



UNION COUNTY IMPROVEMENT AUTHORITY

1499 US Highway One, North, 3rd Floor
Rahway, New Jersey, 07065
www.ucimprovementauthority.org
(732) 382-9400 (732) 382-5862 fax

Resolution No. 15-2019

Date: February 6, 2019

**RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING EXTENSION OF THE SHARED SERVICES
AGREEMENT WITH COUNTY OF UNION AND ACTS IN
CONNECTION THEREWITH FOR THE OAK RIDGE PROJECT**

APPROVED AS TO FORM:
Lisa M. da Silva, RMC
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS
☐ YES ☐ NO ☒ NONE REQUIRED
UNION COUNTY IMPROVEMENT AUTHORITY

| | PRESENT | ABSENT | AYE | NAY | ABSTAIN | MOTION | SECOND |
|------------------|---------|--------|-----|-----|---------|--------|--------|
| <i>Barnett</i> | ✓ | | ✓ | | | | ✓ |
| <i>Bornstad</i> | ✓ | | ✓ | | | | |
| <i>D'Elia</i> | | ✓ | | | | | |
| <i>Gunderman</i> | ✓ | | ✓ | | | | |
| <i>Hockaday</i> | ✓ | | ✓ | | | | |
| <i>Huff</i> | ✓ | | ✓ | | | | |
| <i>Lattimore</i> | ✓ | | ✓ | | | ✓ | |
| <i>Rountree</i> | | ✓ | | | | | |
| <i>Salerno</i> | ✓ | | ✓ | | | | |

**RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING EXTENSION OF THE SHARED SERVICES
AGREEMENT WITH COUNTY OF UNION AND ACTS IN
CONNECTION THEREWITH FOR THE OAK RIDGE PROJECT**

WHEREAS, a regular meeting of the Union County Improvement Authority (the "Authority") was held on February 6, 2019; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t) a county improvement authority is empowered to enter into any and all agreements or contracts, execute any and all instruments and do and perform any and all things necessary, convenient or desirable for the purposes of the Authority or to carry out any power given in the County Improvement Authorities Law, N.J.S.A. 40:37A-44 et seq. (the "Act"), subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, pursuant to the Act, the Authority is empowered to, plan, initiate and carry out among other things, facilitating the development and financing of public facilities and development projects within the County of Union; and

WHEREAS, the County of Union previously determined to supplement Oak Ridge Park in Clark, New Jersey as a recreational area with an athletic field and track, amphitheater and bike paths, among other improvement to the property; and

WHEREAS the County has determined it is in the best interests of the residents of Union County to develop Oak Ridge Park for passive and active recreational use; and

WHEREAS, the County had requested the assistance of the Authority in connection with the Oak ridge Project (the "Project"); and

WHEREAS, the County entered into a Shared Services Agreement with the UCIA in July of 2016 to implement the project at the County's Oak Ridge Park in Clark, New Jersey; and

WHEREAS, pursuant to the Act, the Authority is authorized to enter into any and all agreements or contracts and do and perform any and all acts which are necessary, convenient or desirable to carry out the purposes of the Authority; and

WHEREAS, the Authority would like to continue to assist the County of Union in the implementation of the Project; and

WHEREAS, the original agreement between the parties expired on December 31, 2018; and

WHEREAS, the County of Union authorized an extension of the Agreement with the Authority at their January 24, 2019 meeting; and

WHEREAS, the Authority would like to approve an extension of the shared services agreement (the "Agreement") with the County to continue to undertake certain duties and obligations concerning the scope of the Oak Ridge Project and authorize acts in connection therewith in accordance with this Resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MEMBERS OF THE UNION COUNTY IMPROVEMENT AUTHORITY AS FOLLOWS:

1. The Authority hereby agrees to continue to assist the County with the development of and/or conduct on the County's behalf, any and all work pertaining to the scope of the Oak Ridge Project as set forth in the Extension of the Shared Services Agreement attached hereto and made a part hereof.
2. The Authority authorizes the Executive Director to execute the Extension Shared Services Agreement with the County in substantially the form attached with such changes as shall be approved by the Executive Director on advice of counsel. The Secretary is authorized to attest to the signature of the Executive Director appearing thereon and to affix the seal of the Authority thereto.
3. The Authority authorizes the Authority staff to take all actions reasonable and necessary in connection with all duties and obligations regarding the Project as authorized in the Agreement and herein.

