



TO: Members of the Board of Directors

FROM: Bruce Steadman
Secretary & Executive Director

DATE: February 20, 2013

SUBJECT: Agenda for Board Meeting of the Authority

1. **Call to Order – James V. Gorman, Chairman**
2. **Pledge of Allegiance**
3. **Notice of Public Meeting - Roll Call – Bruce Steadman, Secretary**
4. **Approval of Previous Month’s Board Meeting Minutes**
5. **Welcome – James V. Gorman, Chairman**
6. **Secretary’s Report**
7. **Treasurer’s Report:**
 - Summary of Status of Federal Grant and Fort Monmouth Economic Revitalization Authority (FMERA) Financials
8. **Public Comment Regarding Agenda Items**
9. **Executive Director’s Report:**
 - Update on Parcel E
 - Update on AcuteCare
 - Update on Meetings with Army Representatives
 - Update on Requests for Offers to Purchase (RFOTPs) and Request for Proposals (RFPs)
 - Update on Cushman & Wakefield Marketing Effort
 - Update on Small Business Initiative
 - Update on Community Bus Tour
 - Update on Action Items

10. **Committee Reports**

- Audit Committee – Robert Ades, Chairman
- Real Estate Committee – James V. Gorman, Chairman
- Environmental Staff Advisory Committee – Kenneth J. Kloo, Chairman
- Historical Preservation Staff Advisory Committee – Robert Ades, Chairman
- Housing Staff Advisory Committee – Charles Richman, Chairman
- Veterans Staff Advisory Committee – Lillian Burry, Chairwoman

11. **Board Actions**

1. Consideration of Approval of lease of the Teen Center and Pool from the Army and FMERA's sublease of the property to the County of Monmouth upon the same terms as FMERA's lease with the Army
2. Consideration of Approval of lease of the former Provost Marshall's Office from the Army and FMERA's sublease of the property to the New Jersey State Police upon substantially the same terms as FMERA's lease with the Army
3. Consideration of Approval of lease of Buildings 410 and 418 from the Army and FMERA's sublease of the property to the County of Monmouth for the County's Homeless Shelter upon the same terms as FMERA's lease with the Army
4. Consideration of Approval of Award of Request for Proposals for Professional Management and Maintenance for Fort Monmouth Suneagles Golf Course and Associated Banquet/Restaurant Facilities
5. Consideration of Approval of Modification of Office of Economic Adjustment grant to reimburse host municipality consultant expenses incurred in support of FMERA's land use regulations and development and design guidelines

12. **Other Items**

13. **Public Comment**

14. **Adjournment**

Fort Monmouth Economic Revitalization Authority
Board Meeting
January 16, 2013
Maple Place School, Oceanport, New Jersey

MINUTES OF THE MEETING

I. Members of the Authority present:

- James V. Gorman, Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) - **V**
- Robert Ades, Vice Chairman, Public Member – **V**
- Tim Lizura, President and COO, New Jersey Economic Development Authority (NJEDA) - **V**
- Brett Tanzman, Assistant Counsel, Authorities Unit, Office of the Governor – **V (via telephone)**
- Dr. Robert Lucky, Public Member – **V**
- Lillian Burry, Monmouth County Freeholder – **V**
- Gerald Tarantolo, Mayor of Eatontown - **V**
- Gerald Turning, Borough Administrator, Tinton Falls - **V**
- Michael Mahon, Mayor of Oceanport - **V**
- Charles Richman, Deputy Commissioner, NJ Department of Community Affairs (DCA)
- Jonathan Lowy, Regional Manager, Government and Community Relations, NJTransit (NJT)
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)
- Mary Ellen Clark, Assistant Commissioner, NJ Department of Labor & Workforce Development

V- Denotes Voting Member

Also present:

- Bruce Steadman, Executive Director, FMERA
- Gabriel Chacon, Deputy Attorney General (DAG)
- FMERA staff

II.

The meeting was called to order by Chairman James V. Gorman at 7:02, who led the meeting in the Pledge of Allegiance.

In accordance with the Open Public Meetings Act, FMERA Executive Director and Secretary, Bruce Steadman, announced that notice of this meeting has been sent to the Asbury Park Press and the Star Ledger at least 48 hours prior to the meeting, that a meeting notice has been duly posted on the Secretary of State's bulletin board at the State House, and the FMERA and the NJEDA websites.

The first item of business was the approval of the December 12th meeting minutes. A motion was made to approve the minutes by Mayor Tarantolo and seconded by Tim Lizura.

Bob Ades read a statement which is attached hereto.

Motion to Approve: MAYOR TARANTOLO Second: TIM LIZURA
AYes 9

III. WELCOME

Chairman James V. Gorman welcomed attendees to the Board Meeting. Mr. Gorman stated that FMERA continues its support with the Federal Emergency Management Agency (FEMA), the U.S. Army and the N.J. Governor's Office in the recovery efforts to aid the victims of Hurricane Sandy who have lost their homes. Mr. Gorman stated that approximately 45 families are currently housed at Fort Monmouth and further efforts are continuing for FEMA housing.

Mr. Gorman stated that the Board would consider for approval four Board actions: 1) the consideration of approval of rules containing the Land Use Regulations and Development and Design Guidelines to be published in the New Jersey Register; 2) approval for FMERA to make Parcel B on the Main Post of the former Fort Monmouth available through the Offer to Purchase Process; 3) approval of the consideration to revise terms of the proposed Purchase and Sale Agreement with AcuteCare for the Clinic Parcel; 4) approval of the Utility Easement from FMERA for electrical service to Parcel E. Mr. Gorman stated that the board materials are available to the public at the meeting.

The Chairman went on to state that there will be two comment periods at the meeting and due to the lengthy agenda, the comment period per commenter is limited to five minutes. The first comment period is for agenda items only and the Chairman asked for the public's cooperation in keeping their comments as brief as possible. The Chairman explained that the second public comment period is towards the end of the meeting agenda and is open to the full range of FMERA business. The Chairman reiterated his request for the public's cooperation in keeping comments as brief as possible. The Chairman continued by stating that in his role as Chairman he is required to conduct an orderly meeting and complete the meeting agenda in a reasonable time period. The Chairman concluded by stating that FMERA continues to welcome the public's constructive comments and ideas.

IV. SECRETARY'S REPORT

Bruce Steadman stated that the Secretary's report is related only to the Board Actions.

V. TREASURER'S REPORT

Beverlee Akerblom, Director of Finance and Administration stated that the Authority's extension request for the grant scheduled to end December 31, 2012 has been approved by the Office of Economic Adjustment. The extension through June 30, 2013 will allow for completion of previously approved contracts, including planning consulting services.

The Authority's 2014 appropriation request has been submitted to the New Jersey Office of Management and Budget (OMB) for their review and inclusion in the state's fiscal year 2014 budget. The Authority's funding request of \$249,000 is a reduction from 2013's state appropriation of \$263,000, and reflects the Authority's dedication to controlling costs, and eliminating unnecessary spending. The State appropriation is required to satisfy the 10% local match requirement of the federal

grant received through the Office of Economic Adjustment. Field work has begun on the audit of the Authority's 2012 operations. Ms. Akerblom concluded her report by stating that spending continues to be strictly monitored.

VI. PUBLIC COMMENT REGARDING AGENDA ITEMS

Anthony Talerico of Eatontown, in reference to Parcel B, asked when a plan change amendment comes to be. Mr. Steadman stated that the Request for Offer to Purchase (RFOTP) is based on the type of development and density that is referred to in the Reuse Plan. The RFOTP includes language which states that the proposer is requested to present a bid which is consistent with the Reuse Plan. Mr. Steadman stated that the proposer is also allowed to make a second proposal with an alternative which may allow the property to have a higher and better use for other reasons of economic development. Mr. Steadman stated that during the evaluation process it is noted if the proposer has made an alternate proposal that would require a change in the Reuse Plan. The change is then reviewed with the Real Estate Committee for discussion and it is then decided if a plan change is warranted as compared to proposals that don't require a plan change.

Bob English of Eatontown asked if the RFOTP for Parcel B will specify rentals or owner occupied. Mr. Steadman stated that the Reuse Plan refers to apartments and other types of residences. Mr. Steadman stated that there is a statement in the Howard Commons RFOTP that Eatontown would prefer owner occupied as opposed to rentals. Mr. Steadman stated that, as of now, Eatontown has not indicated such a preference for Parcel B.

Mr. English asked if a proposer can submit only an alternative proposal for the Parcel B RFOTP which is not consistent with the Reuse Plan, and was answered yes, the bidder may opt to defer on a proposal consistent with the Reuse Plan, and focus solely on the alternate.

Tom Mahedy of Wall Township stated that Howard Commons and the former Army clinic belong to the public and should not be privatized. Mr. Mahedy stated that the number of families in FEMA's interim housing plan is not consistent with what was stated in the public. Mr. Mahedy stated that the Board package should be available to the public before and not at the Board meeting. Mr. Mahedy stated that he was opposed to the Land Use Regulations, and stated that the Fort land had been totally flooded by Hurricane Sandy.

