

TO: Members of the Board

FROM: Bruce Steadman
Executive Director and Secretary

DATE: November 12, 2015

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**
8. **Public Comment Regarding Board Action Items**
9. **Executive Director’s Report:**
 - Update on Meetings with Army Representatives
 - Update on Requests for Proposals (RFPs) and Contracts
 - Update on Requests for Offers to Purchase (RFOTPs)
 - Update on Marketing Effort
 - Action Items for Next Month
10. **Committee Reports**
 - Audit Committee – Robert Lucky, Chairman
 - Real Estate Committee – James V. Gorman, Chairman
 - Environmental Staff Advisory Committee – Kenneth J. Kloo, Chairman
 - Historical Preservation Staff Advisory Committee – Bruce Steadman, Interim Chairman
 - Housing Staff Advisory Committee – Gina Fischetti, Chairwoman

- Veterans Staff Advisory Committee – Lillian Burry, Chairwoman

11. **Other Board Actions**

- Consideration of Approval of Plan Amendment #3 Permitting Alternative Development Scenario in Tinton Falls
- Consideration of Approval of Purchase and Sale Agreement and Redevelopment Agreement for Pistol Range and Satellite Road Parcel
- Consideration of Approval of Purchase and Sale Agreement and Redevelopment Agreement for Commissary
- Consideration of Approval of Memorandum of Understanding with the County of Monmouth for Building 901
- Consideration of Approval to Make an Additional 1.7 Acres Available Through the Offer to Purchase Process as an Expansion of the Charles Wood Firehouse Site

12. **Other Items**

13. **Public Comment Regarding any FMERA Business**

- Responses to questions submitted online or in writing

14. **Adjournment**

Fort Monmouth Economic Revitalization Authority
Board Meeting
October 21, 2015
FMERA Offices, 502 Brewer Avenue, Oceanport, NJ

MINUTES OF THE MEETING

I. Members of the Authority present:

- James V. Gorman, Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) - V
- Michael Collins, Assistant Counsel, Authorities Unit, Office of the Governor – V
- Lillian Burry, Monmouth County Freeholder – V
- Gerald Turning, Mayor of Tinton Falls – V
- Michael Mahon, Mayor of Oceanport – V
- Dennis Connelly, Mayor of Eatontown – V
- Tim Lizura, President and COO, NJ Economic Development Authority (NJEDA) – V (EDA)
- John Raue, Senior Policy Advisor to the Commissioner, NJ Department of Labor & Workforce Development (DOL)
- Helene Rubin, Section Chief, Division of Statewide Planning, NJ Department of Transportation (DOT)
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)
- Gina Fischetti, Chief Counsel, Local Planning Services, NJ Department of Community Affairs (DCA) (via phone)

V - Denotes Voting Member

Members not present:

- Dr. Robert Lucky, Public Member – V

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 7:01 p.m. who led the meeting in the Pledge of Allegiance.

In accordance with the Open Public Meetings Act, FMERA Secretary Bruce Steadman announced that notice of the meeting was 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 September 16th meeting minutes. A motion was made to approve the minutes by Lillian Burry and seconded by Michael Mahon.

Motion to Approve: LILLIAN BURRY Second: MICHAEL MAHON
AYes: 7

III. WELCOME

Chairman James V. Gorman welcomed attendees to the meeting. Mr. Gorman stated that copies of the Board package were available at the door, and the Board package was posted to the FMERA website in the afternoon to give the public the opportunity to review the information in advance of the meeting.

Mr. Gorman stated that the meeting agenda called for the public to receive reports from the Staff Advisory Committees and the Statutory Committee meetings. Mr. Gorman stated that the reports are provided to allow for public input and transparency in the conduct of the Authority's effort to implement the Reuse Plan. Mr. Gorman stated that there are three board actions: 1) consideration of approval of transmittal to host municipalities of Proposed Plan Amendment #4 permitting alternative development scenario in Oceanport; 2) consideration of approval of a Purchase and Sale and Redevelopment Agreement (PSARA) for the Child Development Center; and 3) consideration of approval of a Purchase and Sale Agreement and Redevelopment Agreement for Russel Hall.

The Chairman went on to state that there will be two public comment periods at the meeting based on the Authority's public meeting protocol. 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

Mr. Steadman stated that there was no Secretary's report.

V. TREASURER'S REPORT

Jennifer Lepore, Senior Finance Officer stated that FMERA is preparing its preliminary appropriation request to the New Jersey Office of Management and Budget for inclusion in the State's Fiscal Year 2017 Budget. The State appropriation is required to satisfy the local match requirement of the federal grant received through the Office of Economic Adjustment. The budget process for 2016 is underway. FMERA is conducting budget sessions and drafting the fiscal plan. The draft 2016 FMERA Budget will then be forwarded to the Audit Committee for its review. The 2016 FMERA Budget is scheduled to be brought before the Board for its consideration and approval at the December Authority meeting.

VI. PUBLIC COMMENT REGARDING BOARD ACTION ITEMS [3 minutes re: Agenda Items]

Ronald Sickler of Oceanport stated that he was impressed that the Oceanport Ad Hoc Committee had been formed. Mr. Sickler asked if the FMERA offices were still an option for the Oceanport Borough Hall or if there could be a shared use between FMERA and Oceanport.

Tom Mahedy of Wall Township asserted that public entities and not for profit's are being tricked about their ability to purchase property and develop at the Fort and that corporate entities are offered any properties that they want at the expense of the taxpayers. Mr. Mahedy asserted that the public should be entitled to the property at no expense. Mr. Mahedy asserted that the pool at the Teen Center is contaminated. Mr. Mahedy complained that the 63% of proceeds to the Army from the sale proceeds are unfair and the money should be returned to the taxpayers. Mr. Mahedy asserted that the Child Development Center is on a contaminated site.