**EXTENSION TO AGREEMENT FOR RECREATIONAL
IMPROVEMENTS TO OAK RIDGE PARK**

This is an extension to the County of Union-Union County Improvement Authority Shared Services Amended Agreement of July 2017, which was authorized by the Board of Chosen Freeholders pursuant to Resolution No. 2017-542. This extension to the Amended Agreement is made by and between the COUNTY OF UNION, a body corporate and politic of the State of New Jersey, having offices at Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey 07207 (hereinafter referred to as the "County") and the UNION COUNTY IMPROVEMENT AUTHORITY, a body corporate and politic of the State of New Jersey (hereinafter referred to as "UCIA" or "the Authority"), having offices at 1499 Rts. 1 and 9, Rahway, NJ, 07065. The UCIA and the County are hereinafter referred to collectively as "the Parties."

WITNESS

WHEREAS, Oak Ridge Park is a County owned Park; and

WHEREAS, the UCIA is an independent authority of the County's created pursuant to Chapter 183 of the Laws of New Jersey of 1960 and charged, among other things, with the development and financing of public facilities; and

WHEREAS, the County requested assistance from the UCIA in connection with the development of a section of its Oak Ridge Park (the "Project") as per an Agreement in June of 2016; and

WHEREAS, the Parties amended the aforesaid Agreement in July of 2017 to reflect the change in the scope of the Project to include the installation of a track and field, the construction of attendant facilities, and landscaping in parts of the Park; and

WHEREAS, the Amended Agreement provided that the Project would be completed by December 31, 2018; and

WHEREAS, the Project will not be completed by this date due to the need to comply with the New Jersey State Historic Preservation Office's ("SHPO") requirements which apply to Oak Ridge Park; and

WHEREAS, the Parties now desire to extend their Agreement for this Project in order to complete the Project, as well as make it retroactive to January 1 2019;

NOW, THEREFORE, in consideration of the mutual promises and obligations set forth herein and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto, intending to be legally bound hereby, agree as follows:

1. **Recitals Incorporated:** The recitals set forth above are incorporated into this Amendment as if set forth at length herein.

2. **Effect of This Extension:** The Project is a work in progress. Consequently, the provisions of the Agreement, as amended in July of 2017, remain in full effect.

3. **Retroactive Effect:** This extension dates from January 1, 2019.

3. **Extended Term:** The term of the parties Agreement is hereby extended to March 1, 2021.

4. **Financing of Project:** The authorized cost of this Project, including the Authority's own costs, remains unchanged.

5. **Compliance with SHPO Requirements:** Oak Ridge Park is listed on the State and National Registry of Historic Places. Consequently, New Jersey law required the County to obtain the approval of SHPO in order for the Project to proceed. In late 2017/early 2018 SHPO approved the Project subject to a number of conditions. These conditions are appended hereto as Appendices A and B. UCIA recognizes that these conditions apply and agrees to continue its efforts to meet them in a timely manner.

6. **Green Acre Grant:** The Green Acre Program of the New Jersey Department of Environmental Protection is providing a grant of \$2,250,000 toward the cost of this Project, subject to the Project being completed by December 3, 2019. The County and UCIA will continue to work together to meet this deadline.

7. **Effective Date:** This Extension shall become effective upon its execution following the parties adoption of resolutions approving its terms and conditions.

9. **Modifications and Changes:** Any and all changes to the term of this (Extended) Agreement must be in writing and approved by the respective parties to be effective.

IN WITNESS WHEREOF, the parties have, through the appropriate officials thereof,
executed and sealed this agreement on this _____ day of _____, 2018.

ATTEST:

UNION COUNTY IMPROVEMENT AUTHORITY

By: _____

By: _____
Daniel P. Sullivan

ATTEST:

COUNTY OF UNION

By: _____

By: _____
Edward T. Oatman
County Manager

Approved as to Form

Robert Barry, Esq.
County Counsel



HPO-L2017-142 PROD
HPO Project # 17-2128-4

State of New Jersey

MAIL CODE 501-04B

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES

Office of the Assistant Commissioner

Mail Code 501-03A

P.O. Box 420

Trenton, NJ 08625-0420

TEL. (609) 292-3541 FAX (609) 984-0836

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

December 20, 2017

Linda D. Stender, Deputy Director/Project Manager
Union County Improvement Authority
1499 US Highway One, North, 3rd Floor
Rahway, NJ 07065