VII. EXECUTIVE DIRECTOR'S REPORT

Dave Nuse, Director of Real Estate Development, stated that FMERA and the Army continue to have regular discussions on the future transfer of the balance of the Main Post, under a Phase 2 Memorandum of Agreement (MOA). In furtherance of this effort, members of the FMERA staff plan to travel to Washington D.C. to meet with Army Representatives later this month. These discussions are helping to further a positive working relationship that will result in a revitalized former Fort Monmouth.

Dave Nuse stated that the families displaced by Hurricane Sandy moved into Building #365 on the former Fort Monmouth before Christmas. In addition, FEMA has begun to retrofit other buildings in the Lodging Area on the Main Post, and in the Megill Housing in the middle of the Suneagles Golf Course for use by victims of the Storm. The interim housing on the former Fort Monmouth is a FEMA initiative. FMERA is supporting the effort in any way we are able.

Rick Harrison, Director of Facilities Planning, stated that FMERA issued an RFOTP for the Howard Commons Area of the former Post on December 14, 2012. The approximately 64 acre parcel is intended to be developed into housing, as shown in the Fort Monmouth Reuse and Redevelopment Plan. Proposals are due by noon on January 28, 2013. In addition to the issuance of the Howard Commons RFOTP, FMERA staff issued a RFP for an operator for Suneagles Golf Course on Friday, January 11, 2013, with a mandatory pre-proposal conference being held on Friday, January 18, 2013 at Gibbs Hall and proposals due by noon on February 11, 2013. Lastly, a RFOTP for the Officers Housing in the Historic District was issued on January 16, 2013. The Officers Housing is intended for residential reuse consistent with the Fort Monmouth Reuse and Redevelopment Plan. Proposals for the Officers Housing are due by 3:00 pm on March 1, 2013.

Rick Harrison stated that as a result of Hurricane Sandy the November 1, 2012 Community Bus Tour was postponed. The bus tour is now being rescheduled for Wednesday, January 30, 2013. The Bus Tour will allow members of the public to tour the former Post and speak to members of the FMERA staff about the redevelopment effort.

The tour will leave from the Visitor Center on Oceanport Avenue at 10:00 am on January 30. Due to the capacity of the buses, the tour will be limited to 60 members of the public. Members of the public will be able to reserve a seat on the bus on a first come, first serve basis and will receive an e-mail from the FMERA Office confirming their attendance. Reservations made for the November 1 tour will NOT transfer to the January 30 bus tour. Please express your interest in participating in the tour by e-mailing FMERAINFO@njeda.com.

Bruce Steadman stated that each of the Staff Advisory Committees met earlier this month. The Environmental, Historical Preservation, Housing and Veterans Staff Advisory Committees each convened a meeting with their new memberships. The membership of the SACs will be posted on the FMERA website shortly. Each of the SAC seats is for one year, expiring and being renewable as of the FMERA September Annual Meeting each year. Thirty of the thirty-two seats have been filled.

Action Items for Next Month.

- Continued work with Matrix Design Group and the N.J. Department of Environmental Protection to identify and resolve environmental issues of concern
- Continued meetings and tours with interested prospective employers, investors, and developers
- Continued outreach to our stakeholders
- Continued collaboration with our Trenton office on marketing and business development opportunities
- FMERA has collaborated with several Federal, State and Local agencies regarding storm response initiatives
- FMERA is anticipating holding the May Board meeting at the new FMERA office at the former post library, and an access plan for the public is being worked on with the Army

Mayor Tarantolo asked if FMERA is pursuing a new lease for the Suneagles Golf Course and can FMERA extend the lease to the current operator. Rick Harrison stated that FMERA is pursuing an 18 month extension of the current lease from the Army to FMERA, and a new contract with a golf course operator.

Tim Lizura asked what the Howard Commons and the Officers Housing initiative net for the region and the Hurricane Sandy victims. Mr. Steadman stated that the Reuse Plan states 275 permanent units for Howard Commons, 117 permanent units for the Officers Housing, and the FEMA interim housing calls for 115 interim units for a total of 507 interim plus permanent.

VIII. COMMITTEE REPORTS

a) AUDIT COMMITTEE (ROBERT ADES, CHAIRMAN):

Robert Ades stated that the Committee did not meet this month, but will be meeting in April.

b) REAL ESTATE COMMITTEE (JAMES V. GORMAN, CHAIRMAN):

Chairman Gorman stated that the Committee met on January 9th at 4:30p.m.

- Discussion with Liz Leheny of Phillips Preiss Grygiel (PPG), to determine how the FEMA interim housing on the former Fort Monmouth for victims of Hurricane Sandy might change the redevelopment effort focus and schedule. The Committee will have further discussion with PPG at the next meeting.
- Discussion regarding the proposed rules containing the land use regulations and development and design guidelines. The Committee agreed to recommend the proposed new rules to the Board of Directors for approval to submit for publication in the New Jersey Register.
- The Committee reached a consensus and agreed to recommend making Parcel B available through the Offer to Purchase Process to the full Board of Directors for approval.
- Discussion regarding the AcuteCare parcel and the amendment of the PSA. The Committee agreed to recommend the amendment to the Board of Directors for approval to accommodate AcuteCare's request, and increase the bond to FMERA.
- Discussion regarding several other real estate matters including the lease for the Teen Center and swimming pool and the Childhood Development Center.

c) ENVIRONMENTAL STAFF ADVISORY COMMITTEE (KENNETH J. KLOO, NJDEP):

Kenneth J. Kloo stated that the Committee met on January 7th at 5:00 p.m.

- The Committee was provided an overview of the Committee's make-up, the Committee's role and mission.
- The Committee was provided a virtual tour of the former Fort Monmouth property, providing a high-level overview of the redevelopment process to date and the future redevelopment plans.
- The Committee was provided with an overview of the RFOTP for Howard Commons and the Officers Housing.
- An overview of the Teen Center and Swimming Pool (the pool) and the Childhood Development Center (the school) was given. The pool will be leased, and ultimately sold, to the County of Monmouth, and the School will be leased, and ultimately sold, to the Borough of Tinton Falls.
- A discussion regarding the Finding of Suitability to Lease (FOSL) and the Finding of Suitability to Transfer (FOST) process as well as the DEP's role in the process was provided.
- The DEP explained that the Army has completed their vapor intrusion re-test. Vapor intrusion is the process by which certain contaminants that are present in ground water or soil can

migrate in vapor form from underneath and into a building. The Army re-tested five buildings: sub-slab and indoor air in every building that was required. All of the buildings were fine except for the sub-slab testing under building #699 – which is more likely related to the dry cleaning facility located nearby. The Army continues to work on this condition with the DEP oversight.

- Items to be discussed at the next Committee meeting include: the landfills or dumps on the former Post; a strategy of how best to demolish the Myer Center; the Motor Pool FOSL and the Teen Center FOSL.

Mayor Mahon stated that a member of the Oceanport Council asked if the Committee was aware if any of the buildings or land that were flooded by Hurricane Sandy stored any transformers containing any PCB's and would the Committee be researching the systems. Mr. Steadman stated that the Army has confirmed that there are no areas on the Fort that were flooded that contained any PCB transformers.

Mayor Mahon asked if the Committee remains a Staff Advisory Committee and was answered yes.

Gerald Turning asked if the Borough of Tinton Falls could review the strategy that is discussed regarding the Myers Center demolition. Mr. Kloo stated that the Committee would be making recommendations on the strategy on how best to demolish the Myers Center, but that at this time this is a very preliminary conceptual discussion.

d) HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (ROBERT ADES):

Robert Ades stated that the Committee met on January 8th at 4:30 p.m.

- The Committee was provided an overview of the Committee's make-up, the Committee's role and mission.
- The Committee was provided a virtual tour of the former Fort Monmouth property, providing a high-level overview of the redevelopment process to date and the future redevelopment plans.
- The Committee reviewed and discussed the Programmatic Agreement for the Historical District at Fort Monmouth.
- The Committee reviewed and discussed the RFOTP for the Historical Housing in relation to the Programmatic Agreement.
- Items to be discussed at the next meeting include: schedule a tour of the historical areas; review the Design Guidelines of two closed BRAC facilities, and discussion of the recordation process with Army representative.

e) HOUSING STAFF ADVISORY COMMITTEE (CHARLES RICHMAN, DCA):

Charles Richman stated that the Committee met on January 10th at 4:30 p.m.

- The Committee was provided an overview of the Committee's make-up, the Committee's role and mission.
- The Committee was provided a virtual tour of the former Fort Monmouth property, providing a high-level overview of the redevelopment process to date and the future redevelopment plans in relation to housing.
- The Committee reviewed and discussed the RFOTPs for Howard Commons and the Officers Housing. The Committee had a lengthy discussion on an expression of support to determine

that the term "apartment" be viewed as a type of construction and not necessarily a tenure type in order that ownership is established.

