

**RESOLUTION: 167 -14**

**RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN  
PROFESSIONAL SERVICES ADOPTED BY THE BOROUGH OF  
CLAYTON**

*WHEREAS*, there exists a need for specialized services on behalf of the Borough of Clayton; and

*WHEREAS*, funds are or will be available for this purpose; and

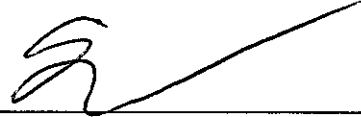
*WHEREAS*, the Local Public Contracts Law, N.J.S.A. 40A:11-1 requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey as follows:

1. That Rohan Tadas of T & M Associates, of Moorestown, New Jersey is hereby hired to provide Licensed Site Remediation Professional (LSRP) services for preliminary assessment of Wayne's Auto, for the Borough of Clayton, in an amount not to exceed \$4800.00.
2. The term of this contract shall be from May 22, 2014 to May 21, 2015.
3. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-11-5(1)(a), and the Fair and Open Process because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough of Clayton.
5. A notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Sentinel or South Jersey Times.
6. The Mayor and Clerk of the Borough of Clayton are hereby authorized to execute a Contract outlining the above on behalf of the Borough of Clayton.

***ADOPTED*** at a meeting of the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey on May 22, 2014.

BOROUGH OF CLAYTON

A handwritten signature in black ink, appearing to read 'Thomas Bianco', written over a horizontal line.

THOMAS BIANCO, Mayor

Attest:

A handwritten signature in black ink, appearing to read 'Christine Newcomb', written over a horizontal line.

CHRISTINE NEWCOMB, Borough Clerk

**CERTIFICATE OF AVAILABILITY OF FUNDS**

From: Donna Nestore, Chief Financial Officer, Borough of Clayton

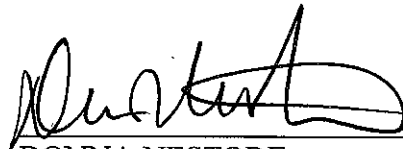
To: Mayor and Council, Borough of Clayton

Re: T&M Associates – LSRP – Preliminary Assessment – Wayne's Auto

AMOUNT OF CONTRACT: \$4800.00

Any expenditures required for the above referred contract are properly chargeable to the NJDEP HDSRF Grant.

I hereby certify that, as of this date, adequate funds have been appropriated in said line and are available to satisfy the expenditure required for the above referenced contract.

A handwritten signature in black ink, appearing to read 'Donna Nestore', is written over a horizontal line.

DONNA NESTORE  
Chief Financial Officer  
Borough of Clayton

Dated: May 22, 2014



YOUR GOALS. OUR MISSION.

**CLAYG1401**

May 19, 2014

Ms. Susan Miller  
Borough Administrator  
Borough of Clayton  
125 North Delsea Drive  
Clayton, New Jersey 08312

**Re: Preliminary Assessment  
Wayne's Auto  
Borough of Clayton  
Gloucester County, New Jersey**

Dear Ms. Miller:

T&M Associates (T&M) is pleased to provide this proposal to conduct a Preliminary Assessment on the property listed above, for the Borough of Clayton. The Borough is requesting this assessment to determine potential environmental concerns associated with the property.

The Preliminary Assessment (PA) is the New Jersey Department of Environmental Protection (NJDEP) procedure for initiating an environmental investigation of a Site.

The PA will be completed in accordance with the NJDEP 7:26E-3.1-3.2 Preliminary Assessment Report procedure as presented by the NJDEP's Technical Requirements for Site Remediation (last amended July 1, 2013). The purpose of the PA is to determine if contaminants are or were present at the Site; or have migrated to or are migrating from the Site due to the presence of any potentially contaminated areas of concern (AOCs) which are defined at N.J.A.C. 7:26E-1.8 as,

"...any existing or former distinct location or environmental medium where any hazardous substance, hazardous waste, or pollutant is known or suspected to have been discharged, generated, manufactured, refined, transported, stored, handled, treated or disposed, or where any hazardous substance, hazardous waste, or pollutant has or may have migrated..."

A summary of the PA scope of work is as follows:

- Present a Site history of ownership and operations of the Site from the time the Site was naturally vegetated without limitation, or as early as possible based on available historical resources;
- Present a brief description of any past industrial/commercial operations conducted on the Site by each owner and operator;
- List all raw materials, finished products, formulations and hazardous substances, hazardous wastes and pollutants which are or were present at the Site, including intermediates and by-products;