Mr. Steadman answered Mr. Sickler by stating that FMERA has been working with Oceanport representatives for possible sites on the Fort for the Oceanport Borough Hall, and there have been discussions with Oceanport Ad Hoc Committee regarding possible buildings on the Fort.

Mr. Steadman answered Mr. Mahedy by stating that under the Base Closure and Realignment (BRAC) law the Army is required to receive and return to the US Treasury the proceeds from the sale of Army property. However, FMERA has negotiated into the Phase 1 EDC that FMERA will keep 37% of the proceeds from the sale of the property, which is reinvested back into the property in one of 12 separate categories. The process is audited each year by the Army, and by our own external auditors.

Mr. Steadman stated that the Child Development Center was not built on a contaminated site and that Mr. Mahedy was wrong to assert this..

VII. EXECUTIVE DIRECTOR'S REPORT

Rick Harrison, Director of Facilities Planning stated that FMERA continues to have weekly conference calls with the various Army organizations involved with the transfer of the Phase 2 property to FMERA. A draft of the proposed Memorandum of Agreement (MOA) which details the key deal points agreed to with the Army, has gone through many reviews and changes with input from Army General Counsel, our BRAC Special Counsel, the Attorney General's office and our bond counsel. Staff and the Army have resolved the remaining issues identified by the review of the draft Finding of Suitability to Transfer (FOST). The Army expects to issue the final FOST, an environmental review required before transfer, by the end of the month at which time it will be available for a 30 day public review period. Due to ongoing review of both the FOST and the MOA, our goal is to seek approval from the Board to execute the Phase 2 MOA with the Army this fall.

Update on RFPs and Contracts

Mr. Harrison gave the following update on RFPs and Contracts:

- **Auctioneer**

There will be an auction of the contents of the Megill Housing units on October 27th. An auction of property and materials and supplies turned over to FMERA by the Army associated with the Phase 1 transfer will be auctioned on November 10th at the Pulse Power facility on Pearl Harbor Avenue. More information on the auction and auction catalogue is available at www.theauctioneersgroup.com. Staff and the Auctioneer are also starting to identify buildings in Phase 2 to start inventorying and cataloging for potential events to be scheduled in the fall after property transfers. A public, community-focused, small-lot auction will be planned for next spring.

- **Utilities**

FMERA continues to plan for upgrades to utility systems and working with the public utilities and our subcontractors to ensure required utilities are safe and operational. There have been meetings with Two Rivers Water Reclamation Authority (TRWRA), and the three borough's engineers and officials to plan a path forward for both sanitary sewer and water service. FMERA is currently working with the Oceanport Engineer on a proposal to submit a water main application to NJAW to accommodate the historic housing development, the fitness center, FMERA offices and additional pending building sales in the area surrounding the historic district. FMERA is also discussing roadways, public rights of way and easements with the three Boroughs. A draft agreement with JCP&L to own, operate and maintain the CWA power system is undergoing a final review. This agreement will serve as a template for a Phase 2 agreement which is currently under discussion. FMERA hopes to bring it to the Board at a subsequent meeting for approval.

- **Suneagles**

Despite a prolonged period of drought conditions with very high heat and humidity, the course has been busy. Categories across the board were up compared to 3rd quarter last year. There were increases in daily rounds (+900) of which 400 accounted for additional outing rounds. Regarding the current membership drive - indicators are that Suneagles is pacing at around the same rate as last year. Each year some members drop off but there is some new interest as well. Work has begun to prep the course for the winter. The humidity and excessive drought conditions resulted in numerous localized dry spots throughout the course. Suneagles also experienced an unusually high amount of crabgrass, kylinga and goose grass. At one point,

the pond on #7 was bone dry and was running out of water supply. Hand watering of the greens was a daily occurrence. The recent storms were welcome and replenished all of our water supply. The maintenance pump was recently replaced in the pump house and two of the well pumps on the course. The new efficient maintenance pump is expected to assist in reducing the utility bills as well.

- **Property Management/Maintenance**

FMERA's property management/maintenance team, Chenega Operations Services, has been busy keeping the property presentable and secure, for both marketing purposes and keeping employees and tenants safe and comfortable. Preparation has begun for the winter season and Chenega is assisting the auctioneer to prepare for the upcoming auctions. FMERA is planning for the transition to maintaining the Phase 2 property when transferred.

- **Marina**

The Marina has enclosed the deck area with drop down plastic awning. They also continue to fine tune their offerings to fit the season and the football crowd. FMERA expects a resolution on the CAFRA permit which will enable the opening of additional indoor seating along the water. They are also planning a Halloween event.

- **Appraisal Services**

FMERA will be issuing a Request for Qualifications (RFQ) to establish a new pool of appraisal firms to respond to specific Requests for Quotes for appraisals of the Phase 2 Properties.

Rick Harrison gave the following update on RFOTPs:

A complete summary of the RFOTP status is available in the Board package. Following are the highlights:

FMERA is currently evaluating proposals on the following Oceanport properties

- Nurses Quarters on Main Street - for a residential use,
- The former Community Center Building now known as the Dance Hall for a commercial use and the former Commissary for a commercial use.

FMERA has completed negotiations for the sale of Russel Hall, the former Garrison Headquarters building, and is requesting the Board's approval this evening to enter into a PSARA with TetherView Properties LLC for a commercial use.

Negotiations continue with Asbury Park Development Partners for the purchase of the Marina on Oceanport Creek pending transfer of the property to FMERA by the Army.

Over the next few months FMERA plans to issue RFOTPs for the Barker Circle, Allison Hall, and Lodging Area parcels within Oceanport.

