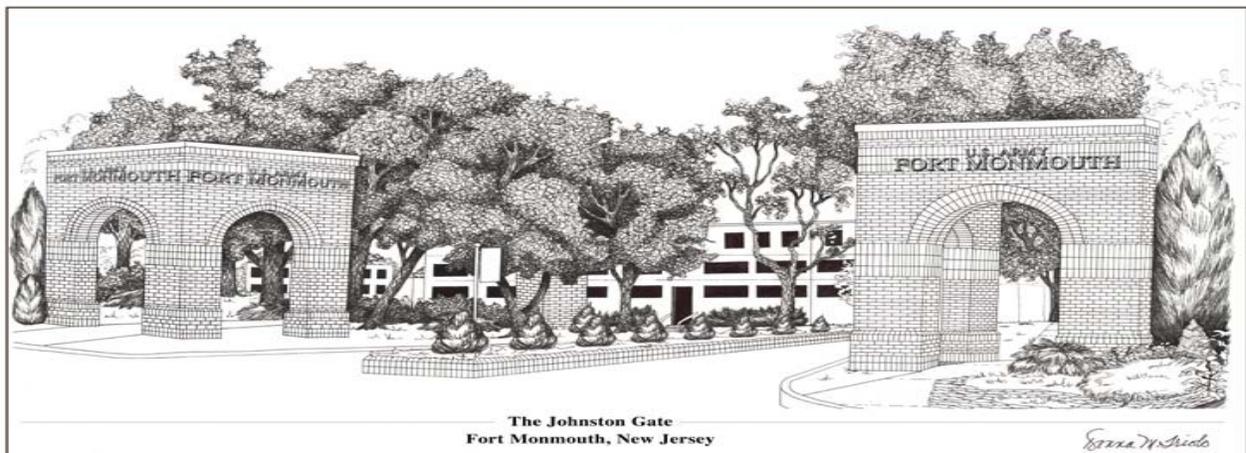


# U.S. Army Garrison Fort Monmouth

## RESTORATION ADVISORY BOARD

OPERATING PROCEDURES  
April 2008



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## **I. Name of Organization**

This organization shall be known as the Fort Monmouth Restoration Advisory Board (RAB). The RAB will operate in accordance with the United States Department of Defense's (DoD) Guideline for Restoration Advisory Boards.

## **II. Definition of a RAB**

A Restoration Advisory Board (RAB) is a stakeholder group that meets on a regular basis to discuss environmental restoration. The RAB enables persons interested in the environmental cleanup at Fort Monmouth to exchange information with representatives of regulatory agencies, the installation, and the community. While the general public can comment on the environmental restoration program, the RAB offers a focused and interactive opportunity to participate in the environmental restoration process.

## **III. Mission Statement**

The mission of the Restoration Advisory Board (RAB) is to serve as a medium for community involvement in the restoration program at the Fort Monmouth, New Jersey. The mission of the RAB is to provide a collaborative forum for the community, government agencies and installation decision-makers to discuss and identify the most efficient and productive means to restore the environment. The RAB is a broad-based group of individuals who reflect the diverse interests of the community and who work together cooperatively for the following purposes:

- a. To review all restoration sites and corresponding documents in the Fort Monmouth Installation Restoration Program (IRP), provide comments and recommendations to responsible parties, regulatory agencies, and the public regarding areas of the IRP (such as environmental restoration documents and activities, preliminary assessments, site inspections, remedial investigations and other documents);
- b. To ensure, by attending meetings regularly and communicating with the IRP Manager and regulatory agencies (federal, state and local), that all RAB comments and recommendations are considered in the decision-making processes;
- c. To promote and influence sound policy decisions (through discussions during RAB meetings) that benefit and improve the quality of the environment of the installation and surrounding communities impacted by the IRP sites at Fort Monmouth;
- d. To ensure that remediation strategies are consistent with proposed or envisioned future land reuse options for the Fort Monmouth property;

- e. To consider the impact of contamination and remediation strategies for Fort Monmouth from an ecological and other environmental perspective;
- f. To ensure the community is fully informed of the restoration program progress that Fort Monmouth is making and has ample opportunity to participate in discussions regarding the ongoing work of the RAB; and
- g. To ensure that the RAB has sufficient opportunity to provide input regarding Installation Restoration Program In-Progress Review decision-making events; and
- h. To provide support to the Fort Monmouth Economic Revitalization Planning Authority (FMERPA) and its Environmental Advisory committee in matters concerning the restoration program.