RE: Union County, Clark Township
Construction of Multi-Sport Athletic Fields & Related Facilities at Oak Ridge Park
Homestead Farm at Oak Ridge (NJ Register listed September 8, 1995)
Application for Project Authorization
New Jersey Register of Historic Places Act

Dear Ms. Stender:

I am writing regarding your request for authorization for the above referenced project. The construction of the multi-sport athletic fields and related facilities at Oak Ridge Park is located within the boundaries of the Homestead Farm at Oak Ridge. In accordance with the New Jersey Register of Historic Places Act, the Historic Preservation Office (HPO) presented the application to the New Jersey Historic Sites Council (HSC) at its December 15, 2017 meeting. The HSC, after reviewing the submitted Application, hearing the project presentation given by representatives of the Union County Improvement Authority, and listening to public comments received at the meeting and submitted by letter and e-mail, voted to adopt Resolution 2017-393 which recommends that the undertaking, as proposed, be denied.

I have carefully reviewed the record in light of my obligation to consider: (1) the public benefit of the proposed project; (2) whether there are feasible and prudent alternatives to the preferred alternative; and (3) whether sufficient measures could be taken to avoid, reduce, or mitigate impacts to the New Jersey Register listed Homestead Farm at Oak Ridge. In order for me to authorize the application, I must be satisfied the criteria has been met. Based on my review, and the reasons set forth below, I believe these criteria have been met.

The Union County Improvement Authority (UCIA) established that alternative locations have been sought; however because of the environmental and use constraints with other County parks, as well as the fact that most of the parks within the Union County Park System are designed by the Olmsted Brothers, the County has chosen Oak Ridge Park for the proposed project. As presented in your application, based on the Standards and Guidelines of the National Recreation and Park Association (NRPA) for Public Recreation and Open Space, Oak Ridge is currently underutilized. The proposed location of the multi-sport athletic field is on an area of property that was formerly a golf course. The New Jersey Register nomination notes that the period of significance for the property is 1720-1929 and the golf course is a noncontributing element of the historic property. In addition, based on primary documentation, the location of the Battle of Short Hills was south of the Homestead. The proposed

project is located northeast of the Homestead. Archeological investigations of the project site did not identify significant archeological remains in the project area. The image of the five-mile view as presented by public comment is from the back of the house to the Short Hills. The proposed project area will not impede that view shed.

Based on my review of the information provided, the UCIA has demonstrated that the public benefit of the construction of multi-sport athletic fields and related facilities at Oak Ridge Park would provide additional recreation opportunity to the surrounding community and create a National Collegiate Athletic Association (NCAA) standard facility for the Union County College. The UCIA has established why other County parks, with existing track facilities such as Rahway River Park, Meisel Avenue Park, and Warinanco Park cannot meet the NCAA standards, by explaining that all 3 of these parks serve high school sports, which have different field dimensions that is required for collegiate sports.

In accordance with N.J.S.A. 13:1B-15.131 and its implementing rules, specifically N.J.A.C. 7:4-7.2(e)(9)ii, I hereby authorize the project with the following conditions :

1. The UCIA shall work with a roofer with experience in historic properties to properly address the ventilation needs in the roof of the Homestead within six months of the UCIA's acceptance of these conditions. Plans for the roof repairs shall be sent to the HPO for review and approval. 6K
2. The UCIA shall fund a Historic Structure's Report (HSR) for the Homestead, to be done by a team of professionals who meet the relevant National Park Service's professional qualification for Historic Preservation Specialist. The HSR shall meet the guidelines for HSRs provided by the New Jersey Historic Trust and available on their publications page of their website. All future rehabilitation efforts shall be done in accordance with the U.S. Secretary of the Interior's *Standards and Guidelines for Rehabilitation* (the *Standards*). The HSR and a plan for the rehabilitation of the historic Homestead shall be submitted to the HPO under a separate application for project authorization for review and approval within one year of the UCIA's acceptance of these conditions. The UCIA shall ensure the HPO approved rehabilitation plan is implemented within two years of HPO approval. The Homestead shall be occupied by spring of 2020.
3. The UCIA shall engage a qualified licensed landscape architect, who specializes in historic landscapes, to prepare a Landscape Plan for Homestead Park that is historically appropriate. UCIA and the landscape architect, shall work with an archaeological consultant to evaluate the archaeological impacts of the landscape plan. The Landscape Plan, as well as the qualifications of the landscape architect generating the plan, shall be submitted to the HPO for review and approval, prior to implementation, within two years of UCIA's acceptance of these conditions. At a minimum, the Landscape Plan shall include the following provisions:
 - a. Landscaping immediately adjacent to the Homestead shall be planted as part of the rehabilitation of the Homestead. Trees shall be used in this area to further screen the new multi-sport athletic fields. Modern concrete block pavers shall be removed around the perimeter of the historic Homestead. These areas shall be restored with lawn and shrubs.
 - b. Landscape buffers in the following areas:
 - i. The existing plantings in the area between the entry and the exit road to the parking lot for the Track and Field Area shall be saved and enhanced with the addition of native evergreen trees, deciduous shade trees, and ornamental trees. Every effort shall be made to install shade trees wherever possible and

