

## FORT MONMOUTH ECONOMIC REVITALIZATION PLANNING AUTHORITY

Minutes filed by Jeanne Gannon on behalf of the Authority Members of actions taken at the Thirty-First Meeting of the Fort Monmouth Economic Revitalization Planning Authority, held at the Maple Place School, 2 Maple Place, Oceanport, NJ 07757 at 7:00 p.m. on Wednesday, October 15, 2008.

### **Call to Order**

Present:

Chairperson Dr. Robert Lucky  
Public Member Rosemarie Estephan  
Public Member Laurie Cannon  
Tinton Falls Mayor Peter Maclearie  
Oceanport Mayor Michael Mahon  
Eatontown Mayor Gerald Tarantolo  
Deputy to the Garrison Commander George Fitzmaier

Absent: Vice Chairperson Virginia Bauer, Freeholder Director Lillian Burry, and Garrison Commander Colonel Stephen Christian

The meeting was called to order by Chair Lucky following the Pledge of Allegiance. The Open Session was convened at 7:00 p.m. in accordance with the Open Public Meetings Act.

### **Elected Officials Comments:**

Chair Lucky 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. None was offered, but Chair Lucky noted the attendance of a staff member of U.S. Representative Holt.

Chair Lucky presented the Agenda for approval. Eatontown Mayor Tarantolo 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 July 30, 2008, Open Session (no Executive Session was held) were moved by Mayor Mahon, seconded by Mayor Tarantolo, and approved.

The Minutes of the August 20, 2008, Board Open Session (no Executive Session was held) were moved by Tinton Falls Mayor Maclearie, seconded by Mayor Mahon, and approved.

### **Public Comments on Agenda Items:**

1. Paul Newell, Oceanport, questioned what would be done with the Fort Monmouth property should the Reuse and Redevelopment Plan turn out to be economically infeasible. Chair Lucky replied that the Reuse Plan is a living plan that can be adapted to whatever the economics are.

2. Tom Mahedy, Wall, re Item #0810-04: Authorization for Expenditure for Planning Consultant Invoice, asked who would receive the allocated \$187,000. Executive Director Frank C. Cosentino replied that since EDAW is the principal in the contract, the money would be paid to them. Subcontractors would then receive portions of that amount from EDAW.

Re Item #0810-02, Request for U.S. Department of Defense Funds for Inflow and Infiltration System Study: Mr. Mahedy asked whether a contractor has been determined yet. ED Cosentino responded that should the Board approve the expenditure, an RFP is planned to be issued in late October. A contractor would then be selected in December and the investigative work would begin in January 2009.

Re Item #0810-03, Authorization for Expenditure for BRAC Special Counsel: Mr. Mahedy voiced his opposition to paying the allocated funds to the legal firms Garrity & Kniseley and McManimon & Scotland because he feels that they are not properly overseeing the process.

Re Item #0810-05, Technical Corrections to Item 0809-01: Mr. Mahedy questioned why Russell Valentini who has not attended any Social Services Advisory Council meetings is listed as a member in the Economic Reuse and Redevelopment Plan. Chair Lucky agreed with this point.

**ITEM 0810-01: REQUEST FOR U.S. DEPARTMENT OF DEFENSE FUNDS FOR MODIFICATION TO EXISTING GRANT**

The purpose of this item is to reflect funding required to perform studies, acquire additional information, organize, supplement and assimilate the input and formulate initial land use concept(s) toward creation of the reuse and redevelopment plan for Fort Monmouth. This amount is not to exceed \$30,000. In order to obtain this amount of funding, it is necessary for the Authority to approve the modification to the existing grant agreement with the U.S. Department of Defense. It is necessary for the Authority to request additional funds in the amount of \$27,000, which represents the 90% Federal funds, which along with \$ 3,000 in State matching funds (10% match), will yield the necessary total of \$ 30,000 required by the Authority. The Authority is already in receipt of the State funds.

FMERPA Accountant Beverlee Akerblom stated that the funds were to cover expenses that were not provided for in the original grant application for CY 2008: \$3000 to cover the Verizon integration network; \$10,000 for additional BRAC counsel fees; \$10,000 for FY 2008 audit; \$7,000 to cover transcription service fees for the July and August Special Hearings. Mayor Tarantolo moved the resolution, Mayor Maclearie seconded it and it was unanimously adopted.

