

ORDINANCE OF THE BOARD OF CHOSEN FREEHOLDERS  
COUNTY OF ESSEX

Ord # 3

ORDINANCE NO. 0-2016-00028  
PROPOSED BY: FREEHOLDER TIMBERLAKE  
SUBJECT:

AUTHORITY FOR ORDINANCE N.J.S.A. 40:41A-38  
AUTHORITY FOR ACTION C.C.E 2-11.(c)

ESSEX COUNTY CLEAN JOBS INITIATIVE

**PREAMBLE:** The County of Essex has identified three major issues in existence throughout the County, and a viable solution to how all these issues can be used to impact one another in a positive way:

1. A high unemployment rate
2. A need to make our communities healthier by cleaning up brownfields and maintaining infrastructure by abating lead and asbestos
3. The need to attract more businesses/corporations to Essex County to provide jobs to local residents, return tax ratables to the communities and generate revenue for Essex municipalities, Essex County, and the State of New Jersey.

Therefore, it has been determined that there is a need to develop a workforce development and job training program that will improve the quality of life in Essex County by providing valuable occupational training, job opportunities for Essex County residents and to restore and return to productive use contaminated sites polluted with but not limited to oil, chemical, lead and asbestos that are currently threats to the environment and to public health. With the help of various field experts and community groups, it has been determined that the programs shall involve robust training, and shall prepare and help place program graduates for employment with public and private apprenticeships and paid career opportunities. The vision of this initiative is to invigorate our Essex neighborhoods by providing the necessary and applicable training and employment opportunities to our citizens as a part of a solution to lower unemployment, create healthier communities, while stimulating and attracting economic development.

**DEFINITIONS:**

A **Brownfield** site is defined by NJ state law (N.J.S.A. 58:10B-23.d) as any former or current commercial or industrial site that is currently vacant or underutilized and on which there has been, or there is suspected to have been, a discharge of a contaminant; and under federal law, with certain legal exclusions and additions, the term "brownfield site" means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant; and the federal definition includes residential properties, the state law does not. Therefore, the type of brownfield will impact and determine the funding sources sought after to remediate it.

**Asbestos** is a mineral fiber that occurs in rock and soil. Because of its fiber strength and heat resistance asbestos has been used in a variety of building construction materials for insulation and as a fire retardant. Asbestos has also been used in a wide range of manufactured goods, mostly in building materials, friction products, heat-resistant fabrics, packaging, gaskets, and coatings. Asbestos fibers may be released

into the air by the disturbance of asbestos-containing material during product use, demolition work, building or home maintenance, repair, and remodeling. Exposure to asbestos increases your risk of developing lung disease. Three of the major health effects associated with asbestos exposure are lung cancer, mesothelioma and asbestosis.

*Lead* can be found in many parts of our environment since it is used in a variety of ways including in paints, gasoline, batteries, ammunition, metal products and some vinyl products, such as mini-blinds. Lead-based paints for use in housing were banned in 1978 and the use of lead as an additive to gasoline was also banned in the United States. Lead is a toxic heavy metal, and children are more susceptible to the effects of lead exposure than adults. Among adults, lead poisoning is primarily a preventable occupational health problem. Lead exposure in adults can cause anemia, nervous system dysfunction, kidney problems, hypertension, decreased fertility, and miscarriage. The NJ Occupational Health Surveillance Program maintains information on the incidence and prevalence rates of elevated blood lead levels among New Jersey adults.

**PURPOSE:**

*WHEREAS*, on the State and Federal Level there are funds available to resolve the issues of infrastructure repairs, brownfield cleanup, lead and asbestos abatement.

*WHEREAS*, as of 2016, Essex County's unemployment rate is 5.6%<sup>1</sup>, compared to the State of New Jersey's rate of 4.4%, and a national rate of 5.0%; and

*WHEREAS*, Essex County and New Jersey as a whole is in great need of brownfield cleanup, lead and asbestos abatement;

*WHEREAS*, poorly maintained, polluted and contaminated properties, including chemicals found upon Brownfields and public buildings with lead and asbestos found throughout Essex County pose a public health threat, degrade the environment and hinder economic growth in an otherwise thriving county; and

*WHEREAS*, brownfields and public sites\* and sites with lead and asbestos contamination represent an opportunity to properly and thoroughly train Essex County residents in brownfield site remediation, lead and asbestos abatement and arrange for public and private apprenticeships and paid job opportunities to unemployed; and

*WHEREAS*, Federal law requires a minimum of 40 hours Hazardous Waste Operations training before an individual can work or train on a contaminated site.

*WHEREAS*, the County of Essex aspires to develop programs to improve the quality of life in Essex County by providing valuable occupational training curriculum and job opportunities for Essex County residents in a manner that will spur the restoration and return to productive use of those sites that are currently a public health and environmental threat; and

*WHEREAS*, once remediated and redeveloped, these sites could attract new businesses/corporations to relocate to Essex County upon the remediated land and thereby these same businesses/corporations could directly employ Essex County residents which encourages economic growth and increases tax revenue/ tax rateables for the Essex municipalities, Essex County, and the State of NJ; and

*WHEREAS*, the following identified, but not exhaustive, list of financial resources are available to promote the cleanup of these sites and to train and generate employment opportunities: Grow NJ – NJ Economic Development Authority (EDA), Economic Redevelopment & Growth Program – NJ EDA, Payment In Lieu Of Taxes (PILOT), EDA Loan Programs, NJ Environmental Infrastructure Trust Fund (EIT), State Hazardous Discharge Site Remediation Fund (HDSRF), US EPA Brownfield Grants, NJ Urban and Rural Centers Unsafe Buildings Demolition Bond Program & Asbestos Abatement, US HUD Community Development Block Grants (CDBG), Essex County One Stop Career Center Training Grants, and Department of Labor; and

