

**RESOLUTION: 72-22**

**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 Environmental Resolutions, Inc., of Mount Laurel, New Jersey is hereby hired for the completion of environmental activities associated with the Clayton Water Yard at 39 E. Chestnut Street, for the Borough of Clayton in an amount not to exceed \$13,000.00.
2. The term of this contract shall be from March 10, 2022 to March 9, 2023.
3. Donna Nestore, CFO, for the Borough of Clayton certifies that \$13,000.00 is available through the 2022 Municipal Budget, Environmental Engineer.
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 Gloucester County 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 March 10, 2022.


BOROUGH OF CLAYTON



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TOM BIANCO, Mayor

Attest:

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CHRISTINE NEWCOMB, Borough Clerk

Christopher J. Noll, PE, CME, PF  
*President & CEO*

Barbara J. Fegley, AICP, PP  
*Sec./Treas. & Sr. Vice President*

William H. Kirchner, PE, CME, N-2  
*Vice President*



Rakesh R. Darji, PE, PF, CME, CFM, Vice President  
Harry R. Fox, NICET III, CPSI  
G. Jeffrey Hanson, PE, CME  
Joseph R. Hirsh, PE, CME, CPWM  
C. Jeremy Noll, PE, CME, CPWM  
Joseph P. Orsino, Jr., CET  
Marc H. Selover, LSRP, PG  
Benjamin R. Weller, PE, CME, CPWM, S-3, C-3

## General

### Via US Mail and Email

March 9, 2022

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

**RE: Professional Services Proposal – Remedial Action Report, Response Action Outcome  
For Site known as SRP PI# 00032, Clayton Water Yard, 39 East Chestnut Street, Clayton, New Jersey**

Dear Ms. Miller:

Environmental Resolutions Inc. (ERI) is pleased to provide this scope and fee proposal to the Borough of Clayton (Borough) for the completion of environmental activities associated with the Clayton Water Yard. ERI will conduct the following scope of services:

#### 1. Closure/abandonment of existing ground water monitoring wells.

During the course of remediation, a total of 11 ground water monitoring wells were installed and sampled. Based on multiple ground water sampling events, ground water contamination across the existing monitoring well network has been confirmed to have been remediated to concentrations below New Jersey Department of Environmental Protection (NJDEP) Ground Water Quality Standards. Based on the results, in December 2021 ERI, on behalf of the Borough of Clayton submitted a Classification Exception Area "Lift" to remove an existing CEA from the site. The NJDEP approved this "Lift" in correspondence in January 2022. As such, no additional ground water monitoring and sampling need to take place with this site.

A review of our files indicated that we did not have all available monitoring wells records. Additionally, a number of older wells installed were not able to be located; it is feasible they were either damaged, destroyed, or covered over during normal site operations at the Water Yard.

In January 2022, under previous approved scope, ERI conducted a file review at NJDEP to review historical files, to determine if monitoring wells records were available and if the wells can be located to be properly abandoned by a New Jersey Licensed Well Driller.

ERI will review the files, and based on information available, will also reach out to the NJDEP Bureau of Water Allocation to obtain approval to delist wells that cannot be physically located to be abandoned. Upon receipt of this information from the Bureau of Water Allocation, ERI will retain the services of a New Jersey Licensed Well Driller to abandon available wells. ERI will contact offsite property owners to schedule abandonment at their

property. Note that several wells are located within Chestnut Street, and ERI assumes that no traffic control will be necessary.

**Estimated Fee Not To Exceed – \$9,000.00**

**Please note this fee is an estimate based on abandoning all wells onsite. Should the Bureau of Water Allocation indicate a number of wells can be considered “closed” without actual physical abandonment, this actual costs will be reduced.**

## **2. Preparation of Remedial Action Report/ Response Action Outcome**

Upon completion of all well abandonments and receipt of documentation from the New Jersey Licensed Well driller, ERI will prepare the Remedial Action Report that will document all activities conducted to date to remediate the Water Yard. The documentation will include all soil and ground water data, copies of soil disposal receipts, certified backfill receipts and confirmation that all contamination has been remediated to below current NJDEP standards.

Upon submission of the RAR to the NJDEP via the Online Portal, ERI will prepare the Response Action Outcome to the Borough of Clayton for the remediated areas. The Response Action Outcome will be issued to the Borough, with copies to the NJDEP and Gloucester County Department of Health. Note that ERI will also contact the NJDEP to close out the Administrative Consent Order that was issued for this site.

**Estimated Fee Not To Exceed – \$4,000.00**

No other activities will be included in this proposal. All terms and conditions of ERI's contractual agreement with the Borough of Clayton will be in effect. All fees will be based on the current rate schedule agreed with the Borough of Clayton. Please provide a resolution to the attention of the undersigned to confirm approval of services. Should you have any questions, please feel free to contact us.

Sincerely,  
Environmental Resolutions, Inc.



Rohan Tadas, CHMM, LSRP  
Project Manager

c: Mr. Marc Selover, PG, LSRP, Environmental Resolutions Inc.