

RESOLUTION: 203-17

**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 Federici & Akin, of Sewell, New Jersey is hereby hired to provide planning services for Reexamination of the Master Plan for an amount not to exceed \$20,000.00.
2. The term of this contract shall be from September 27, 2017 to September 26, 2018.
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 September 27, 2017.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk



FEDERICI & AKIN, P.A.
CONSULTING ENGINEERS

Joseph P. Federici, Jr. P.E., P.P.
President
Douglas E. Akin, P.L.S., P.P.
Vice President

Bret T. Yates
Director of Marketing

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856-589-1400
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March 9, 2017
File No. 17043

Mayor Thomas Bianco & Council
Borough of Clayton
125 North Delsea Drive
Clayton, New Jersey 08312

Re: Reexamination of the Master Plan
Borough of Clayton, Gloucester County, New Jersey
Proposal for Professional Planning Services

Dear Mayor & Council:

We are pleased to submit our proposal for Professional Planning Services for the Reexamination of the Borough's 2007 Master Plan adopted February 21, 2007. The Master Plan was prepared by "The Waetzman Planning Group".

The New Jersey Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq.) provides that each municipality within the State of New Jersey periodically reexamine its Master Plan policies and assumptions, zoning restrictions, site plan and subdivision regulations, and prepare and adopt by resolution, a report on the findings of such reexamination. The Reexamination Report must include the components in accordance with the applicable statute of the Municipal Land Use Law. A reexamination shall be completed at least once every 10 years from the previous reexamination.

According to statute, the reexamination is to be done by the Planning Board as provided for by the governing body. Despite the "provided for" language, the reexamination report, like the master plan, is adopted solely by the Planning Board. No concurrence or subsequent adoption by the governing body is required.

The following is a description of our Planning Services to be provided for the Reexamination of the Master Plan.

BASIC SERVICES SCOPE OF WORK:

The effort shall produce a Master Plan Reexamination Report for the Clayton Planning Board's adoption in accordance with applicable statute, namely Article 12 of the



Municipal land Use Law (N.J.S.A. 40:55D-89), which requires the Reexamination Report to provide the following:

- a) The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b) The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c) The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- d) The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- e) The recommendations of the planning board concerning the incorporation of the redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law." P.L. 1992, c.79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

A Master Plan is a dynamic document that reflects your community's vision. Therefore, to successfully reexamine the Plan and work towards the "Final Reexamination Report" the following steps should be completed.

1. *Ensure public participation* - This is a critical component for the municipality to incorporate citizen's input into the planning for the community.
2. *Planning Board Subcommittee* - Create a small subcommittee to interface with the Planner and Board's Professionals in stewarding and developing the Reexamination Report.
3. *Evaluate conditions* - Evaluate the conditions in and around their municipality such as: housing options and affordability; zoning and build-out projections; limitations of the environment and infrastructure; balance land use opportunities; and natural and cultural resources. Include input from experts, planning board and community members.
4. *Develop a shared set of objectives, policies and goals* - Citizens, planning board members and experts should develop a shared set of objectives, policies and goals for the future of the community. Ensure these goals are compatible with regional plans and State Plan.
5. *Plan for the Future* - Throughout the process focus on the distant future, not the next ten years. Long term planning helps identify concerns and strategies to address them, and avoids many future problems. Municipalities face a



complicated process, to develop a flexible plan that can accommodate future growth, but enough foresight and strength to direct this growth appropriately.

The final product is a culmination of the aforementioned requirements and steps to reflect the visions for the community and provide balance for growth and conservation.

The difference between a Master Plan and Reexamination Report deserves emphasis. Each is authorized under a different section of the Municipal Land Use Law. The Master Plan is the official statement of municipal land use policies. The Reexamination Report is only a commentary on whether portions of the Master Plan and Development Regulations are outmoded and should be changed. Even though a Reexamination Report recommends certain changes to the Master Plan, those changes do not occur automatically. Master Plan changes must follow the procedures of the Municipal Land Use Law that require a public hearing with advanced notice to the official newspaper, the adjoining municipalities and the county planning board.

After adoption of the "Reexamination of the Master Plan" by the Planning Board, should the Borough wish to move ahead with amendments to the town's Master Plan, Codes, Development Ordinances, etc., we would provide these Additional Services bases on anticipated cost estimates submitted under separate cover.

Price Proposal – Consultant Services:

Based on our understanding of the scope of services required as outlined above, we propose to provide the needed Planning Services, on an hourly cost basis in accordance with the amount *Not to Exceed* of \$20,000.00.

The "Cost Not to Exceed" price is our estimate of the normal services expected for the extent of work necessary in the project. However, should the need arise for services beyond those outlined in the Scope of Services, then said work will be considered as extra and Additional Services. If additional work is required, then our office will prepare an estimate of the Additional Services and obtain approval from the Borough prior to commencement.

Basic Services and Additional Services rendered will be invoiced monthly based upon actual hours worked in accordance with our 2017 Rate Schedule adopted by the Borough.

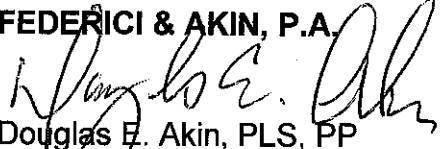
If the Borough should find this proposal acceptable, please arrange for a resolution authorizing such services.



Should you have any questions, please contact this office.

Respectfully submitted,

FEDERICI & AKIN, P.A.


Douglas E. Akin, PLS, PP
Planning/Zoning Board Planner

cc: Sue Miller, Borough Administrator
Debbie Schlosser, Combined Planning/Zoning Board Secretary