- There was a discussion regarding the \$20,000 cost per acre homeless funding and that the monies will come from the sale of the property, and the developer will not be responsible for the homeless obligation.
- There was a discussion regarding the housing types post Hurricane Sandy, and FEMA's decision to make interim housing a FEMA/Army direct project. The Department of Community Affairs (DCA) has encouraged FEMA to make as many residential units as they can available at the Fort.

Chairman Gorman thanked Mr. Richman for all his work and efforts in behalf of those displaced by Hurricane Sandy.

f) VETERANS STAFF ADVISORY COMMITTEE (FREEHOLDER LILLIAN BURRY):

Freeholder Burry stated that the Committee met on January 14th at 4:00 p.m.

- The Committee was provided an overview of the Committee's make-up, the Committee's role and mission.
- The Committee was provided a virtual tour of the former Fort Monmouth property, providing a high-level overview of the redevelopment process to date and the future redevelopment plans.
- There was a discussion regarding the plight of the homeless Veterans and the continued need to enumerate the problem and the desire to establish a homeless Veterans project at Fort Monmouth.
- The Committee reviewed and discussed specific homeless Veterans programs around the Country.
- There was a discussion of programs to provide Veterans with assistance in transitioning back into society, including job search, resume assistance and educational seminars.
- There was a discussion on providing any or all information to Veterans as resource guide which is available on the County Office of Aging website.
- There was a discussion on providing a social center on or near the Fort property for Veterans.

IX. Board Actions

The next item before the Board was the consideration of approval of Rules containing the Land Use Regulations and Development and Design Guidelines to be published in the New Jersey Register.

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 1.

Bruce Steadman stated that the Board Memo mirrored the resolution and provided additional backup information.

A motion was made to approve by Mayor Tarantolo and was seconded by Dr. Robert Lucky.

Bruce Steadman conducted a roll call vote.

| Name | Yes | No | Abstain |
|------------------|-----|----|---------|
| James V. Gorman | X | | |
| Robert Ades | X | | |
| Tim Lizura | X | | |
| Brett Tanzman | X | | |
| Dr. Robert Lucky | X | | |
| Lillian Burry | X | | |
| Gerald Tarantolo | X | | |
| Gerald Turning | X | | |
| Michael Mahon | X | | |

Motion to Approve: MAYOR TARANTOLO Second: DR. ROBERT LUCKY
AYes: 9

The next item before the Board was the consideration of approval for FMERA to make Parcel B on the Main Post of the former Fort Monmouth available through the Request for Offer to Purchase Process.

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 2.

Bruce Steadman stated that the Board Memo mirrored the resolution and provided additional backup information.

A motion was made to approve by Mayor Mahon and was seconded by Robert Ades.

Mayor Tarantolo stated that he supports the RFOTP for Parcel B. Mayor Tarantolo stated that the Reuse Plan reflects a similar plan that the Borough of Eatontown created in 2004 and he envisions the property to become the new Eatontown town center.

Motion to Approve: MAYOR MAHON Second: ROBERT ADES
AYes: 9

The next item before the Board was the consideration of approval to revise terms of the proposed Purchase and Sale Agreement with AcuteCare for the Clinic Parcel.

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 3.

Bruce Steadman stated that the Board Memo mirrored the resolution and provided additional backup information.

A motion was made to approve by Mayor Mahon and was seconded by Mayor Tarantolo.

Chairman Gorman stated that the Purchase and Sale Agreements (PSA) includes safeguards to ensure faithful performance by the developer. Mr. Gorman stated that the performance bond is a second layer of protection to the repurchase option originally stated in the PSA.

Bruce Steadman conducted a roll call vote.

| Name | Yes | No | Abstain |
|------------------|-----|----|---------|
| James V. Gorman | X | | |
| Robert Ades | X | | |
| Tim Lizura | X | | |
| Brett Tanzman | X | | |
| Dr. Robert Lucky | X | | |
| Lillian Burry | X | | |
| Gerald Tarantolo | X | | |
| Gerald Turning | X | | |
| Michael Mahon | X | | |

Motion to Approve: MAYOR MAHON Second: MAYOR TARANTOLO
AYes: 9

The next item before the Board was the consideration of approval of Utility Easement from FMERA for Service to Parcel E.

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 4.

Bruce Steadman stated that the Board Memo mirrored the resolution and provided additional backup information.

A motion was made to approve by Tim Lizura, and was seconded by Mayor Mahon.

Tim Lizura stated that the Board should modify the previously drafted delegated authorities to include administrative rights for the staff to execute easements for future projects without Board approval.

Motion to Approve: MAYOR MAHON Second: MAYOR TARANTOLO
AYes: 9

X. Other Items

Mayor Tarantolo stated that Howard Commons will need to be demolished and would it be beneficial for FMERA to hire a recycling or demolition company to remove all of the housing contents in exchange for free demolition prior to awarding the RFOTP. Mr. Steadman stated that this is essentially what will occur during the RFOTP process, the developer will partner with a demolition company which should allow the future developer to increase their proposal value, and not cause FMERA to spend its limited resources on demolition.

XI. Public Comment

Sarah Breslow of Eatontown stated that she has concerns regarding the vapor intrusion conducted by the Army of the five buildings stated in the Environmental Committee report. Ms. Breslow stated that the Board should not accept the Army's report as the Army cannot be trusted. Ms. Breslow stated that there are no independent studies or due diligence being conducted. Ms. Breslow stated that the Army has the ability to change their reports and data prior to it being submitted to the DEP.

Mr. Kloo stated that all information that is provided by the Army is thoroughly reviewed by the DEP and that the Army has no ability to change the reports and data, nor is there any advantage in doing so. Mr. Kloo stated that the objective of DEP is to evaluate the information to determine that the Army meets the strict DEP standards that they are obligated to.

Mr. Steadman stated that the FMERA environmental consultant, MATRIX, oversees and reviews all of the information from DEP and the Army, as a second level of protection.

Linda Zucaro of Tinton Falls stated that more families could be placed at the Fort by FEMA. Ms. Zucaro asked for updates of the FEMA housing to be available by FMERA.

Bob English of Eatontown stated that the board packages should be made available to the public before the board meeting and not at the meeting.

Jerry Spumberg of Tinton Falls was asked if those people who previously signed up for the bus tour would be notified that they will need to make another reservation, and was answered no.

Tom Mahedy of Wall Township expressed his concerns regarding the turnover of personnel at the Army and the DEP and the lack of knowledge regarding the environmental issues. Mr. Mahedy stated that there is housing for Veterans at the Fort. Mr. Mahedy stated that corporations are given access to the Fort for tours but not the public. Mr. Mahedy stated that the Army does what it wants on environmental issues, and just says "sue us", if we don't like it.

There being no further business, on a motion by Mayor Tarantolo seconded by Tim Lizura and unanimously approved by all voting members the meeting was adjourned at 8:35 p.m.

Certification: The foregoing and attachments represent a true and complete summary of the actions taken by the Fort Monmouth Economic Revitalization Authority at its Board Meeting.

A handwritten signature in black ink, appearing to read "R. Steadman", written over a horizontal line.

Bruce Steadman, Secretary

Mr. Chairman, I have a statement and an amendment to the minutes.

At our last meeting I abstained on a vote for the Sale/Purchase Agreement with Commvault in order to research the prevailing wage clause being applied to the agreement.

Since then I have attempted to find any legal authority that warrants its inclusion. I found none and, after various communications, the deputy attorney general has not been able to furnish me with any justification to apply it.

I am in total agreement with the Commvault project and the fantastic effort that Mr. Steadman and his staff made to deliver it successfully.

However, the inclusion of a prevailing wage clause in this agreement is:

1. Detrimental to our mission
2. Not sustained by any legal authority
3. Might, in fact, be illegal

In addition, this prevailing wage clause is one of the biggest disincentives to any economic development and a destructive precedent for FMERA.

Therefore, with your permission, I will change my vote to NO.

ADOPTED
January 16, 2013

Resolution Regarding the
**Approval of Proposed New Rules containing
Land Use Regulations and Development and Design Guidelines**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51, to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”); and

WHEREAS, the FMERA Act, in N.J.S.A. 52:27I-26(c), authorizes FMERA “to adopt development and design guidelines and land use regulations consistent with and in furtherance of the [*Fort Monmouth Reuse and Redevelopment*] plan;” and

WHEREAS, the FMERA Act, in N.J.S.A. 52:27-26(kk), authorizes FMERA to adopt, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410, rules and regulations necessary to implement the Act; and

WHEREAS, the Authority conceptually approved the draft Land Use Regulations and Development and Design Guidelines at the December 12, 2012 Meeting of the Authority; and

WHEREAS, the rules, containing the Land Use Regulations and Development and Design Guidelines, are intended to further the vision described in the *Reuse Plan*; and

WHEREAS, the rules shall apply to all applications for development and redevelopment within the Fort Monmouth Project Area; and

WHEREAS, the rules shall supersede the master plans, the zoning ordinances and land use regulations of the host municipalities and the county, except for the procedures for submitting and processing subdivision and site plan applications; and

WHEREAS, although the rules govern the substance of the applications, the applications are to be submitted for review and approval to the planning board of the host municipality in which the project parcel is located and, if required by law, to the county planning board; and

WHEREAS, the Real Estate Committee has reviewed the proposed new rules and recommends them to the full Board of Directors for approval to submit for publication in the New Jersey Register.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the new rules containing Land Use Regulations and Development and Design Guidelines substantially as set forth in the attached memorandum and proposed rules.

