffe  
Acting Mayor - 1/24/19

ATTEST:

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