In Eatontown, FMERA has proposals on 2 properties:

- Howard Commons proposals, where FMERA held a preliminary meeting with the highest ranked proposer.
- Expanded Parcel B proposals, where FMERA expects to complete the evaluation process by the end of October.

FMERA issued an RFOTP for Suneagles Golf Course on October 8. Proposals are due February 5, 2016. A pre-proposal meeting will be held on October 30 at FMERA's office in Oceanport followed by a tour of the facility.

An RFOTP for the 6 barracks buildings on Semaphore Avenue in Eatontown this fall, which are targeted for arts-related reuse.

In Tinton Falls, FMERA is in negotiations for the following parcels:

- Parcel F-2, the proposed Veterans Housing site;
- Parcel F-3, the 3.5 acre gas station and convenience store site on Hope Road
- Satellite Drive Parcel, a 1.5 acre building lot;
- Pistol Range, where the Board has selected Kiely Realty as purchaser.

In addition, FMERA executed a PSARA with Pinebrook Commerce Center LLC for the Fabrication Shops, and we're in the process of signing agreements to sell Parcels C & C1 to Lennar Corporation, and Building 2525 to RADAR Properties.

At tonight's meeting, FMERA will be asking for Board approval for the Child Development Center to Trinity Hall to serve as that school's new home.

Please visit our new website, www.fortmonmouthnj.com, for more information and to obtain copies of our RFOTPs.

Kara Kopach, Senior Development Officer stated that FMERA and Cushman & Wakefield will co-host a pre-proposal conference for the Golf Course Request for Offers to Purchase on October 30 at 10:00 a.m., to answer questions about the site and allow for interested potential bidders to learn more. Please contact the FMERA office for more information.

FMERA served as a community sponsor of the annual Asbury Agile event in Asbury Park on Friday, October 2nd. This event is a one day conference for web professionals, developed from the Jersey Shore Tech meetup, and this year was another success, with hundreds of participants and an excellent panel of speakers. Please refer to our website for more information and to sign up for our monthly digital newsletters.

Mr. Steadman listed the following action items:

- FMERA will be conducting bus tours for each of the three host municipalities. The Oceanport bus tour is scheduled for Saturday, October 24th from 10:00-12:00. The Tinton Falls and Eatontown bus tours have not yet been scheduled.
- Continued work with the N.J. Department of Environmental Protection to identify and resolve important environmental issues of concerns as they related to water and sewer.
- Continued meetings and tours with interested prospective employers and investors
- Continued collaboration with the NJEDA Trenton Office on marketing and business development opportunities and their continued help on several projects.
- Continued meetings with Tinton Falls, Oceanport, Eatontown, and the County during the month regarding streets, utilities, redevelopment projects, and other important issues.

VIII. COMMITTEE REPORTS

a) AUDIT COMMITTEE (ROBERT LUCKY - CHAIRMAN)

Bruce Steadman, on behalf of Robert Lucky, stated that the Committee met on October 1st and discussed the following:

- 2015 Operational Summary and Budget Projections
- Office of Economic Adjustment (OEA) funding and NJEDA funding
- FMERA's Legally Binding Agreements (LBA)
- Phase 2 closing with the Army and the Monmouth County Improvement Authority (MCIA) funding.

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

Chairman Gorman stated that the Committee met on October 13th and discussed the following:

- Discussion regarding the process for amendments to the Reuse Plan and Plan Amendment #4 regarding alternate development scenarios for two parcels in the Oceanport Reuse area, Russel Hall and the former recreation center known as the Dance Hall. The Committee reached a consensus and agreed to recommend approval of the transmittal of Proposed Plan Amendment #4 to the Board.
- Discussion regarding the PSARA with Trinity Hall for the former Child Development Center (CDC). The project would result in the retention of twenty-two (22) jobs and the creation of an additional one hundred (100) new jobs at Fort Monmouth within forty-eight (48) months of closing. The Committee reached a consensus and agree to recommend approval of the PSARA with Trinity for the CDC.
- Discussion regarding the PSARA with TetherView Property Management, LLC for the sale and renovation of Russel Hall. Tetherview, a private cloud company would renovate the building and would also accommodate Monarch Medical, a provider of medical imaging equipment. The companies will bring 30 jobs at closing and create and relocate a total of 75 full-time jobs within two years. The Committee reached a consensus and agreed to recommend approval of the PSARA with Tetherview for Russel Hall.
- Discussion regarding the current status of the Emergency County Homeless Shelter slated for relocation in Oceanport.
- Discussion regarding the issues raised by the Oceanport Planning Board delaying the approval of the second phase of renovations at AcuteCare.
- Discussion regarding the appraisal process for both Phase 1 & 2 properties. FMERA will pursue and updated Request for Qualification (RFQ) for appraisers.
- Discussion on Other Issues:
 - Parcel F-1 – Meyer Center
 - Commissary
 - Chapel
 - Howard Commons
 - Parcel B
 - Nurses Quarters
 - Charles Wood Firehouse
 - Buildings 601 & 603

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

Kenneth J. Kloo stated that the Committee met on October 6th and discussed the following:

- The focus of the meeting was a discussion of draft Phase 2 Finding of Suitability to Transfer (FOST) for the Phase 2 parcels, which includes the balance of the parcels to be transferred. The current document is in draft form as discussions with the Army continue.
- Discussion of the seven Environmental Condition of Property (ECP) descriptions that the Army uses to categorize all properties to be transferred. Three of the categories relate to properties that will not be conveyed to FMERA at this time, and require further remediation and review by the Army. There are some parcels considered carve-outs within other, larger parcels categorized as eligible for conveyance to FMERA. The Committee discussed the legal authority governing the Army's obligations related to both regulated and unregulated tanks. The DEP representatives will investigate legal strategies employed at other federal properties with similar issues.
- Discussion of the active and inactive Installation Restoration Program (IRP) sites, as well as additional environmental investigation sites, where Army work is in progress. It was noted that language in the FOST is inconsistent with the prior Army reports related to regulated and unregulated tanks. This is an ongoing topic of discussion with the Army, and FMERA will work to tighten the language in the final draft of the FOST to ensure the Army satisfies its obligations.