appropriate. The proposed plant material shall be similar to those plants found in the County's Ash Brook Swamp. As appropriate, trees such as Red Maple, Sweetgum, American Holly, Red Cedar, Pin Oak, White Oak, White Pine, Winterberry Holly shall be planted in this buffer. The landscape buffer shall help to screen the parking lot, not only from those travelling along Oak Ridge Road, but also to serve as a screen for the residential area located along Oak Ridge Road.

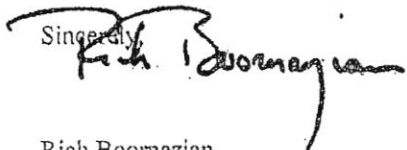
- ii. Additional trees shall be installed on all the islands located within the parking lot to provide shade and additional screening.
 - iii. The existing landscape buffers behind the proposed bleachers will be supplemented. This shall include planting of evergreen and deciduous trees. This shall not only provide additional buffering of the sports field, but shall also offset any trees that would need to be removed to install the Track and Field area.
 - iv. The area immediately surrounding the multipurpose building shall be landscaped not only to soften the hard edges of the building, but also to beautify this highly visible area for park users. A landscape buffer shall include the area around the multipurpose building and the buffer shall then continue and extend along Oak Ridge Road with the purpose of screening the high jump area/shot put areas from Oak Ridge Road. This buffer shall consist of native evergreen and deciduous trees where appropriate.
- c. Shade trees and lawn shall be installed to help restore areas where non-contributing buildings are removed.
 - d. The multipurpose building shall be incorporated into the landscape with appropriate plantings. Plantings shall provide a visual hierarchy and shall be used to highlight the Homestead and reduce the visual importance of the multipurpose building.
 - e. Existing trees in good condition shall be maintained and those in poor condition shall be removed. Additional trees shall be strategically planted as appropriate to enhance views towards the Great Lawn. The UCIA shall make every effort to remove only the existing trees that would be in conflict with the proposed construction. New native evergreen, deciduous shade, and ornamental trees shall be planted wherever appropriate to balance the loss of trees due to the construction of the sports facilities.
 - f. Dead tree removal shall be completed northwest of the Homestead building to open up the vista and evoke the landscape character of a livestock pasture prevalent in the Homestead's past. Tree planting shall emphasize the vista to the north and northwest of the Homestead building. Dead tree removal and the pruning of dead branches shall be undertaken on the mature trees in this area.
 - g. The UCIA shall complete a tree inventory of the 12 acres and any additional areas of the historic property that will be disturbed during construction of the sports facility.
- 4. The UCIA shall implement the landscape plan once it has been reviewed and approved by the HPO.

5. The UCIA shall continue to maintain the open lawn area and existing pathways, and shall repair and/or reroute any walkways displaced by the new facilities where necessary so as to reconnect the walkway system around the park after the completion of the sports facilities.
6. The UCIA shall remove two non-contributing storage buildings west of the Homestead. During the removal of the two non-contributing storage buildings, the pavement shall be removed to the north and east of the buildings. The pavement to the west of the restroom building shall remain and shall only be removed to the line of the walkway north of the Homestead meeting the line of the edge of asphalt from the parking lot. Lawn and shrubs shall be installed to restore the area. The UCIA shall submit a demolition plan to the HPO for review and approval, prior to project implementation.
7. All outstanding details for the project, such as the color of the track, number, location, color, height and details of the proposed lights, and the details of the fencing and multipurpose building shall be reviewed and approved by the HPO prior to project implementation.
8. The UCIA shall pursue funding to draft a nomination and list the Union County Park System on the New Jersey and National Registers of Historic Places within two years of agreeing to these conditions.