2. The Authority authorizes staff to submit the rules for publication in the New Jersey Register, subject to final review and approval by the office of the Attorney General and the Office of Administrative Law (OAL).

3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

Dated: January 16, 2013
ATTACHMENT

EXHIBIT 1

ADOPTED
January 16, 2013

**Resolution Regarding
Making Available Parcel B
on the Main Post through the Offer to Purchase Process**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act ("Act"), P.L. 2010, c. 51, to create the Fort Monmouth Economic Revitalization Authority ("FMERA" or "Authority"); and

WHEREAS, section 9(j) of the Act authorizes the Authority to issue Requests for Proposals and section 9(bb) "[t]o purchase at any sale, upon such terms and at such prices as it determines to be reasonable, and take title to the property, real, personal, or mixed, so acquired and similarly sell, exchange, assign, convey or otherwise dispose of any property"; and

WHEREAS, in accordance Section 19:31C-2.5(a) of FMERA's Rules for the Sale of Real and Personal Property, "[b]efore advertising a particular parcel of real property and accompanying personal property as being available for sale through the offer to purchase process, the Board shall review and approve a recommendation of the Director and FMERA [staff] to offer the property for sale through the offer to purchase process"; and

WHEREAS, Authority staff recommends proceeding with the Request for Offer to Purchase (RFOTP) process for Parcel B on the Main Post; and

WHEREAS, this recommendation is based on several factors. Pursuant to the Reuse Plan, Parcel B is planned as a mixed-use area, incorporating retail and residential development. This will require staff to evaluate proposals based in part on planning and design considerations, because the location, types and mix of uses developed on Parcel B will affect the property's value and its economic impact on adjacent areas of the Fort and the Borough of Eatontown. Given its prominent location and the importance ascribed to this property in the Reuse Plan, staff believes that negotiation with respondents may be necessary to ensure that the objectives of the Reuse Plan are properly met, and that the value of the property, and adjacent tracts, is maximized; and

WHEREAS, the Real Estate Committee has reviewed and discussed making Parcel B available through the Offer to Purchase Process and recommends it to the full Board of Directors for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves making Parcel B on the Main Post of the former Fort Monmouth Property available through the offer to purchase process, as set forth in the attached memorandum.

2. The Authority authorizes the Executive Director to take all necessary actions to effectuate the issuance of the Request for Offer to Purchase and the notice of availability for sale through the offer to purchase process.

3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

Dated: January 16, 2013
ATTACHMENT

EXHIBIT 2

ADOPTED
January 16, 2013

Resolution Regarding
**Approval to Revise Terms of the Proposed
Purchase-Sale Agreement (PSA) with
AcuteCare for the Clinic Parcel**

WHEREAS, the Legislature enacted the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51, to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”); and

WHEREAS, at the February 15, 2012 Meeting of the Authority and based on a previously issued Request for Proposals, the Members authorized staff to pursue negotiations for the lease and ultimate sale of the Clinic Parcel to AcuteCare, subject to adoption of a Reuse Plan Amendment #2; and

WHEREAS, Amendment #2 would permit an alternative development scenario in the Oceanport Reuse Area that, if pursued, would result in the reuse of the Clinic as a medical facility; and

WHEREAS, at the August 15, 2012 meeting, the Members approved the transmittal of proposed Reuse Plan Amendment #2 to the three host municipalities; and

WHEREAS, at the September 19, 2012 meeting, the Members approved the PSA with AcuteCare; and

WHEREAS, at the December 16, 2012 meeting, the Board of Directors approved Reuse Plan Amendment #2; and

WHEREAS, the PSA approved at the September 19, 2012 meeting called for the Purchaser to secure its obligation to complete the renovations by posting a \$2 million bond acceptable to FMERA. Further, in the event that AcuteCare did not complete the initial renovations in the time frame required under the PSA (together with any extensions granted by FMERA under the agreement), FMERA would have the option of repurchasing the property for its then-current appraised value; and

WHEREAS, Purchaser’s lenders have reviewed the draft PSA and advised AcuteCare that FMERA’s repurchase option will negatively impact AcuteCare’s ability to finance the purchase and renovation of the Clinic. This is because the property’s then-current fair market value might not equal the sum of the outstanding acquisition and construction mortgages on the property. Consequently, AcuteCare has proposed removing FMERA’s repurchase option from the proposed PSA; and

WHEREAS, FMERA would still have a level of assurance that the project will be completed on account of the bond that AcuteCare will post. AcuteCare has agreed to increase

the amount of the bond from \$2 million to \$2.5 million; and

WHEREAS, to further assure that AcuteCare completes the project, the deed will include a covenant restricting the further transfer of the property by AcuteCare until its project is completed to FMERA's satisfaction; and

WHEREAS, the Real Estate Committee considered these modifications and recommends approval to the full Board.

THEREFORE, BE IT RESOLVED THAT:

1. As expressed in the attached board memorandum, the Board of Directors approves the revised terms to the PSA with AcuteCare, subject to final terms acceptable to the Executive Director and the Attorney General's Office.

2. The Board of Directors authorizes the Executive Director to execute the amended PSA and perform all acts necessary to effectuate it.

3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

Dated: January 16, 2013
ATTACHMENT

EXHIBIT 3

ADOPTED
January 16, 2013

**Resolution Regarding the
Approval of Utility Easement
from FMERA for Service to Parcel E**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51, to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”); and

WHEREAS, at the April 24, 2012 meeting of the Authority the Board of Directors approved a purchase-sale agreement with CommVault for Parcel E; and

WHEREAS, as a result of the completion by both parties of all the tasks associated with closing the sale, and with satisfaction by both parties of all the conditions of sale, it is expected that closing will occur on or before January 28, 2013; and

WHEREAS, in order for CommVault to occupy and operate the new facilities, as set forth in the April 24, 2012 Board Memorandum and in the Purchase-Sale Agreement and associated agreements, CommVault has contracted with Jersey Central Power and Light (JCP&L) for the installation and construction of new electrical transmission poles and lines through land now contained in Parcel F, which is currently owned by the Army and anticipated to be owned by FMERA in 2013, as set forth in the Economic Development Conveyance agreement executed by the Army and FMERA on June 25, 2012, and terminating on Parcel E; and

WHEREAS, the Army has granted an easement to FMERA for this electrical transmission line, and this easement needs to be granted or assigned to JCP&L in order for JCP&L to satisfy the rights and responsibilities associated with installing the transmission line for CommVault; and

WHEREAS, the installation, construction, operation and maintenance of the new electrical transmissions poles and lines will be completed at no cost to FMERA.

THEREFORE, BE IT RESOLVED THAT:

1. As expressed in the attached board memorandum, the Authority authorizes the Executive Director to take all necessary actions to effectuate the grant or assignment of a utility easement, on terms and conditions similar to the electric power easement FMERA received from the Army, to JCP&L for the installation of an electrical transmission line over lands now owned by the Army, terminating on Parcel E, on final terms acceptable to the Executive Director and the Attorney General’s Office.

2. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

Dated: January 16, 2013
ATTACHMENT

EXHIBIT 4



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

DATE: February 20, 2013

SUBJECT: Monthly Status Report

Summary

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include an Update on the Status of the Federal Grant and FMERA Financials; Update on Parcel E; Update on AcuteCare; Update on Meetings with Army Representatives; Update on of Requests for Offers to Purchase (RFOTPs) and Request for Proposals (RFP); Update on Cushman & Wakefield Marketing Effort; Update on Small Business Initiative; Update on Community Bus Tour; and Action Items for Next Month.

Treasurer's Report.

1. Federal Grants Status.

A Grant amendment requesting additional funds for the grant scheduled to end June 30, 2013 is being prepared for submission to the Office of Economic Adjustment. Through this amendment the Authority is requesting additional funding for expenses not previously funded under the grant, such as the outbound survey of the Phase 2 Economic Development Conveyance parcel.

2. Economic Development Conveyance (EDC).

The Authority closed on the sale of its first Phase 1 parcel to CommVault the end of January. In accordance with the terms of the Phase 1 Memorandum of Agreement, the gross sales revenue from the sale of Parcel E were split between the Department of the Army, the Fort Monmouth Homeless Assistance Fund and FMERA.

FMERA's EDC funds will be reinvested into Fort Monmouth job-generating and economic redevelopment activities in twelve allowable categories which include road, utility, storm and sanitary sewer construction. FMERA is required to submit certified annual financial statements that account for the reinvestment of proceeds generated from the economic development conveyance property.