#### **IV. Authority**

The basis and authority for this charter is the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), particularly Sections 120(a), 120(f) and 121(f) and 10 U.S.C. 2705, enacted by Section 211 of CERCLA.

#### **V. Membership**

The RAB membership is made up of government (federal, state, and local) and local community representatives. RAB meetings will be open to the public. The final selection of community members to the RAB is approved by the Fort Monmouth Garrison Commander through application to the Public Affairs Office. Membership is restricted to 20 members. The selection process is based on applicant representation of diverse interests in the local community with preference given to those who are most impacted by the restoration process. Vacancies among community members are announced in public information media and other forums as deemed appropriate for notifying identified stakeholders (individuals who live and/or work in the surrounding communities affected by the installation.)

The RAB is co-chaired by a government representative appointed Fort Monmouth Garrison Commander and a local community representative elected by the RAB. The community co-chair serves a two-year term.,

The RAB membership is comprised of:

- A. ***Government Representation*** - The RAB shall consist of representatives from the following governmental organizations:
  - U.S. Army Garrison Fort Monmouth
  - U.S. Environmental Protection Agency (Defer to NJDEP)
  - New Jersey Department of Environmental Protection
  - Monmouth County Department of Health

- Tribal Government (To Be Determined)

B. **Community Representation** - The RAB shall also consist of representatives who reside in surrounding communities. RAB members should provide a fair and proportionate representation of the diverse community interests. The Fort Monmouth Restoration Advisory Board will consist of up to but no more than 20 members at any one time.

C. **Role of the RAB Members** - Community RAB members have been chosen (by a selection panel made up of community leaders from Eatontown, Oceanport, Tinton Falls, Little Silver and Shrewsbury) to serve as individuals. RAB members do not represent any institution or jurisdiction. Members should express their own viewpoints on all matters considered by the RAB and bring to the RAB any concerns of the community. **The RAB is not a decision making body.** therefore no liability is incurred by individual RAB members for participation. The RAB may only address issues associated with environmental restoration activities.

D. **Responsibilities of RAB Participants**

(1) Garrison Commander:

- Approves RAB operating procedures, based upon recommendations of co-chairs.
- Periodically monitors RAB meetings.
- Appoints the installation co-chairperson for the RAB.
- Arbitrates disputes, if necessary.
- Determines when and if the RAB should be adjourned, dissolved or reestablished.

(2) Installation Co-Chair:

- Coordinates with the community co-chair to prepare and distribute agendas for meetings.
- Ensures that the installation participates in an open, honest, constructive manner.
- Discusses environmental matters in a manner that will ensure that lay members of the RAB can understand.
- Attends all RAB meetings.
- Ensures RAB members have the opportunity to provide input.
- Ensures community issues and concerns related to restoration are addressed when raised.
- Ensures documents distributed to the RAB are made available to the general public.
- Provides relevant policies and guidance documents to the RAB.
- Ensures that adequate administrative support is provided to the RAB.

- Refers issues not related to restoration to the appropriate officials.
- Reports all RAB activities and correspondence to the Garrison Commander.
- Ensures that RAB members receive necessary training about technical issues regarding the restoration sites.
- Coordinates with the Fort Monmouth Public Affairs Office to ensure notification of public RAB meetings.

(3) Community Co-Chair:

- Coordinates with installation co-chair and community members to prepare agendas.
- Ensures that all RAB community members have the opportunity to participate in an open, honest, and constructive manner.
- Ensures that community issues and concerns related to restoration are raised by encouraging questions during the public RAB meetings.
- Coordinates with installation co-chair to ensure that periodic training assessments are conducted and technical environmental training needs are met.
- Assists with dissemination of information to the general public.
- Accurately report the status of the restoration program, to the community, and coordinate with other RAB members to ensure that they are adequately representing segments of the community at RAB meetings. Reports can be given to local mayors, Councilmen/women, Municipal Environmental Committees and other local organizational meetings.
- Serves without compensation on the RAB.
- In coordination with the installation co-chair, appoints committees as needed.

(4) Community Members:

- Attend meetings.
- Provide individual input in an open, honest, and constructive manner.
- Represent and communicate community concerns to the RAB.
- Act as a conduit for exchange of information.
- Review, evaluate and comment on non-sensitive documents and other materials related to restoration.
- Represent and communicate RAB issues to the community.
- Serve without compensation on the RAB.