Please note that, in accordance with N.J.A.C. 7:4-7.2(e)9ii(1), you must respond in writing to the conditions within 60 days of the issuance of this letter. If you agree to the conditions specified above, please sign the bottom of this letter in the space provided and return it to the HPO. Signature at the bottom of the letter will constitute formal acceptance of the conditions of project authorization. If you disagree or fail to respond to the requirements set forth within 60 days, I must, by regulation, deny your application.

If you have any questions, please contact Meghan MacWilliams Baratta of the HPO staff, at (609) 292-1253 with any questions regarding this review. Thank you for your cooperation.

Sincerely,


Rich Boornazian
Assistant Commissioner for
Natural and Historic Resources

By signing this letter, the UCIA accepts the conditions of authorization outlined above, in accordance with New Jersey Register of Historic Places Act, Chapter 4, laws of 1970 and N.J.A.C. 7:4-7.2(e)9ii(1).

For the UCIA

Attachment

Cc: Mary Delaney Krugman, Mary Delaney Krugman Associates
Clark Historical Society
Union County Historical Society Office
Metuchen Edison Historical Society
Union County Office of Cultural & Heritage Affairs



HPO B 2018- 044 PROD
17-2128-5

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL & HISTORIC RESOURCES
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PHILIP D. MURPHY
Governor

CATHERINE R. McCABE
Acting Commissioner

SHEILA Y. OLIVER
Lt. Governor

February 8, 2018

Ms. Linda Stender
Deputy Executive Director
Union County Improvement Authority
1499 US Highway One, North, 3rd Floor
Rahway 07065
Via e-mail

Re: Union County Multi-Sport Athletic Fields at Oak Ridge Park
Clark Township, Union County
Request for clarification of HPO L 2017-142 PROD

Dear Ms. Stender,

I am writing regarding your January 31, 2018 letter requesting clarification of condition 8 in my conditional authorization letter dated December 20, 2017 (HPO L2017-142 PROD). Condition 8 in HPO L 2017-142 PROD is:

8. The Union County Improvement Authority (UCIA) shall pursue funding to draft a nomination and list the Union County Park System on the New Jersey and National Registers of Historic Places within two years of agreeing to these conditions.

As discussed between you and Katherine Marcopul and Meghan Baratta, of my staff, UCIA is not the owner of the Union County Park System but is responsible for the conditions in the authorization letter HPO L 2017-142 PROD. I have reviewed your letter and agree that condition 8 needs clarification to reflect the Department's intent. Instead of completely removing the condition for the authorization as you requested, I am clarifying condition 8 with the below language:

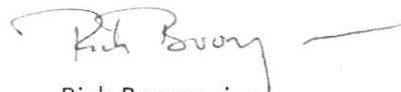
8. The UCIA is strongly encouraged to pursue funding to draft a nomination for the Union County Park System on the New Jersey and National Registers of Historic Places within two years of agreeing to these conditions.

You have made it clear that the UCIA does not have control over the Union County Park System, and therefore have no control over pursuing listing of the County Park System if the County is not in support of listing this resource of the New Jersey and National Registers of Historic Places. I hope that the UCIA and the Union County Park System see the benefit in listing the park system on the New Jersey and National Register of Historic Places for funding opportunities for future rehabilitation work to the various parks.

Please note that, in accordance with N.J.A.C. 7:4-7.2 (e) 9 ii (1), you must respond in writing to the conditions of authorization, which are clarified above, within 60 days of the date of the December 20, 2017 letter. Due to the short amount of time to meet this regulated deadline, the HPO will accept e-mailed correspondence. If you disagree or fail to respond to the requirements set forth within 60 days of the December 20, 2017 conditional authorization letter, I must, by regulation, deny your application.

Please contact Meghan MacWilliams Baratta, of my staff at (609) 292-1253, or Meghan.Baratta@dep.nj.gov with any questions regarding this review. Thank you for your cooperation.

Sincerely,



Rich Boornazian
Assistant Commissioner
For Natural and Historic
Resources

Cc: Daniel Sullivan, Executive Director, UCIA, via e-mail
Ryan J. Scerbo, Esq., via e-mail
Mary Delaney Krugman, Mary Delaney Krugman Associates, via e-mail
Clark Historical Society
Union County Historical Society Office
Metuchen Edison Historical Society
Union County Office of Cultural & Heritage Affairs
Preservation New Jersey
New Jersey Historic Trust
Crossroads of the American Revolution

KJM/MMB