*WHEREAS*, the strategy must involve cooperation between public and private entities to identify resources, build training partnerships, develop hiring incentives and promote the remediation and redevelopment of these sites; and

*WHEREAS*, the program will provide robust training programs that tailor job training curricula to marketable end use and future employers; and

*WHEREAS*, it is incumbent on Essex County to support its municipalities in their efforts to move these sites to remediation and development; now, therefore, be it

ORDAINED by the Board of Chosen Freeholders of the County of Essex in the State of New Jersey as follows:

1. Essex County will seek government funding sources available to support remediation of publically and privately owned sites, including, but not limited to:
  - Grow NJ – NJ EDA
  - Economic Redevelopment & Growth Program – NJ EDA
  - PILOT
  - EDA Loan Programs
  - EIT Infrastructure Loan Program – can be used for infrastructure development
  - Hazards Discharge Site Mediation Fund

- State HDSRF
  - US EPA Brownfield Grants – Job Training grant
  - Building Demolition & Asbestos Abatement
  - CDBG
  - Reentry Job Training dollars
  - Veteran Job Training dollars
2. Essex County will develop and establish a job training program titled “Clean Jobs” to support the remediation and reuse of vacant or underutilized properties on which there has been, or there is suspected to have been, a discharge of a contaminant.
  3. The Clean Jobs training program will be created in collaboration with veterans organizations, nonprofits, educational institutions, Essex County One Stop Career Center, Prison Re-entry, labor trade unions, and brownfield/lead/asbestos remediation professionals,
  4. Those trained in the program must be unemployed or underemployed residents of Essex County; be able to pass basic aptitude test; and have a desire to learn a transferable skill set which could be used anywhere in the world.
  5. Every effort shall be made to place graduates in public and private apprenticeships and paid career opportunities.
  6. The Essex County Clean Jobs Initiative will provide municipalities with technical and administrative support for their brownfield redevelopment efforts. This includes the development of strategy, funding, work plan development and implementing work plans for the workforce with Federal Bonding programs and the Essex County Improvement Authority that will better position distressed properties for redevelopment and post-graduate monitoring for 24 months with the purpose to help with the transition into full employment.
  7. The County will have an outreach program to assist municipalities with procurement that encourages responders to use a workforce representative of Essex County residents who are graduates of the Clean Jobs program. Futhermore, the County will require in all relevant Essex County procurement for this initiative that the responders utilize a workforce consisting of a minimum of 90% from Essex County Clean Jobs Training programs to perform the solicited work.
  8. This Clean Jobs program will include an advisory group of interested parties to include 2 municipal and 2 county representatives, 2 community members, 2 nonprofit organizations focused on environmental cleanup and the other on job creation and 2 private

development interests, including; developers, commercial lenders, insurance representatives, environmental attorneys and any others that will help to work with municipalities to identify which lots and publically owned buildings to identify and establish a wide base of skills and resources to promote Essex County brownfield-related job creation and redevelopment goals. This group must meet a minimum of two times a year and each representative can only fulfil one of the aforementioned categories of representatives.

9. A public hearing shall be held on this Ordinance on \_\_\_\_\_, at 7:00 p.m. Hall of Records, Room 506, 465 Dr. Martin Luther King, Jr., Blvd., Newark, NJ
10. The Clerk of the Board of Chosen Freeholders is hereby directed to publish and distribute this Ordinance in accordance with applicable provisions of law.
11. That this Ordinance shall take effect at the time and in the manner prescribed by law.

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<sup>1</sup> February 2016 statistics, as prepared by the NJ Department of Labor and Workforce Development, Bureau of Labor Market Information.

RECEIVED  
CLERK OF THE BOARD  
2016 DEC -7 PM 4:42

ESSEX COUNTY  
BOARD OF  
CHOSEN FREEHOLDERS

*Michael J. Parkman*

Approved as to form and legality

Freeholder Counsel

**RECORD OF VOTE (X=Vote N.V.=Abstention ABS=Absent**

**FIRST READING**

Moved by Freeholder *Timberlake*  
Seconded by Freeholder *Toro*

**SECOND READING**

Moved by Freeholder *Jones*  
Seconded by Freeholder *Toro*

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No	N.V.	ABS
BOBADILLA	✓				BOBADILLA	✓			
GILL, V.P.				✓	GILL, V.P.	✓			
JOHNSON	✓				JOHNSON	✓			
JONES	✓				JONES	✓			
LUCIANO	✓				LUCIANO	✓			
RICHARDSON	✓				RICHARDSON	✓			
SEBOLD	✓				SEBOLD	✓			
TORO	✓				TORO	✓			
TIMBERLAKE, PRES.	✓				TIMBERLAKE, PRES.	✓			

Date Mailed to Municipal Clerks *12-12-16*  
Date Public Hearing *1-18-17*  
Date Published *12-14-16*

Date Mailed to Municipal Clerks \_\_\_\_\_  
Date Published \_\_\_\_\_

It is hereby certified that the foregoing Ordinance was  adopted ( ) defeated ( ) tabled by a roll call vote at a *Regular* meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey, held on *December 7, 2016*

It is hereby certified that the foregoing Ordinance was  adopted ( ) defeated ( ) tabled by a roll call vote at a *Regular* meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey, held on *Jan 18, 2017*

*[Signature]*  
Britnee N. Timberlake, President

*[Signature]*  
Britnee N. Timberlake, President

The foregoing Ordinance has been duly presented to me on \_\_\_\_\_  
I hereby ( ) approve ( ) disapprove the same on \_\_\_\_\_  
Returned and filed \_\_\_\_\_

Deborah Davis Ford, Clerk

Joseph N. DiVincenzo, County Executive