- Review of the language related to polychlorinated biphenyls (PCBs) and asbestos, some of which requires further discussion with the Army. FMERA is currently awaiting an updated asbestos survey and report from the Army.
 - Discussion of a section of the document entitled “Environmental Protection Provisions.” FMERA staff is working to incorporate language in this section that would differentiate between management of groundwater encountered during construction and site development, and the use of ground water for potable purposes.
 - Discussion of the current status of the Army’s plans for landfill closure. FMERA staff noted that the Army contractor has just recently completed field work delineating the landfill boundaries.
- d) HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (BRUCE STEADMAN, INTERIM CHAIRMAN):

Bruce Steadman stated that the Committee did not meet this month.

e) HOUSING STAFF ADVISORY COMMITTEE (GINA FISCHETTI - CHAIRWOMAN):

Gina Fischetti stated that the Committee met on September 22nd and discussed the following:

- Discussions regarding Officers Housing and a status update on RPM’s development of the property. RPM has received HFMA funding. Construction will begin on the Southern portion first and a construction manager is on site. RPM and FMERA will close on the property within 30 days after FMERA and Army’s Phase 2 closing.
- Discussions regarding the Nurses Quarters. The buildings will be developed as 24 one and two bedroom apartments with 20% affordable. FMERA received 5 proposals, and evaluation team has reviewed the proposals and discussions have begun with the leading proposer.
- Discussions regarding Parcel B. FMERA received 5 proposals with several developers submitting alternate scenarios. An evaluation team is currently reviewing the proposals and discussions with the leading proposer will begin shortly.
- Discussions regarding Howard Commons. FMERA received 3 proposals. The developers offered several scenarios including townhouses and single family homes. An evaluation team has reviewed the proposals and discussion with the leading proposer will begin shortly.
- Discussions regarding Parcels C & C1. FMERA received approval for a PSARA with Lennar Corporation at the September Board meeting. Parcel C will be developed to accommodate up to 239 residential units and Parcel C1 up to 49 residential units. Both Parcels will contain 20% affordable housing
- Discussions regarding Parcel F-2 in Tinton Falls to establish a Veterans Community. One proposal was received and negotiations with the proposer continue.
- Update on Upcoming RFOTPs including:
 - Eatontown Barracks for live/work space
 - Barkers Circle
 - Museum
 - CW Firehouse
 - Allison Hall
 - Lodging Area in Oceanport

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

Lillian Burry stated that the Committee did not meet this month. The Committee will meet when they can review the proposal for Parcel F-2.

IX. BOARD ACTIONS

A) The first item before the Board was the consideration of approval of transmittal to host municipalities of proposed Plan Amendment #4 permitting alternative development scenario in Oceanport.

Kara Kopach read the resolution which is attached hereto and marked Exhibit 1.

A motion was made to approve by Tim Lizura and was seconded by Lillian Burry.

Mayor Mahon stated that on behalf of Oceanport, the Borough welcomes the opportunity on the Amendment and recommends passage to the Board.

NAME	YES	NO	ABSTAIN
James V. Gorman	X		
Michael Collins	X		
Lillian Burry	X		
Gerald Turning	X		
Michael Mahon	X		
Dennis Connelly	X		
Tim Lizura	X		

Motion to Approve: TIM LIZURA Second: LILLIAN BURRY
AYes: 7

B) The second item before the Board was the consideration of approval of a Purchase and Sale and Redevelopment Agreement for the Child Development Center.

Kara Kopach read the resolution which is attached hereto and marked Exhibit 2.

A motion was made to approve by Gerald Turning and was seconded by Dennis Connelly.

Motion to Approve: GERALD TURNING Second: DENNIS CONNELLY
AYes 6

Michael Mahon abstained from voting stating that a family member is involved with Trinity. Mr. Mahon stated that he has recused himself from all prior discussions regarding Trinity.

Gerald Turning thanked the Board for the approval of the resolution. Mr. Turning stated that he has met with Trinity and was very impressed by their mission.

C) The third item before the Board was the consideration of approval of a Purchase and Sale Agreement and Redevelopment for Russel Hall

Kara Kopach read the resolution which is attached hereto and marked Exhibit 3.

A motion was made to approve by Lillian Burry and was seconded by Michael Mahon.

Michael Mahon stated that the Borough of Oceanport submitted a proposal for Russel Hall and will be submitting a waiver to withdraw their proposal.

Motion to Approve: LILLIAN BURRY Second: MICHAEL MAHON
AYes 7

X. OTHER ITEMS

There were no other items.

XI. PUBLIC COMMENT REGARDING ANY FMERA BUSINESS [5 minutes re: any FMERA business]

Roseanne Letson of Oceanport thanked FMERA for the maps of the Fort properties on display at the meeting. Ms. Letson read a letter from Cullin Wible of Oceanport questioning the FMERA website and the link to FMERA's Master Broker Cushman & Wakefield's website. Mr. Wible's letter indicated that the domain for Cushman was no longer available and asked if FMERA is aware of this, when will it be fixed and what FMERA will do to ensure that this does not happen again. Mr. Wible's letter also asked for clarification on Plan Amendment #3, regarding the omnibus changes in Tinton Falls. Mr. Wible asks if FMERA is adhering to the Reuse Plan process in that a plan change amendment takes place before FMERA closes on the property with the developer.

