



## Legislation Text

File #: 21-0610, Version: 1

**Dept/ Agency:** Economic and Housing Development

**Action:** (X) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Application for Grant Funds

**Purpose:** To conduct Preliminary Assessment (PA), Site Investigation (SI), and Remedial Investigation (RI) work for the remediation of sites contaminated, or suspected of being contaminated with hazardous waste.

**Entity Name:** New Jersey Economic Development Authority (NJEDA)

**Entity Address:** 36 West State Street, Trenton, New Jersey 08625

**Grant Amount:** To be determined by NJEDA

**Total Project Cost:** \$108,391.00

**City Contribution:** \$500.00 processing fee

**Other Funding Source/Amount:** \$0.00

**Grant Period:** No start or end dates

**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

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

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

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

38-42 Bay Avenue/Block 5088/Lot 30/East Ward

**Additional Information:**

The property is the former Berkowitz Fat Co site on 38-42 Bay Avenue, aka Wheeler Road.

The grant is a lump sum award with no grant period start or end dates.

**WHEREAS**, a grant and loan fund was established, jointly administered by the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Economic Development Authority (NJEDA), known as the Hazardous Discharge Site Remediation Fund (HDSRF) codified as N.J.S.A. 58:10B-1 et seq., dedicated for the provision of financial assistance to municipal governmental entities, individuals, corporations, partnerships and other private business entities for the purpose of financing remediation activities for sites, at which there is, or is 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 a hazardous waste on the property located at 38-42 Bay Avenue, Newark, New Jersey 07114 and found on the Official Tax Map of the City of Newark, as Block 5088, Lot 30 (the "Property") and known as the former Berkowitz Site; and

**WHEREAS**, the City of Newark authorizes application to the Hazardous Discharge Site Remediation Fund (HDSRF) for funding for the assessment and investigation of the Former Berkowitz Site in order to determine the extent or the existence of any hazardous substances or hazardous waste; and

**WHEREAS**, the City of Newark has acquired the Property by voluntary conveyance for the purpose of redevelopment; and

**WHEREAS**, the City of Newark is committed to the redevelopment of the former Berkowitz Site for a commercial use, consistent with the development of the surrounding area, within a three (3) year period after the completion of the remediation of this site either through a planned redevelopment project or through alternate redevelopment.

**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 New Jersey Economic Development Authority (NJEDA) through the New Jersey Department of Environmental Protection (NJDEP) requesting grant funding from the Hazardous Discharge Site Remediation Fund (“HDSRF”) Grant Program for Preliminary Assessment (PA), Site Investigation (SI), and Remedial Investigation (RI) work with no City funds, aside from the Five Hundred Dollars and Zero Cents (\$500.00) processing fee, required.
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 as determined by the NJDEP or NJEDA, is hereby accepted.
4. 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 NJEDA to receive and expend the grant award for PA, SI, and RI work on the Property.
5. A Five Hundred Dollars and Zero Cents (\$500.00) processing fee is required for receipt or acceptance of this grant award.
6. Attached hereto is a Certification of Funds from the Director of the Department of Finance, which states: (1) that there are sufficient funds in the amount of Five Hundred Dollars and Zero Cents (\$500.00) for the purpose set forth herein above; and (2) that the line appropriation which shall be charged is as follows:

Business Unit	Dept.	Div/Proj.	Activity	Account #	Budget Ref.
NW026				32100	B2021

7. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a fully-executed copy of the Grant Application, Grant Award letter and Grant Agreement in the Office of the 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 New Jersey Economic Development Authority (NJEDA) for Preliminary Assessment (PA), Site Investigation (SI), and Remedial Investigation (RI) work, and furthermore, 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 from the New Jersey Economic Development Authority (NJEDA) for Preliminary Assessment (PA), Site Investigation (SI), and Remedial Investigation (RI) work for the property located at the former Berkowitz Site, 38-42 Bay Avenue, Newark, New Jersey 07114 (Block 5088, Lot 30). A \$500.00 processing fee is required for receipt or acceptance of this grant award.