**ITEM 0810-02: REQUEST FOR U.S. DEPARTMENT OF DEFENSE FUNDS FOR INFLOW AND INFILTRATION SYSTEM STUDY**

The purpose of this item is to accept Federal funds to conduct an Inflow and Infiltration System Study (the "Study") on the sanitary sewer system which currently services the residences, offices and facilities on Fort Monmouth. This system feeds into, and has an impact on, the host communities' systems and ultimately the Regional sewer facility.

Points covered:

- The Inflow and Infiltration System Study is a 6-month process.

- Inspection teams will enter manholes identified by FMERPA.
- To help determine where the problem areas are, inflow monitors will be installed in 14 locations to determine the actual flow following a rain storm, since this is when peaking occurs.
- If bids come in higher or lower than the \$325,000 projected cost, then a grant amendment can be submitted.

John Leigh with the Office of Economic Adjustment stated that this process is a common and logical approach to addressing this situation. Mayor Tarantolo moved the resolution, Mayor Maclearie seconded it, and it was unanimously adopted.

**ITEM 0810-03: AUTHORIZATION FOR EXPENDITURE FOR BRAC SPECIAL COUNSEL**

This item is to authorize the expenditure of funds to pay invoices for submitted by BRAC Special Counsel for services provided in the months of December 2007, January 2008, February 2008, March 2008, April 2008, May 2008, June 2008, July 2008 and August 2008, upon the approval for payment of such invoices by the Office of the Attorney General of the State of New Jersey.

Points covered:

- Some time ago, an expenditure of up to \$30,000 for legal fees had been previously authorized; of that, \$29,000 had been paid so far. There has been an uptake in legal activity since then.
- ED Cosentino noted that the original estimate of \$100,000 for legal fees may have been optimistic. The figure of \$107,567.56 was submitted for the Board's approval.
- The law firms originally submitted their invoices to the Office of the Attorney General for review. DAG Kavin Mistry explained that part of the reason for the delay in submitting the invoices to FMERPA was due to their requirement that the law firms bill certain rates for certain activities, and must supply a complete breakdown of their expenses. Future invoices should not be subject to this delay.
- Respectful of Mr. Mahedy's concerns regarding the law firms' performance, ED Cosentino noted that the two firms have been enormously beneficial, they know this business inside and out, and their rates are competitive.

Mayor Tarantolo moved the resolution, Mayor Mahon seconded it, and it was unanimously adopted.

**ITEM 0810-04: AUTHORIZATION FOR EXPENDITURE FOR PLANNING CONSULTANT INVOICE**

This action is to meet the statutory requirement of Section 8(e) which provides the Authority with power to appoint, retain and employ such experts as it the Authority may require in order to fulfill its statutory purposes. Pursuant to Resolution 0802-01, the Authority determined that all invoices submitted by the Planning Consultant will be approved by the Authority prior to payment being made to the Planning Consultant. Accountant Beverlee Akerblom explained this is the sixth (6<sup>th</sup>) invoice submitted by the Planning Consultant covering the period from April 26, 2008 to August 22, 2008 representing billing and invoicing on the original contract and additional amounts approved with the first (1<sup>st</sup>) Contract Amendment totaling \$186,724.62.

Points made:

- This is the sixth invoice received from EDAW since May 2007.
- 82% of EDAW's work has been billed and paid.

- At one point, when EDAW stumbled, they brought in heavy hitters at their own expense to rectify the situation.

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

**ITEM 0810-05: TECHNICAL CORRECTIONS TO ITEM 0809-01**

The purpose of this item is to approve technical corrections, not considered substantive revisions or amendments, to the comprehensive conversion and revitalization plan (the “Reuse Plan”) and the homeless assistance submission (the “Homeless Assistance Submission”) (collectively, the “LRA Application.”).

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

**November 19 Board Meeting**

Mayor Tarantolo raised the point that next month’s board meeting is in conflict with the League of Municipalities Conference in Atlantic City.

Since two Board Members had to leave the meeting early, there was no longer a quorum. Therefore, the motion to adjourn was made by Mayor Tarantolo, seconded by Mayor Maclearie and unanimously adopted at 7:40 p.m.