Tom Mahedy of Wall Township asserted that it is awful to put Trinity Hall at the Child Development Center because it is a contaminated site. Mr. Mahedy asserted that the Myer Center is contaminated site and that during demolition the contaminated dust will affect the surrounding areas. Mr. Mahedy asserted that the NJSP barracks are contaminated and have never been tested. Mr. Mahedy asserted that the Veterans parcel is a contaminated dump site and an additional dump was being added to the site. Mahedy asserted that there was corruption regarding the Army's Restoration Advisory Board (RAB) and that there was a deliberate hack into their computer system which destroyed all of the Army environmental documents. Mr. Mahedy asserted that no money should be given to the Army from the sale of the Child Development Center.

Ronald Sickler of Oceanport asked if that during the Oceanport Bus Tour, could the attendees be shown the possible sites for the Oceanport Borough Hall. Mr. Sickler asked if Mayor Mahon and the Borough Council could tour the buildings.

Dennis Herbert of Oceanport stated that Oceanport would be happy to buy the FMERA offices and reimburse FMERA. Mr. Herbert asked if the 720 residential units in Oceanport are single family and how many school children will there be.

Mr. Steadman answered Mr. Wible's comment from the letter regarding the FMERA website by stating that FMERA will investigate the situation and will have it resolved immediately. Mr. Steadman stated that with regards to Plan Amendment #3, for the Tinton Falls properties, FMERA has not yet closed on any of the properties that are included in the amendment. Mr. Steadman stated that the closing cannot take place until after the required 45 day comment period on the amendment and, therefore, there has been no contravention the process.

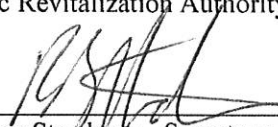
Mr. Steadman answered Mr. Mahedy by stating that the Child Development Center is not built on a contaminated site and that there is no evidence even to suggest this. None. Mr. Steadman stated that the ground water does not flow towards the CDC property but away from it. Mr. Steadman stated that there is a gas station down-gradient from the site, and the Army has received a No Further Action (NFA) letter from the NJDEP. Mr. Steadman clarified that the NJSP are not staying in barracks and there is no knowledge of the building being contaminated. Mr. Steadman stated that the Myer Center will be demolished in full accordance with State, Federal, County and Local laws. Mr. Steadman stated that the Veterans parcel is not built on a dump and there is no intention of housing Veterans on any contaminated site. Mr. Steadman noted that Mr. Mahedy time after time makes unfounded assertions that are not based on fact, and that facts are ignored when he makes these assertions.

Mr. Steadman answered Mr. Sickler by stating that the bus tour will incorporate driving by the buildings that could potentially be used for the Oceanport Borough Hall. Mr. Steadman stated that the Oceanport Ad Hoc Committee has discussed the buildings, and a tour of the buildings will be scheduled with the Committee.

Mr. Steadman answered Mr. Herbert by stating that the Reuse Plan calls for 1,600 across the entire Fort with 720 residential units in Oceanport. Mr. Steadman stated that 117 of the units are the Officers Housing and there will be a combination of single family homes, townhomes and apartments. The Reuse Plan does include information on the projected school age children. Mr. Steadman stated that he will discuss the potential purchase of the FMERA offices with staff and representatives from Oceanport, but that it is FMERA's plan to occupy the facility for the next 10-15 years before selling it

There being no further business, on a motion by Michal Mahon seconded by Lillian Burry and unanimously approved by all voting members present, the meeting was adjourned at 8:40 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.



Bruce Steadman - Secretary

ADOPTED
October 21, 2015

Resolution Regarding
**Transmittal to Host Municipalities of Proposed Fourth Plan Amendment Permitting
Alternative Development Scenario in Oceanport**

WHEREAS, the FMERA Act, P.L. 2010, c.51, in N.J.S.A. 52:27I-26(c), and the Land Use Rules, in 19:31C-3.27(c), authorize FMERA to amend the plan from time to time as development progresses; and

WHEREAS, pursuant to the Land Use Rules, FMERA must transmit any proposed Reuse Plan amendment to the governing body of the three municipalities for a 45-day comment period and then consider any comments prior to the Board approving or disapproving the amendment; and

WHEREAS, the Reuse Plan envisions the redevelopment of the Oceanport Reuse Area for approximately 1.75 million square feet of non-residential uses and 720 residential units; and

WHEREAS, the redevelopment of the Oceanport Reuse Area included development of a high-tech/green industry cluster, education/medical campus, a neighborhood center, a boutique hotel and spa, and expansive green space including the historic Parade Ground, as well as the institutional/civic reuse of Russel Hall by FEMA; and

WHEREAS, the AcuteCare Health Systems reuse of the Patterson Army Clinic has quickly encouraged continued development in Oceanport; and

WHEREAS, the proposed Amendment #4, prepared by the Authority's contracted professional planner Phillips Preiss Grygiel, encompasses two Fort Monmouth properties in the Oceanport Reuse Area, the Russel Hall Parcel and the Dance Hall Parcel, as described in the attached memorandum; and

WHEREAS, staff has reviewed the proposed Amendment #4 with regard to the guidance for reviewing a proposed amendment and reached the following conclusions: (1) this Amendment does not make any change to the residential units planned in Oceanport; (2) this Amendment affects only the Oceanport Reuse Area, and the value and use of adjacent parcels in Oceanport is increased due to the incorporation of market-driven interest and uses; (3) this Amendment would maintain the overarching land use concepts, objectives and principles of the Reuse Plan; (4) this Amendment is consistent with the Authority's BRAC obligations and the negotiations related to the Phase 2 Economic Development Conveyance Agreement with the Army; and (5) this Amendment includes changes to circulation envisioned in the Reuse Plan to address the land use changes; and

WHEREAS, the Real Estate Committee has reviewed the proposed plan change Amendment #4, and recommends approval of the transmittal of the proposed amendment to the

governing body of each host municipality.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Authority approves the transmittal to the governing body of each of the three host municipalities of the proposed attached Amendment #4 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario in the Oceanport Reuse Area.