3. Fiscal Year 2012 Audit.
Field work continues on the audit of the Authority's 2012 operations.
4. Budget.
Spending continues to be strictly monitored.

Executive Director's Report.

1. Update on Parcel E.
On January 29, 2013 the Fort Monmouth Economic Revitalization Authority (FMERA) closed on Parcel E with CommVault, one of the world's fastest growing data storage companies. Parcel E, a 55 acre parcel in Tinton Falls, is the first tract of the former Post to be sold, and is a significant milestone in the transformation of the 1,100+ acres.

CommVault plans to make a substantial investment to complete Phase I of the project, which involves the construction of an approximately 275,000-square-foot facility to serve as its worldwide corporate headquarters. The project will result in the retention of several hundred existing jobs for New Jersey and the creation of new jobs. At full build-out, the company anticipates up to 650,000 square feet of new high-tech office/research space in one or more buildings on the site. Once the three phases of the project are completed, CommVault could create a total of up to 1,500 new jobs in the State.
2. Update on AcuteCare.
In August of 2011 FMERA issued a Request for Proposals for the 16-acre Clinic Parcel. One qualified proposal was received from AcuteCare. In February of 2012 the FMERA Board authorized staff to continue negotiations with AcuteCare, subject to the adoption of Plan Change Amendment #2, which was approved in December of 2012.

The Fort Monmouth Reuse and Redevelopment Plan (the "Reuse Plan") envisioned that the Clinic would be demolished and the property redeveloped for a mix of residential uses totaling 85 units. The Reuse Plan, however, also acknowledged that additional analysis of the Clinic building's reuse potential should be explored. The Plan Change Amendment #2 allows for the reuse of the Clinic building and relocates the residential units elsewhere within the Oceanport Reuse Area.

In September 2012 the Board of Directors authorized FMERA's execution of the Purchase-Sale Agreement (PSA) for the Clinic Parcel. The PSA was subsequently revised, with Board approval, and the FMERA staff expects it to be executed in the coming weeks, and for closing to occur this summer. AcuteCare will make a minimum of a \$5 million investment in the Clinic Building and create a minimum of 50 jobs in its first 3 years.
3. Update on Meetings with Army Representatives.
FMERA and the Army continue to have regular discussions on the future transfer of the balance of the Main Post, under the Phase 2 Memorandum of Agreement (MOA). These discussions are helping to further a positive working relationship that will result in a revitalized former Fort Monmouth.

4. Update on Requests for Offers to Purchase (RFOTPs) and Request for Proposals (RFPs).
The following is a summary of the status of the current RFOTPs and RFPs that FMERA has issued and intends to issue:

Howard Commons

FMERA staff issued a RFOTP for the Howard Commons Area of the former Post on December 14, 2012. The approximately 64 acre parcel is intended to be developed into housing, as shown in the Fort Monmouth Reuse and Redevelopment Plan. On January 28, 2013 six firms submitted proposals, with some firms submitting multiple scenarios for development. FMERA expects to have a recommendation for the Board of Directors' consideration at the June or July meeting of the Authority.

Professional Management and Maintenance Services – Suneagles Golf Course

FMERA staff issued a RFP for the professional management and maintenance of Suneagles Golf Course and associated banquet and restaurant facilities on Friday, January 11, 2013. A mandatory pre-proposal conference was held on Friday, January 18, 2013 at Gibbs Hall. Two proposals were received on February 11, 2013 and the FMERA staff's recommendation will be considered by the Board of Directors at tonight's meeting of the Authority.

Officers Housing

FMERA staff issued a RFOTP for the Officers Housing in the Historic District on January 16, 2013. The Officers Housing is intended for residential reuse consistent with the Fort Monmouth Reuse and Redevelopment Plan. Proposals for the Officers Housing are due by 3:00 pm on April 1, 2013.

Upcoming RFOTPs

Lastly, FMERA intends to issue RFOTPs for Parcel B, C and C1 in the coming weeks, along with a RFP for a lease of the Marina Parcel. Please refer to our website www.fortmonmouthredevelopment.com for updates.

5. Update on Cushman & Wakefield Marketing Effort.

Cushman & Wakefield, Master Broker, continue to market the former Fort Monmouth property. The Cushman Team has established a Fort Monmouth website, www.fort-monmouth-marketing.com to showcase the property. A one-time registration is required. The site contains information that will assist prospective purchasers in evaluating Fort Monmouth properties as they are brought to market. In addition, FMERA staff and Cushman and Wakefield continue to reach out to potential RFOTP recipients to set up presentations and familiarization tours in order to maximize interest in the market. We have been averaging two tours/meetings per week.

6. Update on Small Business Initiative.

Cushman and Wakefield has provided on-going assistance to FMERA's small business attraction initiative. To date, FMERA has met with approximately 25 small businesses interested in relocating to Fort Monmouth. The most engaged parties are from light manufacturing industries. The initiative's goal is to enlist small businesses to support the FMERA mission, and ensure that small businesses participate in creating jobs and amenities needed for the successful redevelopment of the former Fort.

7. Update on Community Bus Tour.

FMERA held its inaugural community bus tour on Wednesday, January 30, 2013, offering 60 residents an opportunity to visit the former military installation and learn more about the redevelopment effort. The tour showcased the 1,126-acre property, which spans parts of Eatontown, Oceanport and Tinton Falls.

FMERA recognizes how important it is to keep members of the Community informed and engaged on the redevelopment effort and hopes to schedule a second tour in the coming months. Please visit www.fortmonmouthredevelopment.com for information on upcoming events.

8. Action Items for Next Month.

- Continued work with Matrix Design Group and the N.J. Department of Environmental Protection to identify and resolve environmental issues of concern
- Continued meetings and tours with interested prospective employers and investors
- Continued outreach to our stakeholders
- Continued collaboration with our Trenton office on marketing and business development opportunities
- FMERA has collaborated with several Federal, State and Local agencies regarding storm response initiatives.



Approved By: Bruce Steadman

Prepared by: Katie Hodes

Resolution Regarding the
**Agreement of Lease with the Department of the Army for the
Teen Center and Pool and Sublease of the Property
to the County of Monmouth (“County”) upon the
same terms as FMERA’s Lease with the Army**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51 to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”); and

WHEREAS, section 9(b) of the Act authorizes the Authority, “[a]s designated and empowered as the ‘local redevelopment authority’ for Fort Monmouth . . . to enter into agreements with the federal government . . .” and section 9(f) “[t]o lease as lessee[and] lease as lessor . . .”; and

WHEREAS, the Teen Center and Pool facilities include two buildings (Buildings 2566 and 2569) and their associated parking areas on approximately 6.5 acres in the Tinton Falls Reuse Area of the Fort’s Charles Wood Area; and

WHEREAS, the County is seeking to acquire the Property as a public recreational facility to be managed by the Monmouth County Parks Department; and

WHEREAS, the outdoor pool will operate on a seasonal basis while the Teen Center will be used year-round. The County wishes to occupy the Property this spring so that the pool can be opened in time for the 2013 season; and

WHEREAS, at the December 2012 meeting of the Authority, the Board approved the Notice of Interest evaluation scoring for the Property and authorized staff to transfer ownership to the County at a discounted price of \$502,645; and

WHEREAS, because the Army has not yet issued a Finding of Suitability to Transfer (“FOST”), FMERA has requested that the Army lease the Property to the Authority on an interim basis, allowing us to sublease the property simultaneously to the County. Upon issuance of the FOST, FMERA will be in position to request title from the Army; and

WHEREAS, consistent with the proposed lease of the Property from the Army to the Authority, the County’s sublease will run for a term of one (1) year, with an option for an additional six (6) month extension at the discretion of FMERA staff, or until either: (i) FMERA conveys title to the Property to the County; or (ii) the Army terminates FMERA’s lease; and

WHEREAS, the consideration for the lease from the Army is the maintenance of the Property for the benefit of the public, and the consideration for the sublease by the County will be the performance of such maintenance, along with the cost of utility services; and

WHEREAS, the Real Estate Committee reviewed this matter at their February 13, 2013 meeting and recommends the lease and sublease to the full Board of Directors for approval.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons described in the attached memorandum, the Authority approves the lease of the Teen Center and Pool through the Army's standard form of short-term lease and the sublease of the Property to the County of Monmouth via the attached substantially final sublease, which reflects the same terms and conditions as the Authority's proposed lease of the Property from the Army; final terms shall be acceptable to the Executive Director and the Attorney General's Office.

2. The Authority authorizes the Executive Director to execute and effectuate the lease, sublease and any related documents, as generally outlined in the attached board memorandum, with the Department of the Army and the County of Monmouth for the Teen Center and Pool.

3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

EXHIBIT 1

February 20, 2013



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

RE: Approval of Lease and Sublease of the Teen Center and Pool Property

DATE: February 20, 2013

Request

I am requesting that the Board of Directors approve the Authority's lease of the Teen Center and Pool from the Army and our sublease of the property to the County of Monmouth ("County") upon the same terms as FMERA's lease with the Army. The County Parks Department intends to use the property as a public recreational facility.

