

**MEMORANDUM OF AGREEMENT
BETWEEN
NEW JERSEY DEPARTMENT OF MILITARY AND VETERAN'S AFFAIRS
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER
UNITED STATES VETERANS ADMINISTRATION
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE DEMOLITION OF THE
MENLO PARK VETERANS MEMORIAL HOME
EDISON, NEW JERSEY**

WHEREAS, New Jersey Department of Military and Veteran's Affairs (NJDMVA) will, with funds from the United States Veterans Administration (USVA) demolish the Menlo Park Veterans Memorial Home; and

WHEREAS, NJDMVA and the USVA have determined that the demolition of the Menlo Park Veterans Memorial Home will have an adverse effect upon the Memorial Home which is eligible for listing on the National Register of Historic Places, and has consulted with the Advisory Council on Historic Preservation (Council) and the State Historic Preservation Office (SHPO) pursuant to the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, Preservation of the existing building would require relocation of current residents of the home off-site during construction of the new facility, and such relocation would cause undue hardship on the residents; and

WHEREAS, NJDMVA and USVA have considered the alternatives to demolition of the Menlo Park Veterans Memorial Home and concluded, in concurrence with the New Jersey SHPO, that there is no reasonable way to avoid the adverse effect of demolition of the Memorial Home; and

NOW, THEREFORE, USVA, the Council, the SHPO and NJVA agree that the project shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

1. PRESERVATION

NJDMVA shall retain the Maintenance Building in its present location. NJDMVA shall take such steps as are necessary to preserve the building. NJDMVA shall submit plans/specifications for treatment of the building to SHPO for review for conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties - Preservation.

2. **DOCUMENTATION**

The NJDMVA shall contact the National Park Service (NPS), Northeast Field Office to determine what level and kind of HABS/HAER recordation is required for the Menlo Park Veterans Memorial Home. The applicant will complete all required recordation and secure NPS approval prior to initiating demolition of the Memorial Home. Copies of this documentation with original photographs will be provided to the NJ SHPO, and New Jersey State Archives.

3. **MONITORING**

The Council and SHPO may monitor activities carried out pursuant to this Memorandum of Agreement. USVA and NJDMVA shall cooperate with the Council and SHPO in carrying out their monitoring and review responsibilities.

4. **DISPUTE RESOLUTION**

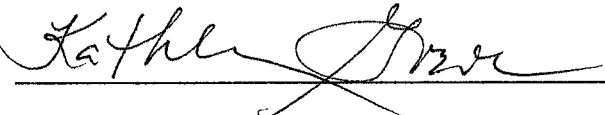
Should the SHPO or member of the public object within thirty (30) days to any plans provided for review or action proposed pursuant to this agreement, the USVA and NJDMVA shall consult with the objecting party to resolve the objection. If the USVA determines that the objection cannot be resolved, the USVA shall request the further comments of the Council pursuant to 36 CFR Part 800.6(b). Any Council comment provided in response will be taken into account by the USVA in accordance with 36 CFR Part 800.6(c)(2) with reference only to the subject of the dispute; the USVA's responsibility to carry out all actions under this agreement that are not the subjects of this dispute will remain unchanged.

5. **AMENDMENTS**

Any part to this Agreement may request that it be amended, whereupon the parties will consult in accordance with 36 CFR Part 800.5(a) to consider such amendment.

Execution of this Memorandum of Agreement by USVA and the SHPO, its subsequent acceptance by the Council, and implementation of its terms by NJDMVA, evidence that USVA has afforded the Council an opportunity to comment on the demolition of the Menlo Park Veterans Memorial Home.

UNITED STATES VETERANS ADMINISTRATION

By:  Date: 3/21/96

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NEW JERSEY HISTORIC PRESERVATION OFFICE (SHPO)

By: Dorothy P. Guzzo Date: 3-19-96

NEW JERSEY DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

By: Harper P. Hunt Sr Date: 3-19-96

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: John W. Beck Date: 6/21/96
Don Klima, Dir. Eastern Office of
Review Deputy Ex. Director