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

Dated: October 21, 2015

EXHIBIT 1

ADOPTED
October 21, 2015

Resolution Regarding
**Authorization for FMERA to Enter into a Purchase and Sale Agreement and
Redevelopment Agreement with Trinity Hall for Building 2290**

WHEREAS, on February 27, 2015, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for Building 2290, the former Child Development Center (CDC) located in the Tinton Falls Reuse Area, with a response date of May 27, 2015; and

WHEREAS, the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) contemplated the reuse of the CDC as a childcare/school facility because of a prior request from the Borough of Tinton Falls, and the Borough informed FMERA it would no longer require the school facility; and

WHEREAS, FMERA received three proposals for the parcel and the evaluation committee scored each proposal independently; and

WHEREAS, Trinity Hall, Inc., (Trinity) received the highest score for their proposal and also submitted the highest price proposal; and

WHEREAS, the negotiations with Trinity have resulted in the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA); and

WHEREAS, the terms of the proposed PSARA include Trinity's payment of \$2 million for the property; closing will occur within 30 days of satisfaction of the conditions precedent, which include Trinity's completing due diligence and obtaining all approvals necessary to develop the project, receipt of a final remediation document from either the New Jersey Department of Environmental Protection or the purchaser's Licensed Site Remediation Professional and consent from the NJEDA Board of Trinity as redeveloper; and

WHEREAS, Trinity will utilize this location for their girls' only private school, and the project will consist of the upgrade and renovation of the building at an estimated cost of \$500,000, the relocation of twenty-two existing jobs and the creation of 100 full-time equivalent jobs at the property within forty-eight months; and

WHEREAS, the Phase 1 Economic Development Conveyance Agreement calls for the Army to receive 63% of the net proceeds from the sale with FMERA receiving the remainder so long as the amount of the sale is above a Floor Price, and the Army has agreed to use \$2 million as the Floor Price; and

WHEREAS, the Real Estate Committee has reviewed this transaction and recommends that the PSARA be forwarded to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the selection of Trinity Hall, Inc., as the purchaser of Building 2290 and associated property in Tinton Falls pursuant to the February 27, 2015 Requests for Offers to Purchase, on terms substantially consistent to those set forth in the attached memorandum and the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA) and with final terms acceptable to the Executive Director and the Attorney General's Office, and authorizes the Executive Director to execute the PSARA and take any necessary actions to effectuate the selection of Trinity Hall as the purchaser of Building 2290 and associated property.

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
Dated: October 21, 2015

EXHIBIT 2

ADOPTED
October 21, 2015

Resolution Regarding
**Authorization for FMERA to Enter into a Purchase and Sale Agreement and
Redevelopment Agreement with TetherView for Russel Hall**

WHEREAS, on February 13, 2015, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for Building 286 (Russel Hall) and associated property with a response date of April 13, 2015; and

WHEREAS, the property includes Russel Hall and the accompanying paved and parking areas, on an approximately 4.6 acre parcel in the Oceanport Reuse Area; and

WHEREAS, the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) contemplated the reuse of Russel Hall for institutional/civic use for the Federal Emergency Management Agency, which has since withdrawn its interest in the building; and

WHEREAS, FMERA received three proposals for the property and an evaluation committee scored each proposal independently; and

WHEREAS, TetherView Properties, LLC, (TetherView) received the highest score for their proposal for Russel Hall and TetherView also submitted the highest price proposal; and

WHEREAS, all proposals submitted called for an amendment to the Reuse Plan, and the proposal from TetherView will require an amendment to allow for the commercial reuse of the building, as contemplated in the RFOTP; and

WHEREAS, the negotiations with TetherView have resulted in the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA); and

WHEREAS, the terms of the proposed PSARA include TetherView's payment of \$1.313 million for the property; closing will occur within 30 days of satisfaction of the conditions precedent, which include FMERA entering into an Economic Development Conveyance (EDC) Agreement with the Army and acquiring title to the property, TetherView completing due diligence and obtaining all approvals necessary to develop the project, receipt of a final remediation document from either the New Jersey Department of Environmental Protection or the purchaser's Licensed Site Remediation Professional, FMERA obtaining an amendment to the Reuse Plan, and consent from the NJEDA Board of TetherView as redeveloper; and

WHEREAS, the project will consist of the fit-out of approximately 15,000 square feet of the building for TetherView, Inc., a private cloud computing services company, and Monarch Medical, a provider of medical imaging equipment, both currently based in Staten

Island, New York; and

WHEREAS, the Real Estate Committee has reviewed this transaction and recommends that the PSARA be forwarded to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the selection of TetherView Properties, LLC, as the purchaser of Russel Hall and associated property in Oceanport pursuant to the February 13, 2015 Requests for Offers to Purchase, on terms substantially consistent to those set forth in the attached memorandum and the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA) and with final terms acceptable to the Executive Director and the Attorney General's Office, and authorizes the Executive Director to execute the PSARA and take any necessary actions to effectuate the selection of Tetherview Properties as the purchaser of Russel Hall and associated property.