Background

The Teen Center and Pool facilities include two buildings (Buildings 2566 and 2569) and their associated parking areas on approximately 6.5 acres in the Tinton Falls Reuse Area of the Fort's Charles Wood Area ("Property"). Totalling 22,636 sf, the improvements consist of a youth center, an outdoor pool and a shower/restroom building constructed on various dates between 1942 and 1993.

The County is seeking to acquire the Property as a public recreational facility to be managed by the Monmouth County Parks Department. The outdoor pool will operate on a seasonal basis while the Teen Center will be used year-round. The County wishes to occupy the Property this spring so that the pool can be opened in time for the 2013 season.

At the December 2012 meeting of the Authority, the Board approved the Notice of Interest evaluation scoring for the Property and authorized staff to transfer ownership to the County at a discounted price of \$502,645. Because the Army has not yet issued a Finding of Suitability to Transfer ("FOST"), we have requested that the Army lease the Property to the Authority on an interim basis, allowing us to sublease the property simultaneously to the County. Upon issuance of the FOST, we will be in position to request title from the Army. Pursuant to the Developer Agreement among CommVault, the Borough of Tinton Falls, FMERA and the County approved by the Board at the December 2012 meeting ("Developer Agreement"), FMERA will deed the Property to the County upon completion of the County's obligations under that agreement. Those obligations entail the County's installation, at the County's cost and expense, of road and traffic light improvements at the intersection of Hope and Corregidor Roads, including improvements to Corregidor Road, no later than twenty three (23) months from the date of the Developer Agreement.

Consistent with the proposed lease of the Property from the Army to the Authority, the County's sublease will run for a term of one (1) year, with an option for an additional six (6) month extension at the discretion of FMERA, or until either: (i) FMERA conveys title to the Property to the County; or (ii) the Army terminates FMERA's lease. The draft sublease does not commit FMERA to any renewals beyond the stated term, nor does it commit FMERA to dispose of the Property upon sublease expiration to the County or any other party. FMERA will sublease the Property to the County in as-is, where-is condition but subject to the Army's continuing obligations under CERCLA for pre-existing environmental conditions. Additionally, the County will insure the Property and indemnify and hold FMERA harmless against all claims. The consideration for the sublease is the operation and maintenance of the Property by the County, along with the cost of utility services. The County will also be responsible for installing, at its cost and expense, any fencing necessary to ensure the safety and security of the site.

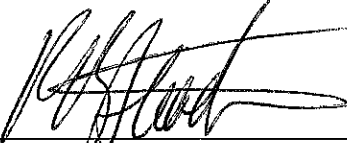
The Army issued a Finding of Suitability to Lease for the Property in September 2012, indicating that the Property meets federal and state environmental standards for continued use as a recreational facility.

The Authority will lease the Property from the Army through Army's standard form of short-term lease. The attached sublease from FMERA to the County is in substantially final form. The final form of the document may be subject to revision, although the basic terms and conditions will remain consistent with its current form. The final terms of the sublease will be subject to the approval of the Executive Director and the Attorney General's Office.

The Real Estate Committee discussed the proposed lease and sublease at their February 13, 2013 meeting and recommends approval to the full Board of Directors.

Recommendation

Staff requests the Board of Directors' approval of the Authority's lease of the Teen Center and Pool through the Army's standard form of short-term lease and the sublease of the Property to the County of Monmouth via the attached sublease, which reflects the same terms and conditions as the Authority's proposed lease of the Property from the Army.



Bruce Steadman

Attachment
Prepared by: David E. Nuse



ATTACHMENT

[The attachment that the preceding memo refers to has been removed from this full agenda.]

**Resolution Regarding the
Agreement of Lease with the Department of the Army
for the former Provost Marshall's Office
and FMERA's Sublease of the Property to the
New Jersey State Police ("NJSP") upon substantially
the same terms as FMERA's Lease with the Army**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act ("Act"), P.L. 2010, c. 51 to create the Fort Monmouth Economic Revitalization Authority ("FMERA" or "Authority"); and

WHEREAS, section 9(b) of the Act authorizes the Authority, "[a]s designated and empowered as the 'local redevelopment authority' for Fort Monmouth . . . to enter into agreements with the federal government . . ." and section 9(f) "[t]o lease as lessee[and] lease as lessor . . ."; and

WHEREAS, the former Provost Marshall's Office includes two buildings (Buildings 977 and 983) and their associated parking areas on approximately 2.4 acres in the Oceanport Reuse Area of the Main Post; and

WHEREAS, the NJSP currently occupies the Property in connection with its patrols of Fort Monmouth; and

WHEREAS, the lease and sublease of the Property will formalize its occupancy and address related issues including maintenance, insurance and utility service fees; and

WHEREAS, consistent with the proposed lease of the Property from the Army to the Authority, the NJSP's sublease will run for a term of one (1) year, with an option for an additional six (6) month extension at the discretion of FMERA staff, or until either: (i) FMERA conveys title to the Property to the NJSP; or (ii) the Army terminates FMERA's lease; although the sublease does not commit FMERA to dispose of the Property upon sublease expiration to the NJSP or any other party; and

WHEREAS, the Army issued a Finding of Suitability to Lease for the Property in August 2011, indicating that it meets federal and state environmental standards for continued use as a police facility; and

WHEREAS, the consideration for the lease from the Army is the maintenance of the property for the benefit of the public, and the consideration for the sublease by the NJSP will be the performance of such maintenance; FMERA will retain responsibility for the cost of supplying utilities and other services to the Property; and

WHEREAS, the Real Estate Committee reviewed this matter at their February 13, 2013 meeting and recommends the lease and sublease to the full Board of Directors for approval.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons described in the attached memorandum, the Authority approves the lease of the former Provost Marshall's Office through the Army's standard form of short-term lease and the sublease of the Property to the New Jersey State Police via the attached substantially final sublease, which reflects substantially the same terms and conditions as the Authority's proposed lease of the Property from the Army; final terms shall be acceptable to the Executive Director and the Attorney General's Office.

2. The Authority authorizes the Executive Director to execute and effectuate the lease, sublease and any related documents, as generally outlined in the attached board memorandum, with the Department of the Army and the New Jersey State Police for the former Provost Marshall's Office.

3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

EXHIBIT 2

February 20, 2013



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

RE: Approval of Lease and Sublease of the Former Provost Marshall's Office

DATE: February 20, 2013

Request

I am requesting that the Board of Directors approve the Authority's lease of the former Provost Marshall's Office from the Army and our sublease of the property to the New Jersey State Police ("NJSP") upon substantially the same terms as FMERA's lease with the Army. The NJSP will use the property as a police station from which to patrol of the Fort.

Background

The former Provost Marshall's Office includes two buildings (Buildings 977 and 983) and their associated parking areas on approximately 2.4 acres in the Oceanport Reuse Area of the Main Post ("Property"). Totalling 20,599 sf, the improvements consist of a former military police station and canine building constructed in 1953 and 1977, respectively.

The NJSP currently occupies the Property in connection with its patrols of Fort Monmouth. The lease and sublease of the Property will formalize its occupancy and address related issues including maintenance, insurance and utility service fees.

Consistent with the proposed lease of the Property from the Army to the Authority, the NJSP's sublease will run for a term of one (1) year, with an option for an additional six (6) month extension at the discretion of FMERA, or until either: (i) FMERA conveys title to the Property to the NJSP; or (ii) the Army terminates FMERA's lease. The draft sublease does not commit FMERA to any renewals beyond the stated term, nor does it commit FMERA to dispose of the Property upon sublease expiration to the NJSP or any other party. FMERA will sublease the Property to the NJSP in as-is, where-is condition but subject to the Army's continuing obligations under CERCLA for pre-existing environmental conditions. Additionally, the NJSP will insure the Property for fire and extended coverage, with the State of New Jersey self-insuring for liability risks. The consideration for the sublease is the operation and maintenance of the Property by the NJSP. FMERA will retain responsibility for the cost of supplying utilities and other services to the Property.

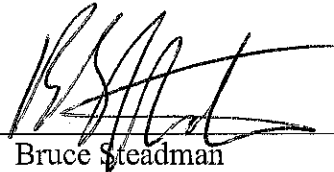
The Army issued a Finding of Suitability to Lease for the Property in August 2011, indicating that it meets federal and state environmental standards for continued use as a police facility.

The Authority will lease the Property through the Army's standard form of short-term lease. The attached sublease from FMERA to the NJSP is in substantially final form. The final form of the document may be subject to revision, although the basic terms and conditions will remain consistent with its current form. The final terms of the sublease will be subject to the approval of the Executive Director and the Attorney General's Office.

The Real Estate Committee has reviewed the proposed lease and sublease and recommends approval to the full Board of Directors.

Recommendation

Staff requests the Board of Directors' approval of the Authority's lease of the former Provost Marshall's Office through the Army's standard form of short-term lease and the sublease of the Property to the New Jersey State Police via the attached sublease, which reflects substantially the same terms and conditions as the Authority's proposed lease of the Property from the Army.



