

FORT MONMOUTH ECONOMIC REVITALIZATION PLANNING AUTHORITY

Minutes filed by Jeanne Gannon on behalf of the Authority Members of actions taken at the Open Session of the Fort Monmouth Economic Revitalization Planning Authority, held at the Eatontown Municipal Building, 47 Broad Street, Eatontown, New Jersey 07724 at 7:00 p.m. on Wednesday, February 18, 2009.

The meeting was called to order by Executive Director Frank Cosentino who led the meeting in the Pledge of Allegiance. The Open Session was convened at 7:07 p.m. in accordance with the Open Public Meetings Act.

Present:

Monmouth County Freeholder Lillian Burry
Public Member Laurie Cannon
Public Member Rosemarie Estephan
Oceanport Mayor Michael Mahon
Tinton Falls Mayor Peter Maclearie
Eatontown Mayor Gerald Tarantolo
Garrison Commander COL Stephen Christian

Absent: Chairperson and Public Member Robert Lucky had previously advised the Board. With regard to Vice Chairperson and Public Member Virginia Bauer, ED Frank Cosentino made the following statement:

"I have the reluctant responsibility to inform the public that Vice Chair Virginia Bauer has submitted her resignation from the FMERPA Board. Ms. Bauer has accepted a position as Senior Vice President of Business Development for a major non-profit in New York City. These responsibilities in her start-up will preclude any ability to participate on this Board in a meaningful way going forward.

Ginny has served this Board and its obligations with distinction, and has been a strong advocate of public involvement from the outset. She has expressed her sincere gratitude for the opportunity to have served as she has, and, as a lifelong resident of Monmouth County, will continue to support the economic revitalization of the Region in whatever way she can.

We wish her the very best in her new endeavor.

Ms. Bauer will be replaced on the Board at our March meeting."

Freeholder Burry wished Vice Chair Bauer well in her new endeavor. Applause followed.

Freeholder Burry moved the motion for Mayor Tarantolo to serve as Acting Chair for this meeting. Mayor Maclearie seconded and it was unanimously approved.

Elected Officials Comments:

Acting Chair Tarantolo asked for remarks from U.S. Senator Frank Lautenberg or U.S. Senator Robert Menendez, U.S. Representative Frank Pallone or U.S. Representative Rush Holt or other Members of the Congressional Delegation or their staff members. Staff members from U.S. Senator Menendez's office and U.S. Representative Pallone's office were present. No remarks were offered.

Acting Chair Tarantolo presented the Agenda for approval. Mayor Maclearie moved for the approval of the agenda, Mayor Mahon seconded the motion and the agenda was unanimously approved.

Approval of Minutes:

The Minutes of the January 21, 2009 Open Session were moved by Freeholder Burry, seconded by Mayor Mahon, and unanimously approved.

Public Comments on Agenda Items:

1. Tom Mahedy, Wall, asked how Vice Chair Bauer's position will be filled and whether public input would be considered in the selection. Acting Chair Tarantolo and Jack Donnelly responded that the seat would be filled by the Governor's Office via the Economic Development Authority and that the public can write to the Governor's Office. Mr. Mahedy questioned the \$424.32 expenditure in Item 0902-01, Authorization for Expenditure for BRAC Special Counsel. FMERPA Accountant/Treasurer Beverlee Akerblom advised that the expenditure was for consultation for the transition to implementation authority. Mr. Mahedy had these concerns: he has difficulty logging into the Association of Defense Communities (ADC) website; advisory committee meetings should be scheduled in the evening, not during the day, to allow public input; he is not getting written responses to his questions; a member of the solar power community should serve on the Infrastructure Advisory Committee; that a clay barrier is not being used to cap the landfills.
2. Bill Robinson, Eatontown, asked the name of the Sanitary Sewer System Evaluation Consultant and how much they will be paid. Acting Chair Tarantolo identified Hatch Mott Macdonald as the consultant and said they will be paid up to \$310,000.

Chair's Report

Acting Chair Tarantolo commended Mayor Mahon for his "gutsy" letter to President Barack Obama to reconsider the closure of Fort Monmouth.

Executive Director's Report

ED Cosentino introduced Frank Barton, Office of Economic Adjustment (OEA) Project Manager, as John Leigh's replacement after Mr. Leigh's untimely passing. Mr. Barton has 15 years of experience with OEA and has dealt with several major base conversions.