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
Dated: October 21, 2015

EXHIBIT 3

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: November 12, 2015

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 Comprehensive Annual Report; Update on Meetings with Army Representatives; Update on Requests for Proposals (RFPs) and Other Contracts; Update on Requests for Offers to Purchase (RFOTPs); Update on Marketing Effort; and Action Items for Next Month.

Treasurer's Report

1. 2017 State Appropriation Request
The Authority submitted its appropriation request to the New Jersey Office of Management and Budget for inclusion in the State's Fiscal Year 2017 Budget. The State appropriation is required to satisfy the local match requirement of the federal grant received through the Office of Economic Adjustment.
2. 2016 Budget Overview
The budget process for 2016 continues. Once complete, the draft 2016 FMERA Budget will then be forwarded to the Audit Committee for its review. The 2016 FMERA Budget is scheduled to be brought before the Board for its consideration and approval at the December Authority meeting.

Executive Director's Report

1. Update on Meetings with Army Representatives
FMERA and the Army have been holding discussions on the future transfer of the balance of the Main Post since March 2014, when the terms of the Phase 2 purchase were finalized, to be accomplished under a Phase 2 Memorandum of Agreement (MOA). After receiving support from the Board for the proposed terms negotiated by FMERA staff and Army representatives for the Authority's acquisition of the balance of the Main Post, staff submitted the Phase 2

Economic Development Conveyance application on July 1, 2014, and it is currently under review by the Army. A draft MOA is currently under review by the Army. Staff and the Army have resolved the remaining issues identified by the review of the draft carve-out list which was input to the Finding of Suitability to Transfer (FOST), an environmental review required before transfer. The Army has issued a draft FOST and FMERA has provided comments back to the Army. The Army plans to issue the FOST for public comment by the end of this month. Due to ongoing review of both the FOST and the MOA, our goal now is to seek approval from the Board to execute the Phase 2 MOA with the Army before the end of the year.

2. Update on RFPs and Contracts

The following is a summary of the status of RFPs and Contracts that FMERA has issued:

Auctioneer

There was an auction of the contents of the Megill Housing units on October 27th and an auction of property and materials and supplies turned over to FMERA by the Army associated with the Phase 1 transfer was auctioned on November 10th at the Pulse Power facility on Pearl Harbor Avenue. More information on future auctions and auction catalogues will be available at <http://www.theauctioneersgroup.com/>. Staff and the Auctioneer are also starting to identify buildings in Phase 2 to start inventorying and cataloging for potential events to be scheduled in the fall after property transfers. A public, community-focused, small-lot auction will be planned for next spring.

Utilities

FMERA continues to plan for upgrades to utility systems and working with the public utilities and our subcontractors to ensure required utilities are safe and operational. There have been meetings with Two Rivers Water Reclamation Authority (TRWRA), and the three borough's engineers and officials to plan a path forward for both sanitary sewer and water service. We are currently working with the Oceanport Engineer on a proposal to submit a water main application to NJAW to accommodate the historic housing development, the fitness center, FMERA offices and additional pending building sales in the area surrounding the historic district. FMERA is also discussing roadways, public rights of way and easements with the three Boroughs. A draft agreement with JCP&L to own, operate and maintain the CWA power system is undergoing a final review. This agreement will serve as a template for a Phase 2 agreement which is currently under discussion. FMERA hopes to bring it to the Board at a subsequent meeting for approval.

Suneagles

Our operator and property maintenance contractor are preparing the course and facilities for the winter season. The course will remain open throughout the winter for play, weather permitting. The membership drive for the 2015/2016 season remains open and has had a positive response.

Property Management/Maintenance

Our property management/maintenance team, Chenega Operations Services, has been quite busy keeping our property presentable and secure, for both marketing purposes and keeping our employees and tenants safe and comfortable. They are finalizing preparations for the winter season. We are preparing for the transition to maintaining the Phase 2 property when transferred.

Marina

The Marina has enclosed the deck area with drop down plastic awning. They also continue to fine tune their offerings to fit the season and the football crowd. We also expect a resolution on the CAFRA permit to be able to open additional indoor seating along the water. Visit the Marina at Oceanport website for more information.

3. Update on RFOTPs

The following is a summary of the status of the RFOTPs issued in the Oceanport Reuse Area:

Officer Housing

FMERA staff issued an RFOTP for the Officer Housing in the Historic District of the former Fort in January 2013, and two proposals were received. The Officer Housing is intended for residential reuse consistent with the Reuse Plan. At the April 2014 meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with RPM Development Group in accordance with the Authority's Sales Rules. The Authority approved extensions to the exclusive negotiations period through April 2015. The property is located outside of the Fort's Phase One project area, so FMERA's ability to sell the property is contingent on execution of a Phase 2 EDC Agreement with the Army. At the May 2014 meeting of the Authority, the Board approved FMERA staff entering into a Lease with the Army and a Sublease with RPM for the property, enabling RPM to undertake due diligence and pursue financing and project approvals in advance of FMERA's execution of the Phase 2 EDC Agreement. The Officer Housing project has received preliminary and final major site plan and subdivision approval from the Oceanport Planning Board. The Board approved a Purchase and Sale Agreement and Redevelopment Agreement (PSARA) with RPM at the June 2015 meeting, and the PSARA was executed on July 29th.