(5) Tribal Government Members:

- Attend meetings.
- Serve as a referral and resource on restoration.

- Review documents and other materials related to restoration.
- Ensure that tribal environmental standards and regulations are identified and addressed by the installation.
- Facilitate flexible and innovative resolutions of environmental issues and concerns.
- Educate RAB members regarding tribal sovereignty, tribal laws and their application to Fort Monmouth.
- Participate in the RAB without replacing the government-to-government relationship with the Federal government.
- Assist in education and training for RAB members during question and answer portions of the meeting. Fort Monmouth will provide funding, as deemed necessary for special technical training for the RAB members.

(6) NJDEP Member:

- Attends meetings.
- Serves as a referral and resource on restoration.
- Facilitates flexible and innovative resolutions of environmental issues and concerns.
- Ensures that federal and state environmental standards and regulations are identified and addressed by the installation.
- Assists in education and training for RAB members.

(7) Public:

- Participate in community RAB meetings.
- Observe rules and operating procedures when participating at RAB meetings or interacting with RAB members.
- Ask questions to ensure understanding of RAB activities and impact on the community.

E. ***Adding Members to the RAB*** - New community members may be added at any RAB meeting by a majority vote of the presently appointed RAB members. A membership application shall be completed and distributed to all members for review, at least two weeks prior to the meeting. Voting procedures shall be consistent with those set forth in these rules. Individuals who live and/or work in the surrounding communities affected by the installation, are eligible for membership. The Garrison Commander will have the final approval for all RAB membership.

F. ***Dismissal of RAB Members*** – Members of the RAB may be dismissed for cause upon affirmative vote of two-thirds majority of all of the RAB members. A RAB community member or community co-chair may be dismissed when deemed by the Garrison Commander that the member is hindering open participation and communication, is not committed to the RAB’s goals and objectives, or is not meeting their responsibilities. Absence, without prior notification to either co-

chairperson from three consecutive meetings or 25% of the meetings within a 12 month period, is also deemed just cause for dismissal.

- G. **Compensation** - Community members shall serve without compensation. All personal expenses, including travel shall be borne by the respective member or the member's organization.
- H. **Conflicts of Interest** - The Restoration Advisory Board should not be used as a forum for soliciting business from the U. S. Army Garrison Fort Monmouth. Any RAB member having a conflict of interest with respect to any issue before the RAB shall immediately make known the nature of the conflict. A conflict of interest shall preclude the member from voting on the issue, but the member shall be encouraged to participate in discussions, presentations, or recommendations. Conflict of Interest concerns arise if any board member is an owner, related to an owner, major stockholder or employee of a company who stands to make a direct financial gain or to gain a competitive advantage from RAB actions or recommendations. Board members will disclose any potential conflict of interest issues as soon as it arises. The RAB membership, less the member in question, will vote on removing that member.
- I. **Attendance** – All members shall sign an attendance log and, as a courtesy to the public and other citizens, shall have a name plaque displayed at public meetings. Regular and on time attendance is a requirement for continued RAB membership. Members are expected to attend every meeting. However, when unable to attend, an alternate will be acceptable. The alternate will not be eligible to vote on administrative or any other matters.
- J. **Resignation** - If, at any time, a RAB member wishes to be removed from the board, the member should submit a resignation in writing to either RAB co-chairperson. Resigning RAB members are permitted to nominate new members as replacements.
- K. **Terms of Service** - RAB members will serve a two-year term. RAB members may serve additional terms. The member will be contacted by either the community co-chair or installation co-chair at the end of each term to determine whether the RAB member is still interested in participating.

## VI. Structure and Operating Procedures

- A. **Chairpersons** - The RAB shall be co-chaired by an installation co-chairperson and a community co-chairperson. The Fort Monmouth representative will serve as the government co-chairperson of the RAB. The community members shall separately elect a community co-chairperson and an alternate community co-chairperson. The community co-chairperson and alternate community co-chairperson shall serve for a period not to exceed two years, at which time new

elections shall be conducted. No limit exists as to the number of times a member may be nominated or elected to either position.