**Le:** Ms. Susan Miller, Administrator

**May 19, 2014**

**Page 2**

**Re:** Preliminary Assessment-Wayne's Auto

- Present and past production processes, including dates and their respective water uses, including ultimate and potential discharge and disposal points, and how and where materials are or were received on-Site;
- List all former and current containers, container or bulk storage areas, above and below ground tanks, above and below ground waste and product delivery lines, surface impoundments, landfills, septic systems and other structures, vessels, conveyances or units that contain or previously contained hazardous substances, hazardous waste, and pollutants;
- Present an interpretation of the aerial photographic history of the Site based on available current and historical color, black and white and infrared aerial photographs (scale 1:18,000 or less) of the Site and surrounding area at a frequency which provides a historical perspective of Site activities. Evaluate the photographic history back to 1932 or earliest photograph available;
- Identify any data or information concerning known discharges that have occurred on the Site;
- Identify remediation activities previously conducted or currently underway at the Site including dates of discharges, remedial actions, and all existing sampling data concerning contaminants at the Site. If a government agency was involved, the name of the lead government agency, case identification number, and current case status;
- Identify all remedies previously approved by the NJDEP in a remedial action workplan or equivalent document to determine if remedy remains protective of public health, safety and the environment;
- Identify all existing environmental sampling data concerning contaminants at the Site;
- Identify any known changes in Site conditions or new information developed since completion of previous sampling or remediation;
- Identify all Federal, state and local environmental permits including permits for all previous and current owners or operators, applied for or received, or both, for the Site;
- Identify all administrative, civil, or criminal enforcement actions for alleged violations of environmental laws concerning the Site;
- Identify all areas where non-indigenous fill materials were used to replace soil or raise the topographic elevation of the Site, including the dates of emplacement;
- Identify all waste disposal records for any on-Site landfill that describes the nature, quantity, location and date of the placement in the landfill. Include waste disposal records for all wastes, drums tanks, pressurized gas cylinders and all hazardous wastes;
- Identify all permit requirements pursuant to a Solid Waste Operating Permit, or Disruption and Closure Permit granted pursuant to NJAC 7:26;
- Conduct a Site visit to confirm the findings of the review of historic information obtained through diligent inquiry;
- Prepare and submit the PA report which will include copies of the U.S.G.S. 7.5 minute topographic quadrangle which depict the Site as well as an accurately scaled Site Map detailing lot and block, location of current and former buildings, fill areas, and any areas of concern identified through diligent inquiry;
- The PA report will include a Case Inventory Document prepared pursuant to the NJDEP guidance;



**Le: Ms. Susan Miller, Administrator**

**May 19, 2014**

**Page 3**

**Re: Preliminary Assessment-Wayne's Auto**

- For each AOC at the Site for which a final remediation document was filed or issued, the PA report will include a comparison of contaminant concentrations remaining in the AOC with the NJDEP's current remediation standards;
- Prepare a PA report which presents a summary of the data and information evaluated by areas of concern (AOCs) identified during performance of the PA for the Site. As required at N.J.A.C. 7:26E-3.2(a) 6, the PASI report shall include "A recommendation for each area of concern identified at the Site, supported by a written rationale, that either:
  - A. Additional investigation is necessary because:
    - 1. The area of concern is potentially contaminated; or
    - 2. There is an order of magnitude change in an applicable remediation standard and the prior remediation is no longer protective of the public health and safety and the environment because it is not in compliance with the standard applicable at the time of the comparison; or
  - B. Additional remediation is not necessary because the area of concern is not suspected to contain contaminants above any applicable remediation standard or criterion.

**T&M will conduct these activities for an estimated fee of**

**\$4,800.00**

**TERMS AND LIMITATIONS:**

- This proposal does not include environmental investigations beyond what is presented in the above Scope of Services.
- T&M assumes the Borough of Clayton will secure access to the site.
- All fees will be reimbursable by the NJDEP Hazardous Discharge Site Remediation Fund (HDSRF) to the Borough of Clayton. However, by issuance of a resolution for this effort, the Borough agrees to compensate T&M Associates, in a timely manner, in accordance with the provisions of our existing terms and conditions. The Borough agrees that T&M's compensation for services under this proposal will not be predicated on payment from HDSRF to the Borough of Clayton.
- All regulatory citations are based on regulatory standards in place at the time of this proposal. T&M is not responsible for any changes to regulatory standards or requirements by the NJDEP or other regulatory agencies.
- All fees are based upon the current approved rate schedule with the Borough of Clayton.
- Per discussion with the NJDEP, the Borough of Clayton, and the Borough's Solicitor, a draft resolution for this effort is attached to this proposal.



Le: Ms. Susan Miller, Administrator

May 19, 2014

Page 4

Re: Preliminary Assessment-Wayne's Auto

**SCHEDULE:**

Upon authorization, T&M estimates that 45-60 days will be required to complete field work and report preparation for the above tasks. Unforeseen conditions may extend the estimated time for completion.

We thank you for the opportunity to provide this proposal to you. If you have any questions, or require any additional information, please feel free to contact us at your convenience.

Very truly yours,

**T&M Associates**

Rohan Tadas, CHMM, LSRP  
Supervising Environmental Scientist

Edwin Steck P.E., C.M.E.  
Senior Vice President

attachment

RT/rt

N:\CAMDG1401\Correspondence\Wayne's Auto Preliminary Assessment Proposal.docx