January

- 27 - Interviewed by Design Develop Construct Journal (DDC).
Article in their Spring publication
- Held negotiation with Top Technical Infiltration & Inflow (I&I) submitter
- 29 - Emergency Services Advisory Committee Meeting
- 30 - Long Branch Rotary presentation

February

- 2 - Infrastructure Advisory Committee Meeting
- 3 - Environmental Advisory Committee Meeting
- 4 - BRAC Committee Meeting
- 5 - Monmouth County Engineering Meeting: Roads, Infrastructure, etc.
- 7-11 - ADC Conference: Met with over 30 LRA Directors, both small groups and individuals
- 18 - BRAC Meeting

ED Cosentino emphasized the benefit of attending ADC conferences, which offer FMERPA staff the opportunity to interact one-on-one with other local redevelopment authorities (LRAs) that have dealt with many of the same problems and challenges the Authority is dealing with now. During the course of the San Antonio conference, ED Cosentino was able to meet with several LRA directors whose shared experiences could directly benefit the efforts to create jobs at Fort Monmouth. They included Michael Houlimard (Ford Ord), Fred Meurer (Fort Ord/Carmel, CA City Manager), Tom Markham (Lowry AFB/Denver), Jack Sprott (Fort McPherson/Charleston Naval Shipyards), Fred Bryant (Fort Gillem), and approximately 20 others individually or in small groups. Significantly, several of these meetings resulted in offers by others to forward critical documents for our review and use as may be applicable, such as Intergovernmental Agreements. These documents will be forthcoming.

At the most recent ADC meeting, ED Cosentino met with Army Housing & Installation personnel who expressed their interest in disposition of the property at Fort Monmouth. One of the Army's chief concerns is that the Department of Housing and Urban Development (HUD) has not yet reviewed FMERPA's September 5, 2008 proposal. HUD has 97 proposals in-house to review, and of that number, 34 have been deemed complete, but of these 34, only two had a homeless component. In addition, there are 27 more proposals not yet received. Based on attorneys' input, it is projected that a response will not be received until April, or even as late as mid-Summer.

Regarding Mr. Mahedy's difficulty accessing certain sections of the ADC website, ED Cosentino said that some areas are restricted to ADC members, not the general public. ED Cosentino extended an invitation to Mr. Mahedy to come to the FMERPA offices to review copies of ADC newsletters.

Acting Chair Tarantolo asked ED Cosentino if, in light of the economy, there was any discussion on deferring BRAC at the ADC conference. ED Cosentino responded that there was a lot of speculation but no substantive discussion. In fact, schedules are being maintained and funds are in place to continue the base closures.

Mr. Barton added that the OEA has initiated a "Project Needs Assessment" to get a handle on BRAC communities' needs for redevelopment. The OEA will present their findings to Congress and the

Department of Defense (DoD) with hopes of getting the attention of other Federal agencies to be able to provide funding when the time comes.

Acting Chair Tarantolo stated when the Fort Monmouth closure was announced, the Borough of Eatontown, in concert with Tinton Falls and Oceanport, performed a study to investigate the economic impact of the closure of Fort Monmouth. The study indicated that the unemployment rate for this area would be double the national unemployment rate. Since the current unemployment is 7½ percent, the area could experience a 15 percent unemployment rate, which would have devastating consequences in this area. Acting Chair Tarantolo asked if the OEA is available to provide assistance to host communities during this difficult period. Mr. Barton described the Defense Industry Adjustment Program, which provides financial assistance to communities that are developing diversification strategies to attract new businesses, thereby reducing their dependence on military dollars. Mr. Barton added that OEA would have one point of contact only, and the logical choice, in this case, would be FMERPA.

Mayor Mahon asked Mr. Barton how the Defense Industry Adjustment Program would apply to restaurants, coffee shops and other non-defense businesses. Mr. Barton replied that the OEA lacks the authority to provide financial and technical assistance with private sector businesses, but that the Small Business Administration has a HUB Zone Program, which makes property within a fence line eligible for priority consideration for defense contractors.

Acting Chair Tarantolo asked if the OEA can reach out to other federal agencies to consider moving into this area to offset the negative consequences of the base closure. Mr. Barton responded that OEA can't show preference of one BRAC closure over another. He added that public relations funds might be available if a solid defense diversification strategy is in place and as long as FMERPA does not try to attract business from another locale. The OEA cannot provide funding for marketing, the Economic Development Association (EDA) can.

ED Cosentino reported that in 2005, 99,711 acres of federal property were to be disposed; to date, 97,440 acres remain undisposed. On a legacy basis pre-2005, 129,649 jobs were lost as a result of closures. However, 143,600 new jobs replaced those losses. Mr. Barton added that the data were taken from 73 of the major closures over the past four rounds going back to 1988.