- (1) Following the initial vote for co-chair, the community members will provide nominations for individuals to serve as the community co-chairperson. At the conclusion of the nominations a vote will be held, provided that a quorum of community members are present. For purposes of these rules, a quorum shall be defined as no less than a majority of community members. The nominee receiving a majority of the votes cast shall be elected as the community co-chairperson. For purposes of determining a majority, an abstention shall not be counted as a cast vote.
- (2) In the event that no nominee receives a majority of the votes cast, a run-off election will be held between the two nominees receiving the highest vote totals in the prior election. No other nominations can be recognized in a run-off election.
- (3) Upon election of the community co-chairperson, the community members shall elect an alternate community co-chairperson in a manner consistent with the rules prescribed for the co-chairperson's election. The alternate co-chairperson shall serve as the community co-chairperson in the event that the community co-chairperson is absent from a meeting or is otherwise removed.

B. ***Voting*** - Voting will be done by community RAB members only and will be limited to administrative matters (i.e. membership, operating rules). However, the RAB can provide consensus opinions on various environmental restoration issues and these opinions will be documented in the RAB meeting summaries. No voting shall be conducted unless a quorum is present. Any motion made at a meeting shall be approved only when a majority of votes cast by the members present at the meeting votes in favor of said motion. In all voting procedures, votes may only be cast by members physically present at the RAB meeting. Proxy votes shall not be recognized. An absent member may have his written comment presented by a member in attendance prior to any vote. However, such presentations shall in no way constitute a vote.

C. ***Meetings: Frequency*** - After the initial familiarization/training meetings for RAB members, all meetings shall be open to the public, with the exception of occasional administrative meetings. Public meetings will be scheduled as determined by the RAB.. Quarterly public meetings will be held, unless otherwise announced, in locations that are convenient for public access. Announcements of public meetings shall be posted in local newspapers and on the Fort Monmouth BRAC website.

1. ***Responsibilities of RAB administrative support as designated by the***

**installation co-chairperson** - The administrator shall be responsible for meeting room coordination and notifying RAB members of any changes in the meeting site, date and time. The administrator shall be responsible for coordinating and disseminating meeting agendas and the previous meeting's minutes. Approval of prior meeting minutes will be an agenda item for each meeting. Comments on the proposed agenda and previous meeting minutes may be provided to either co-chairperson. The administrator shall send copies of relevant documents to the members via email or notify members where they may obtain the documents for review. Documents which have been classified by the installation as security sensitive will not be made available to the public.

2. **Procedure for Meeting Agendas and Minutes**- The meeting agenda for the next scheduled meeting is generated by the installation and community co-chairpersons at the end of each meeting with input from the RAB members. Minutes summarizing RAB activities shall be kept by the administrator for all RAB meetings and shall be emailed by the installation to all RAB members and posted on the Fort Monmouth BRAC website. Review, correction and approval of previous meeting minutes shall be the first agenda item for each regularly scheduled RAB meeting. Emphasis shall be placed on meeting minutes as an effective communication tool containing a summary of issues discussed and decisions made at the prior meeting rather than as a medium for recording of every statement made in a RAB meeting.
3. **Call to Order** – RAB meetings shall be called to order and facilitated by the community co-chair or his/her designated alternate co-chair in the absence of the community co-chair.
4. **Courtesy** – RAB members will maintain courtesy, decorum, and respect at all meetings, functions, and when representing themselves as RAB members to the general public. Members will not disrupt, harass, or incite disorderly conduct at meetings, functions, or when individually representing themselves as RAB members in the community or other public meetings. RAB members or members of the public who repeatedly fail to abide by this policy shall be considered for dismissal by the installation commander.
5. **Formal Presentations** – Where divergent opinions, data, or theories exist, all sides shall be provided an opportunity to make uninterrupted presentations followed by opportunity for questions from other RAB members or the public in attendance until the scheduled time for the meeting to adjourn.
6. **Public Participation** – Public comments and concerns (not to exceed 3 minutes in duration) will be addressed following the completion of the

scheduled agenda items. Exceptions to the 3 minute rule may be made by majority vote of the RAB. Concerns which cannot properly be addressed in this manner will be suggested as scheduled agenda items for future meetings. Members of the public may also submit questions and concerns to the Fort Monmouth Public Affairs Office or through the Fort Monmouth BRAC website.

