



## Legislation Details (With Text)

**File #:** 12-2095      **Version:** 1      **Name:** USEPA Grant Acceptance Empire Street

**Type:** Resolution      **Status:** Filed

**File created:** 10/16/2012      **In control:** Economic and Housing Development

**On agenda:** 2/20/2013      **Final action:** 2/20/2013

**Title:** Dept/ Agency: Economic & Housing Development  
 Action:  Ratifying  Authorizing  Amending  
 Type of Service: Application/Acceptance of Grant Funds  
 Purpose: Preliminary Assessment (P/A), Site Investigation (S/I) and Remedial Investigation (R/I)  
 Entity Name: City of Newark /Department of Economic & Housing Development  
 Entity Address: 920 Broad Street, Newark, New Jersey 07102  
 Grant Amount: \$200,000.00  
 Funding Source: United State Environmental Protection Agency  
 Total Project Cost: \$240,000.00  
 City Contribution: \$0.00  
 Other Funding Source/Amount: Designated Developer contribution/\$40,000.00  
 Contract Period: October 1, 2012 through September 30,2015  
 Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
 List of Property: (if applicable)  
 (Address/Block/Lot/Ward)  
 61-77 Empire Street/ Block 3537/ Lot 24/South Ward  
 Additional Information:  
 No municipal funds required.  
 Match funds to be provided by the Designated Developer and guaranteed by Brick City Development Corporation.  
 Brownsfields Cleanup Grant-Empire Street Site.

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
2/20/2013	1	Municipal Council	Adopt	Pass

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( ) Private Sale (X) Grant ( ) Sub-recipient ( ) n/a

**List of Property:** (if applicable)

**(Address/Block/Lot/Ward)**

61-77 Empire Street/ Block 3537/ Lot 24/South Ward

**Additional Information:**

No municipal funds required.

Match funds to be provided by the Designated Developer and guaranteed by Brick City Development Corporation.

Brownsfields Cleanup Grant-Empire Street Site.

**WHEREAS**, the United States Environmental Protection Agency Brownfields Program which is funded under the American Recovery and Reinvestment Act of 2009, assists state, local, and tribal governmental agencies, redevelopment agencies and nonprofit organizations for the purpose of financing remediation activities for sites, at which there is, or suspected of being a discharge of hazardous substances or hazardous wastes, and;

**WHEREAS**, the City of Newark has determined that there has been, or it suspects that there has been, a discharge of hazardous substances or other pollutants or contaminants on the property located at 61-77 Empire Street, Block 3537, Lot 24 (the "Property") and funding is needed to conduct Preliminary Assessment (P/A), Site Investigation (S/I), and Remedial Investigation (R/I) work; and

**WHEREAS**, on July 2, 2012, on behalf of the City of Newark, the Deputy Mayor/Director of the Department of Economic and Housing Development submitted an application to the United States Environmental Protection Agency (USEPA) in response to the competitive Catalog of Federal Domestic Assistance Number announcement 66.818, Brownsfields Assessment and Cleanup Cooperative Agreements requesting grant funding in the estimated amount of \$200,000.00 to conduct Preliminary Assessment (P/A), Site Investigation (S/I), and Remedial Investigation (R/I) work; and

**WHEREAS**, as a result of this application, the USEPA has awarded the City of Newark a grant in the amount of \$200,000.00 for Preliminary Assessment (P/A), Site Investigation (S/I), and Remedial Investigation (R/I) work for the period commencing October 1, 2012 and terminating on September 30, 2015; and

**WHEREAS**, the City must execute a grant agreement with the United States Environmental Protection Agency in order to obtain the grant award with no City funds required.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to submit an application to the United States Environmental Protection Agency (USEPA) in response to the competitive Catalog of Federal Domestic Assistance Number announcement 66.818, Brownsfields Assessment and Cleanup Cooperative Agreements requesting grant funding in the estimated amount of \$200,000.00 to perform Preliminary Assessment (P/A), Site Investigation (S/I), and Remedial Investigation (R/I) work with no City funds

- required (a copy of the application is attached hereto and made a part hereof).
2. The Municipal Council hereby ratifies its authorization of this application from the date of application submission to the date of adoption of this authorizing resolution.
  3. The grant award in the amount of \$200,000.00 from the United States Environmental Protection Agency is hereby accepted (a copy of the award letter is attached hereto and made a part hereof).
  4. The City relies on the Designated Developer to contribute a match of \$40,000.00 which is to be guaranteed by the Brick City Development Corporation.
  5. The Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute grant documents with the United States Environmental Protection Agency (USEPA) to receive and expend the grant award in the amount of \$200,000.00 for Preliminary Assessment (P/A), Site Investigation (S/I), and Remedial Investigation (R/I) work on the property located at 61-77 Empire Street, Block 3537, Lot 24 (the "Property") for the period commencing October 1, 2012 and terminating on September 30, 2015 (a copy of the agreement is attached hereto and made a part hereof).
  6. The agreement between the City of Newark and the United States Environmental Protection Agency (USEPA) is hereby ratified from July 2, 2012 to the date of this authorizing resolution.
  7. No municipal funds are required for receipt or acceptance of this grant award.
  8. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a fully-executed copy of the grant application, the grant award letter, the grant agreement, and a copy of the Certification of Funds for any required matching funds in the Office of City Clerk.

### **STATEMENT**

This resolution ratifies and authorizes the actions taken by the Deputy Mayor/Director of the Department of Economic and Housing Development to submit an application for grant funding from the United States Environmental Protection Agency (USEPA) to perform Preliminary Assessment (P/A), Site Investigation (S/I), and Remedial Investigation (R/I) work, and furthermore, ratifies and authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute an agreement with and accept grant funds in the amount of \$200,000.00 from the United States Environmental Protection Agency (USEPA) to perform Preliminary Assessment (P/A), Site Investigation (S/I), and Remedial Investigation (R/I) work on the property located at 61-77 Empire Street, Block 3537, Lot 24 (South Ward). No municipal funds are required. Match contribution of \$ 40,000.00 to be provided by the Designated Developer and guaranteed by the Brick City Development Corporation.