Bruce Steadman

Attachment

Prepared by: David E. Nuse



ATTACHMENT

[The attachment that the preceding memo refers to has been removed from this full agenda.]

Resolution Regarding the
**Agreement of Lease with the Department of the Army for the
Lease of Buildings 410 and 418
and FMERA's Sublease of the Property to the
County of Monmouth ("County") for the
County's Homeless Shelter upon the same terms
as FMERA's Lease with the Army**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act ("Act"), P.L. 2010, c. 51 to create the Fort Monmouth Economic Revitalization Authority ("FMERA" or "Authority"); and

WHEREAS, section 9(b) of the Act authorizes the Authority, "[a]s designated and empowered as the 'local redevelopment authority' for Fort Monmouth . . . to enter into agreements with the federal government . . ." and section 9(f) "[t]o lease as lessee[and] lease as lessor . . ."; and

WHEREAS, buildings 410 and 418 and their associated parking areas and open space are situated on approximately 1.5 acres in the Oceanport Reuse Area of the Main Post; and

WHEREAS, the County is seeking to lease the Property to replace Buildings 417 and 421 which were previously used for a homeless shelter; and

WHEREAS, buildings 417 and 421 were damaged by floodwaters from Hurricane Sandy and are unusable; and

WHEREAS, consistent with the proposed lease of the Property from the Army to the Authority, the County's sublease will run for a term of one (1) year, with an option for an additional six (6) month extension at the discretion of FMERA staff, or until either: (i) FMERA conveys title to the Property to the County; or (ii) the Army terminates FMERA's lease; although the sublease does not commit FMERA to dispose of the Property upon sublease expiration to the County or any other party; and

WHEREAS, the Army issued a Finding of Suitability to Lease ("FOSL") for the Property in January 2013, indicating that the Property is suitable for lease for the intended use as temporary housing to support the homeless shelter contemplated in the lease; and

WHEREAS, the consideration for the lease from the Army is the maintenance of the property for the benefit of the public, and the consideration for the sublease by the County will be the performance of maintenance and repair and all operating expenses of the Property; and

WHEREAS, the Real Estate Committee reviewed this matter at their February 13, 2013 meeting and recommends the lease and sublease to the full Board of Directors for approval.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons described in the attached memorandum, the Authority approves lease of Buildings 410 and 418 through the Army's standard form of short-term lease and the substantially final sublease of the Property to the County of Monmouth via the attached sublease, which reflects the same terms and conditions as the Authority's proposed lease of the Property from the Army; final terms shall be acceptable to the Executive Director and the Attorney General's Office.

2. The Authority authorizes the Executive Director to execute and effectuate the lease, sublease and any related documents, as generally outlined in the attached board memorandum, with the Department of the Army and the County of Monmouth for Buildings 410 and 418.

3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

EXHIBIT 3

February 20, 2013



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

RE: Approval of Lease and Sublease for Monmouth County Homeless Shelter

DATE: February 20, 2013

Request

I am requesting that the Board of Directors approve the Authority's lease of Buildings 410 and 418 from the Army and our sublease of the property to the County of Monmouth ("County") upon the same terms as FMERA's lease with the Army. The County intends to use the property as a homeless shelter.

Background

Buildings 410 and 418 and their associated parking areas and open space are situated on approximately 1.5 acres in the Oceanport Reuse Area of the Main Post ("Property"). Built as barracks in 1940, the two buildings total 9,440 sf.

The County is seeking to lease the Property to replace Buildings 417 and 421 which were previously used for a homeless shelter. Buildings 417 and 421 were damaged by floodwaters from Hurricane Sandy and are unusable.

Consistent with the proposed lease of the Property from the Army to the Authority, the County's sublease will run for a term of one (1) year, with an option for an additional six (6) month extension at the discretion of FMERA, or until either: (i) FMERA conveys title to the Property to the County; or (ii) the Army terminates FMERA's lease. The draft sublease does not commit FMERA to any renewals beyond the stated term, nor does it commit FMERA to dispose of the Property upon sublease expiration to the County or any other party. FMERA will sublease the Property to the County in as-is, where-is condition but subject to the Army's continuing obligations under CERCLA for pre-existing environmental conditions. Additionally, the County will insure the Property and indemnify and hold FMERA harmless against all claims. The consideration for the sublease is the operation and maintenance of the Property by the County, along with the cost of utility services. The County will also be responsible for installing, at its cost and expense, any fencing necessary to ensure the safety and security of the site.

The Army issued a Finding of Suitability to Lease ("FOSL") for the Property in January 2013, indicating that the Property is suitable for lease for the intended use as temporary housing to support the homeless shelter contemplated in the lease. The FOSL noted, however, that small areas of mold were observed in the Property; that, based on its age, the Property is presumed to

contain lead-based paint; and that asbestos-containing materials may be present. The lease from the Army to FMERA will require the tenant to covenant that its use and occupancy of the buildings will be in compliance with applicable laws and regulations relating to mold, lead-based paint and asbestos. Accordingly, FMERA's sublease to the County will require that the County perform any necessary remediation prior to occupancy at its cost and expense.

The Authority will lease the Property from the Army through the Army's standard form of short-term lease. The attached sublease from FMERA to the County is in substantially final form. The final form of the document may be subject to revision, although the basic terms and conditions will remain consistent with its current form. The final terms of the sublease will be subject to the approval of the Executive Director and the Attorney General's Office.

The Real Estate Committee has reviewed the proposed lease and sublease and recommends approval to the full Board of Directors.

Recommendation

Staff requests the Board of Directors' approval of the Authority's lease of Buildings 410 and 418 through the Army's standard form of short-term lease and the sublease of the Property to the County of Monmouth via the attached sublease, which reflects the same terms and conditions as the Authority's proposed lease of the Property from the Army.



Bruce Steadman

Attachment

Prepared by: David E. Nuse



ATTACHMENT

[The attachment that the preceding memo refers to has been removed from this full agenda.]

Resolution Regarding the
**Selection of the Professional Manager
for the Professional Management and Maintenance for
Fort Monmouth Suneagles Golf Course and
Associated Banquet/Restaurant Facilities
Request for Proposals**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51, to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”); and

WHEREAS, section 9(j) of the Act authorizes the Authority to issue Requests for Proposals; section 9(cc) to “administer, operate, . . . and maintain, renovate, repair, modernize, lease or otherwise deal with any property”; and section 9(gg) “[t]o make and enter into all contracts and agreements necessary or incidental to the performance of the duties authorized”; and

WHEREAS, on January 11, 2013, the Authority issued a Request for Proposals for Professional Management and Maintenance for Fort Monmouth Suneagles Golf Course and Associated Banquet/Restaurant Facilities (“the RFP”) with a mandatory pre-proposal conference held on January 18, 2013 and bid submissions due by February 11, 2013; and

WHEREAS, managing and maintaining the Suneagles Golf Course and its associated banquet/restaurant facilities is important to preserving the value of the golf course and surrounding properties; accordingly, evaluation criterion for this contract emphasizes qualifications and quality of service over price; and

WHEREAS, the Authority received bids from two eligible bidders; and

WHEREAS, the technical evaluation scoring, done independently by each of the members of the Evaluation Committee and then compiled, was based upon a comparative ranking with an emphasis on relevant experience and management approach; the highest technically ranked bid was from Atlantic Golf Management; and

WHEREAS, cost proposals were analyzed by two FMERA staff members who were not on the Evaluation Committee; and

WHEREAS, the overall score, based on all selection criteria including technical scoring and fees, for Atlantic Golf Management is 363 points and the overall score, based on all selection criteria including technical scoring and fees, for Meticulous Golf Management is 313 points; and

WHEREAS, the Evaluation Committee recommends the selection of Atlantic Golf Management (“the Professional Manager”), with a fee proposal of \$250,000 for the 18-month period; and

WHEREAS, the award is contingent on the Army granting to the Authority a lease extension for the golf course for an additional 18 months.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves an extension for 18 months to the existing golf course lease with the Army. The Authority authorizes the Executive Director to extend the lease on a month-to-month basis for an additional 6 months.

2. The Authority approves entering into a contract with Atlantic Golf Management for the services sought in the RFP as set forth in the attached memorandum subject to the terms and conditions set forth in this Resolution, the RFP and addendum, and Atlantic Golf Management’s proposal, which contract is contingent on the Army extending the existing golf course lease. The Authority authorizes the Executive Director to extend the contract on a month-to-month basis for an additional 6 months.

3. The Authority authorizes the Executive Director to take all necessary actions to effectuate the golf course lease extension with the Army and the selection of Atlantic Golf Management as the Professional Manager.

4. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

Dated: February 20, 2013

EXHIBIT 4



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

RE: Selection of Professional Management Services for Suneagles Golf Course

DATE: February 20, 2013

Summary

I am requesting the Members consider approving: (i) the selection of Atlantic Golf Management for Professional Management and Maintenance Services at the Fort Monmouth Suneagles Golf Course and Associated Banquet/Restaurant Facilities; and (ii) extending FMERA's existing golf course lease agreement with the Army for an additional 18 months.