**D. *Meeting Ground Rules:***

1. Meetings will start and end on time, unless the group agrees to extend.
2. There will not be any side conversations while the meeting is being conducted – only one person may talk at a time.
3. Meetings will stick to the topics on the agenda. “Open issues” time is available to raise topics for future meetings.
4. All dialogue will be respectful. Respectful dialogue deals with the particulars of the situation without impugning individuals, their motives or their organizations.
5. Decisions made by the group, once reached, will be supported by all the members.
6. To best prepare for the efficient conduct of each meeting, if any member has information relevant to an agenda item, that information should be shared with all RAB members before the meeting.
7. All relevant information concerning the restoration sites on the installation will be shared by all parties, except where privacy or security requirements apply. Information dissemination is one of the major responsibilities of all RAB members.

**E. *Written Response to Comments and Requests for Information:***

Response to public comments and questions not addressed during the public meeting will be provided in writing by installation representatives. Requests for information from the public shall be provided in writing. All action items will be listed in the meeting minutes of the meeting for which they are assigned. Progress on each action item will be briefed at each RAB meeting. When an action item is closed, the written response will be summarized in the meeting minutes.

**F. *Administrative Record and Information Repository* - Final documents, members’ comments reviewed by the RAB (to include dissenting opinions), responses to action items, and RAB meeting minutes become part of the administrative record/information repository which also contains information on final decisions**

or actions taken. The administrative record/information repository will be available for public review via the BRAC website.

## **VII. Adoption and Amendment of Rules**

These rules shall be adopted upon approval by a majority of community RAB members present. A members' approval shall be indicated by the member affixing his or her signature to this document. Any rule is subject to modification, amendment or invalidation upon a majority vote of the members present.

## **VIII. Adjourning and Dissolving the RAB**

The RAB's work is complete when there are no longer any environmental restoration activities at the installation as a result of the installation either reaching a remedy in place; or, the response has been deemed complete (as defined by NJDEP requirements); or, when it has been determined that the community is no longer interested in participating in the RAB. At that time the RAB should complete the documentation of its activities and begin the process of adjournment.

This organization's existence shall be terminated if any of the following events occur:

- termination of RAB program due to change in the law or funding.
- a "Response Complete" determination, in accordance with NJDEP requirements has been made for the of environmental restoration activities at the installation.
- as a result of a majority vote of the community members, provided a quorum exists.
- failure of the community members to establish a quorum for three consecutive scheduled meetings.
- the entire property has been transferred to a non-DoD entity.
- lack of community interest.
- all Record of Decisions are signed in accordance with NJDEP requirements.
- all remedies are in place in accordance with NJDEP requirements.

The Garrison Commander shall notify all RAB members and the public of the decision to dissolve or adjourn the RAB through writing and publication in a local newspaper. There shall be a 30 day comment period for members and the public. Comments shall be reviewed by the commander. The Garrison Commander has the final authority to dissolve the RAB. Notification of the decision and rationale for the dissolution shall be forward to the Deputy Assistant Secretary (DAS) and Office of the Deputy Under the Secretary of Defense (ODUSD (I&E)).

**IX. Effective Date and Signature.**  
IT IS SO ADOPTED:

\_\_\_\_\_  
COL STEPHEN M. CHRISTIAN      DATE  
Fort Monmouth, Garrison Commander

\_\_\_\_\_  
WANDA GREEN                      DATE  
USAGFM Representative

\_\_\_\_\_  
JOSEPH FALLON                      DATE  
USAGFM Representative

\_\_\_\_\_  
LARRY QUINN                      DATE  
New Jersey Department of Environmental  
Protection

\_\_\_\_\_  
WILLIAM SIMMONS                  DATE  
Monmouth County Department of Health

\_\_\_\_\_  
DAN LEVINE                      DATE  
Representative -Little Silver Business

\_\_\_\_\_  
BRAIN CHARNICK                  DATE  
Resident - Eatontown

\_\_\_\_\_  
EDWARD DLUGOSZ                  DATE  
Resident - Eatontown

\_\_\_\_\_  
FRANK BARRICELLI                  DATE  
Resident – Oceanport

\_\_\_\_\_  
JIM MODLIN                      DATE  
Resident – Oceanport

\_\_\_\_\_  
PIPPA WOODS                      DATE  
Resident – Tinton Falls

\_\_\_\_\_  
JAMES ALLEN                      DATE  
Resident – Tinton Falls

\_\_\_\_\_  
DIANNE CRILLY                      DATE  
Resident - Shrewsbury

\_\_\_\_\_  
ROSEMARY BREWER                  DATE  
Resident – Little Silver