Advisory Committee Chair Reports

Freeholder Burry has been approached by a number of veteran groups who are associating a Tech Center recently reported by the media with the possible closure of the Patterson Army Health Clinic (PAHC). Freeholder Burry was assured that there is no relation between the two. She asked ED Cosentino to assist her in scheduling a Veterans Affairs Advisory Committee meeting. He agreed and added that the Veterans Administration asked for additional space and that they want a clinic to remain in this area, a request that will be honored by FMERPA.

Public Member Cannon reported that the Environmental Advisory Committee met on February 2 to discuss the Army's plans to resurface the stream bank and recap landfills. Other agenda items included: types of caps, soil vs. clay; funding for an ecological study that will be available soon,

according to the Army; underground storage tanks and their hopeful removal; the direction of the Environmental Advisory Committee during the implementation stage, which will be to review the environmental acceptability of each parcel of land. The committee will meet on March 3 at 3 p.m. at the FMERPA offices.

Acting Chair Tarantolo was pleased with the turnout at the January 29 Emergency Services Advisory Committee meeting. It was agreed that each of the municipalities will come to the next meeting on February 26. The time was changed from 3 to 4 p.m. in the hopes that more people can participate. The meeting will focus on the JPM recommendations in the completed consultant report.

Mayor Mahon reported that the Historical Advisory Committee meeting, originally scheduled for February 10, was postponed primarily because of a Section 106 meeting that will take place on February 19. DD Harrison will attend the Section 106 meeting, and with that information in hand, the Historical Advisory Committee will meet at a later time. Also, due to accessibility issues, the committee will meet at the FMERPA offices instead of the Oceanport Municipal Complex.

Mayor Maclearie advised that the Infrastructure Advisory Committee reconvened on February 2, 7:30 p.m. at the Tinton Falls Borough Hall. ED Cosentino gave an update of where matters stood, followed by a presentation by DD Harrison on the status of the Sanitary Sewer System Evaluation, the consultants, the RFP, and the scoring mechanism. DD Harrison did not go into specifics, such as the name of the winning bidder. Only the process was covered. The committee will next meet on March 2 at the Tinton Falls Borough Hall at 7:30 p.m. Mayor Maclearie told Mr. Mahedy that the committee did not receive the information on solar power that Mr. Mahedy claimed to have provided, but that the committee will be happy to consider the topic. ED Cosentino added that FMERPA is very aware and interested in solar power.

COL Christian responded to an earlier comment made by Mr. Mahedy with regard to what is and is not available in the Phase II environmental study. COL Christian directed his staff to review all the information that is out there. He added that he will not task his staff to respond to individual questions in writing due to a lack of manpower and since the answers can be found in the studies posted on the RAB website.

Item 0902-01: Authorization for Expenditure for BRAC Special Counsel

This item is to authorize the expenditure of funds to pay the invoice submitted by BRAC Special Counsel for services provided for the month of December 2008 to McManimon & Scotland LLC in the amount of \$424.32, upon the approval for payment of such invoices by the Office of the Attorney General of the State of New Jersey.

ED Cosentino explained that this resolution was to pay for telephone conversations regarding the transition to implementation phase. Freeholder Burry moved the resolution, Mayor Mahon seconded it, and it was unanimously approved.

Item 0902-02: Authorization for Expenditure to Reimburse Host Municipalities for Technical Assistance Provided by Host Municipalities' Municipal Engineers

This item is to authorize the expenditure of funds to reimbursement the Boroughs of Eatontown, Oceanport and Tinton Falls (the "Host Municipalities") for technical assistance provided to the Authority by the Host Municipalities' municipal engineers. The Host Municipalities' municipal engineers provided technical assistance in connection with the Request for Proposals for Sanitary Sewer System Evaluation Consultant (the "RFP"), which included assistance with the technical aspects of the RFP, particularly the Scope of Services set forth in the RFP.

ED Cosentino explained that early on in the creation of the Request for Proposal for the I&I study, it was recognized that to get the appropriate work product, the Authority would have to rely on engineers who understand the technical language and requirements. The Authority made arrangements with the municipalities for their engineers who worked with us in the structuring of the RFP. The associated costs should not be borne by the municipalities. The combined cost is not to exceed \$29,256.25, which will be reimbursed to the municipalities, not paid directly to the engineers. Freeholder Burry moved the resolution, Mayor Maclearie seconded it, and it was unanimously approved.

Item 0902-03: Appointment of Sanitary Sewer System Evaluation Consultant

This item is to engage Hatch Mott MacDonald as the Sanitary Sewer System Evaluation Consultant. Hatch Mott MacDonald has been selected by the Authority's evaluation committee (established for the purposes of this procurement) as being knowledgeable and competent in the specific disciplines required for the purpose of conducting a sanitary sewer system evaluation, including an evaluation of inflow and infiltration of the Fort Monmouth sanitary sewer system.