Background

Governor Christie signed P.L. 2010 c. 51 on August 17, 2010 to create the Fort Monmouth Economic Revitalization Authority (FMERA or the Authority). The economies, environment, and quality of life of the host municipalities, Monmouth County, and the State will benefit from the efficient, coordinated, and comprehensive redevelopment and revitalization of Fort Monmouth.

In accordance with the federal Base Realignment and Closure law, Fort Monmouth was closed September 15, 2011. The Army continues to own the Fort property until such time as it can be conveyed to the Authority. In October 2011 the Army leased the golf course to the Authority for a 12 month term with an extension of up to six months. The Army has verbally agreed to extend the current lease of the golf course property and associated personal property, with the Authority to operate the golf course and associated equipment and facilities for an additional eighteen (18) months. Entering into the new contract with Atlantic Golf Management will be contingent upon finalizing the lease extension with the Army.

Managing and maintaining the Suneagles Golf Course on Fort Monmouth and its associated banquet/restaurant facilities is important to preserving the value of the golf course and surrounding properties. Accordingly, evaluation criterion for this contract emphasizes qualifications and quality of service over price. The current contract with Atlantic Golf Management expired in October 2012 and was extended on a month by month basis pending a decision by the Army and FEMA on whether the housing at the golf course would be used to temporarily house families displaced by Hurricane Sandy. When the decision was made to utilize the housing, the Authority asked the Army if they would extend the current lease for 18 months and they have agreed. Therefore, a Request for Proposals (RFP) for the Professional Management and Maintenance for Fort Monmouth's Suneagles Golf Course and Associated

Banquet/Restaurant Facilities was issued and publicly advertised by FMERA on January 11, 2013, and a mandatory pre-proposal conference was held on January 18, 2013. The RFP states that the contract will be awarded based on 'price and other factors'. Proposals were due on Monday February 11, 2013 and two proposals were received from the following firms: Atlantic Golf Management and Meticulous Golf Management. The golf course operator approved by the Board will be engaged for a term of up to eighteen (18) months, which may be extended by the Authority on a month by month basis until the golf course is sold.

The two technical proposals were distributed to the Evaluation Committee. The Committee was made up of 4 New Jersey Economic Development Authority employees, all of which are assigned to the FMERA Office. The technical evaluation scoring is based upon a comparative ranking with an emphasis on relevant experience and management approach. The technical proposals were scored independently by each of the evaluators and then compiled. The technical ranking ranged from a high of 293 points to a low of 233 points, with the highest technically ranked firm being Atlantic Golf Management. Cost proposals were analyzed by two FMERA staff members who were not on the Evaluation Committee and then scored and totaled with the technical scores. The Evaluation Committee met on Friday, February 15, 2013 to review the scoring of the technical proposals, fee proposals and fee proposal analysis. The overall score, based on all selection criteria including technical scoring and fees, for Atlantic Golf Management is 363 points and the overall score, based on all selection criteria including technical scoring and fees, for Meticulous Golf Management is 313. The highest ranked firm is Atlantic Golf Management, therefore the Evaluation Committee recommends that the Board approve the selection of Atlantic Golf Management as manager of the Fort Monmouth Suneagles Golf Course and Associated Banquet/Restaurant Facilities. The fee proposal for Atlantic Golf totaled \$250,000 for the 18 month period. The fee proposal for Meticulous Golf totaled \$286,000 for the 18 month period.

Recommendation

In summary, I am requesting the Members' approval: (i) to enter into a contract with Atlantic Golf Management for services sought in the Request for Proposals for Professional Management and Maintenance for Fort Monmouth Suneagles Golf Course and Associated Banquet/Restaurant Facilities; and (ii) to extend FMERA's existing golf course lease agreement with the Army for an additional 18 months.


Bruce Steadman

ATTACHMENT: Evaluation Committee RFP Scoring Compilation

Prepared by: Rick Harrison

| Name | Total Score |
|-----------------------------------|--------------------|
| Atlantic Golf Management | 363 |
| Meticulous Golf Management | 313 |

Resolution Regarding the
**Modification of Office of Economic Adjustment Grant to
Reimburse Host Municipality Consultant Expenses
Incurred in Support of FMERA's
Land Use Regulations and Development and Design guidelines**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act ("Act"), P.L. 2010, c. 51 to create the Fort Monmouth Economic Revitalization Authority ("FMERA" or "Authority"); and

WHEREAS, section 9(x) of the Act authorizes the Authority to apply for and receive any federal, State or other public or private funds, grants or loans for, or in aid of, the Authority's authorized purposes; and

WHEREAS, FMERA is requesting the Board's approval to seek a modification to the current existing grant agreement with the U.S. Department of Defense, in an amount not to exceed \$11,362; and

WHEREAS, of this amount, \$10,225 or 90% represents Federal funds and \$1,137 represents municipal matching funds (10% match); and

WHEREAS, these funds are intended to support the reimbursement to the Boroughs of Eatontown, Oceanport and Tinton Falls (the "Host Municipalities") for consulting service expenses incurred by the Host Municipalities in support of the development of the Authority's Land Use Regulations and Development and Design Guidelines; and

WHEREAS, the municipal matching funds from the Host Municipalities represent funds expended by the Host Municipalities, of which \$3,583 is claimed by Eatontown, \$3,189 by Oceanport and \$4,590 by Tinton Falls; and

WHEREAS, the U.S. Department of Defense has agreed to assess these expenses and possibly reimburse 90 percent back to each of the communities; and

WHEREAS, no Authority or State funds are being expended in connection with this matter. The Authority is not approving or passing judgment on the veracity of the amount of the reimbursement being sought by the Host Municipalities, on the sufficiency of the 10% local match required by the 2006 National Defense Authorization Act, or on the procurement and approval procedures undertaken by the Host Municipalities in connection with the engagement by the Host Municipalities of consultants providing municipal services.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons described in the attached memorandum, the Authority authorizes the Executive Director of the Authority to take all necessary steps to effectuate the submission of a grant modification and any other necessary documentation for receipt of funds from DoD in an additional amount not to exceed \$10,225 (90% matching grant), of which \$3,225 is claimed by Eatontown, \$2,869 by Oceanport and \$4,131 by Tinton Falls.

2. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

EXHIBIT 5

February 20, 2013



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

DATE: February 20, 2013

SUBJECT: Request for Modification to Existing Grant for U.S. Department of Defense Funds

Request

Members of the Board of Directors are requested to consider approval of the submission of a grant amendment to the existing grant for U.S. Department of Defense Funds seeking federal reimbursement of consultant expenses incurred by the host communities in support of the development of the Authorities Land Use Regulations and Design Guidelines.

Background

The Fort Monmouth Economic Revitalization Authority Act, P.L. 2010, c.51, (the "Act") authorizes the Authority to apply for and receive any federal, State or other public or private funds, grants or loans for, or in aid of, the Authority's authorized purposes.

The purpose of this item is to request the Board's approval to seek a modification to the current existing grant agreement with the U.S. Department of Defense, in an amount not to exceed \$11,362. Of this amount, \$10,225 or 90% represents Federal funds and \$1,137 represents municipal matching funds (10% match). These funds are intended to support the reimbursement to the Boroughs of Eatontown, Oceanport and Tinton Falls (the "Host Municipalities") for consulting service expenses incurred by the Host Municipalities in support of the development of the Authority's Land Use Regulations and Development and Design Guidelines. The municipal matching funds from the Host Municipalities represent funds expended by the Host Municipalities, of which \$3,583 is claimed by Eatontown, \$3,189 by Oceanport and \$4,590 by Tinton Falls. The U.S. Department of Defense has agreed to assess these expenses and possibly reimburse 90 percent back to each of the communities. The U.S. Department of Defense has requested the Authority to serve as a conduit in this matter for the purpose of enabling the U.S. Department of Defense to quickly and efficiently reimburse the Host Municipalities for consulting service expenses resulting from the support of the development of the Authority's Land Use Regulations and Development and Design Guidelines. No Authority or State funds are being expended in connection with this matter. The Authority is not approving or passing judgment on the veracity of the amount of the reimbursement being sought by the Host Municipalities, on the sufficiency of the 10% local match required by the 2006 National Defense Authorization Act, or on the procurement and approval procedures undertaken by the Host Municipalities in connection with the engagement by the Host Municipalities of consultants providing municipal services.

Recommendation

In summary I am requesting that the Board of Directors approve this item authorizing the Executive Director of the Authority to arrange for submission of a grant modification and any other necessary documentation for receipt of funds from DoD in an additional amount not to exceed \$10,225 (90% matching grant), of which \$3,225 is claimed by Eatontown, \$2,869 by Oceanport and \$4,131 by Tinton Falls.

A handwritten signature in black ink, appearing to read "B. Steadman", written over a horizontal line.

Bruce Steadman

Prepared by: Beverlee Akerblom