Before discussing the evaluation process DD Harrison responded to the members of the public as to the work involved with this project. He reported that this is an inflow and infiltration study and that FMERPA is aware that there is inflow and infiltration – inflow being storm or rain water flowing into manholes and infiltration being ground or storm water getting into the system through breaks in pipes. He stated that the major components and deliverables for this project are: Inspections of manholes, CCTV/video of the pipes, evaluations of 12 pump stations, and finally flow monitoring whereby meters will be put into the system to measure flow in relation to rain events and water usage.

He then reported on the RFP Evaluation Process as follows:

On December 9, 2009, nine proposals were received, logged in and checked for completeness by Administrative Assistant Jeanne Gannon and DD Harrison. (A copy of the Checklist is in the Board agenda packages.)

Cost Proposals were separated from Technical Proposals and given to Beverlee Akerblom, Authority Accountant, who analyzed them and validated the totals. She also calculated means and averages to give some basis of comparison.

An Evaluation Committee consisting of Project Manager Diane Canterbury, ED Cosentino, and DD Harrison independently scored the technical proposals using an RFP evaluation form that is in the board package.

Completed RFP Evaluation forms were compiled by DD Harrison and ranked according to total point scores on one spreadsheet.

Cost proposals were then entered onto the spreadsheet with the technical scores for reference.

FMERPA then entered into price/cost negotiations with the top technical scoring firm, Hatch Mott MacDonald.

Subsequently, agreement was reached on a favorable price with Hatch Mott MacDonald (again – the top scoring firm) so FMERPA is now asking for the board’s approval of this resolution to engage them as our Sanitary Sewer Evaluation Consultant at our negotiated price not to exceed \$310,000.

DD Harrison then stated that he was looking forward to working with Hatch Mott MacDonald. He also expressed his appreciation to the US Army Garrison at Fort Monmouth, the Engineers from Eatontown, Oceanport, Tinton Falls, and the Two River Water Reclamation Authority, for their help and assistance in the development of the RFP.

Finally, he thanked all of the bidders for their interest in this project as evidenced by their proposals and thanked them for their participation in our RFP process. Following Authority approval, all bidders will receive a letter from FMERPA, that will include information on how to get feedback on the evaluation process, how their proposal ranked with the others received, and FMERPA’s evaluation and scoring of their proposal.

Mayor Maclearie moved the resolution, Acting Tarantolo seconded it, and it was unanimously approved.

Mayor Mahon asked DD Harrison if the \$310,000 in the resolution represented the negotiated difference between the \$335,000 in the January 28 proposal and the additional \$20,000 referenced for tree removal in the same document. DD Harrison replied that the \$335,000 was based on the initial scope of work in the RFP. Subsequently, the requirement of running an inclinometer through the pipes was removed because it is not an appropriate device for other than new construction. The inclusion of an inclinometer added approximately 25 percent to the cost so the device was removed from the equation.

A \$20,000 cap was negotiated with Hatch Mott MacDonald, whereby they would pay up to \$20,000 of the waste disposal. Anything beyond that would be borne by FMERPA.

DD Harrison added Hatch Mott MacDonald has a special application that would input the study information and place it in into a GIS database.

Acting Chair Tarantolo asked if anyone challenged our selection or the process. He was told no since this meeting was the first time the selection was announced.

DD Harrison concluded by expressing appreciation to the Army Garrison for their support in this process.

Public Comments Not on Agenda:

1. Tom Mahedy, Wall, expressed his concern over COL Christian’s position on responding to individual questions. He also asked for clarification of a Section 106 meeting taking place on February 19. DD Harrison responded that the meeting was an internal meeting between the Corps of Engineers, Army Garrison and State SHPO. The meeting will be held on the post, it is not open to the public, and FMERPA staff will be attending as invited guests.

2. Linda Zucaro, Tinton Falls, asked when the public will be able to review the Economic Revitalization Study discussed at the prior meeting. ED Cosentino reiterated that the study, which is tied into the implementation strategy, will be made available once it is accepted, probably in March. Ms. Zucaro then asked if the study had to be approved by the Authority and was told no, except that there has to be a consensus from the Governor's Office and FMERPA committees. Ms. Zucaro also asked about the process of forming an implementation authority. Acting Chair Tarantolo responded that they are currently in the process of formulating the implementation authority. Decisions regarding the number of people serving on the board have yet to be made. He noted that Ellen Stein from NJDMAVA has been assisting us in the structure of the implementation authority.
3. Bill Robinson, Eatontown, questioned FMERPA salaries, consultants, and audits.

Since there was no further comment or business, a motion to adjourn was made by Freeholder Burry, seconded by Mayor Mahon and unanimously adopted at 8:45 p.m.