Marina

In October 2013 an RFOTP was issued for the Marina Parcel in Oceanport. The Marina Parcel consists of 3.9 acres located at Oceanport and Riverside Avenues. The Property includes a 71-slip marina and boat launch ramp on Oceanport Creek, a 2,600 sf boat house constructed in 1986 and associated off-street parking. The Reuse Plan contemplates a marina/public boat ramp/restaurant on the property and the reuse of the existing boat house. Proposals were due in January 2014 and two were received. At the August 2014 meeting of the Authority, the Board approved entering into exclusive negotiations with the one compliant proposer, AP Development Partners, LLC (APDP). FMERA staff released a Request for Proposals (RFP) for a Marina Operator in the interim, and received one proposal from APDP. The operator opened the marina for boat traffic in June 2014. The operator has met with the NJDEP's Bureau of Coastal Land Use and Compliance to address a notice of 3 violations. Two of the violations are not related to any action or construction by the operator and the operator believes the Army and NJ DEP will reach a resolution. The remaining violation required the operator to submit a CAFRA Permit Application for construction along the existing open deck, which was submitted and is pending NJ DEP review. The operator expects these issues to be resolved. The boat house restaurant opened on July 29th. Contract negotiations continue and FMERA hopes to bring a recommendation to the Board in the coming months.

Russel Hall

Russel Hall is a 42,300 sf, four-story administration building located on Sanger Avenue in the Oceanport Reuse Area of the Fort. The property is located outside of the Fort's Phase One

project area, so FMERA's ability to sell the property will be contingent on execution of a Phase 2 EDC Agreement with the Army. FMERA staff issued an initial RFOTP for Russel Hall in September 2013, with proposals due in November 2013. At the January 2014 meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with the sole proposer, Kiely Realty Group, LLC, in accordance with the Authority's Sales Rules; the Board subsequently approved extending the exclusive negotiations term a total of 75 days. At the May 2014 meeting of the Authority, the Board approved a Lease with the Army and Sublease with Kiely, although the Sublease was never finalized or executed. FMERA and Kiely disagreed over the reactivation of the former heliport, and the Authority voted to end negotiations with Kiely, terminate the RFOTP and issue a new RFOTP at the December 2014 Board meeting. On February 13, 2015 FMERA issued an RFOTP for Russel Hall that includes a 4.6 acre parcel of land and excludes the former heliport. Proposals were due on April 13, 2015 and FMERA received 3 proposals. An evaluation committee scored the proposals and negotiations with the leading bidder have led to a PSARA for the property. The Board approved the PSARA with TetherView Property Management, LLC (TetherView) on October 21, 2015. TetherView will renovate Russel Hall to serve as the new home of TetherView, Inc., a private cloud computing services company. FMERA will work with the Army to allow use and occupancy of the building while Phase 2 negotiations are finalized.

Fitness Center

On March 14, 2014 an RFOTP was issued for the Fitness Center in the Oceanport Reuse Area of the Fort. The property consists of 7.75 acres of land and three buildings, as well as all of the fitness equipment located within Building 114. FMERA set \$1,950,000 as the minimum bid amount for the property. Proposals were due May 28, 2014, and one proposal was received. The property is located outside of the Fort's Phase One project area, so FMERA's ability to sell the property is contingent on execution of a Phase 2 EDC Agreement with the Army. At the May 2015 Board meeting, the Board approved entering into a Lease with the Army and a Sublease with FM Partners, LLC for the property, so the potential purchasers can begin site work and renovations in advance of a 2015 closing with the Army. The Board approved a Purchase and Sale Agreement and Redevelopment Agreement (PSARA) with FM Partners at the June 2015 meeting. The PSARA was executed on August 11th.

Main Post Chapel

In March 2014 an RFOTP was issued for the Main Post Chapel in the Oceanport Reuse Area of the Fort. The property encompasses 5 acres of land and a 16,372 square foot structure, consisting of a 600-seat chapel, an administrative wing, a classroom wing, and a kitchen. The property is located outside of the Fort's Phase One project area, so FMERA's ability to sell the property is contingent on execution of a Phase 2 EDC Agreement with the Army. The Chapel is intended to be reused as a house of worship, per the Authority's Reuse Plan. The Property is in the Oceanport Horseneck Center and the Historic District, although the structure is not considered historic. Proposals were due on May 9, 2014, and two proposals were received. The compliant proposer decided to retract its proposal. As there were no compliant proposals, FMERA proceeded to issue a second RFOTP on February 20, 2015 in accordance with the Authority's Sales Rules. Proposals were due on June 26, 2015, and one proposal was received. The sole proposer has chosen to withdraw their proposal. FMERA staff plans to issue a new RFOTP before the end of the year.

Dance Hall

On March 13, 2015, FMERA issued an RFOTP for Building 552, the former recreation center in Oceanport referred to as the Dance Hall. Located on an approximately 4.2 acre parcel, the 16,420 gsf former recreation center was constructed circa-1941, and is adjacent to the Fort's Historic District. The property is located outside of the Fort's Phase One project area, so FMERA's ability to sell the property is contingent on execution of a Phase 2 EDC Agreement with the Army. Although the Reuse Plan contemplates demolition of Building 552, the unique design features of the building and its central location near the planned tech center at the McAfee building, the renovated Officer Housing and Fitness Center, and the Main Post Chapel, lead FMERA staff to believe that the property has great potential for reuse as a restaurant, café, coffee house, microbrewery, gallery and/or performance space, serving small entertainment and recreation uses as it once did when the Fort was in operation. Green space could be maintained in the adjacent park space, which includes two memorials. Although permitted uses include office/research, institutional/civic or open space/recreation, FMERA will review offers that propose alternative uses. Proposals were due on June 26, 2015 and two proposals were received. An evaluation committee reviewed the proposals and discussions have begun with the leading proposer.

Nurses' Quarters

On March 13, 2015, FMERA issued an RFOTP for the Nurses' Quarters in Oceanport, Buildings 1077 and 1078, located on an approximately 3.75 acre parcel along Main Street and Stephenson Avenue. Built in 1962, the buildings contain 24 one- and two-bedroom units that were formerly used as apartments for Army nurses. The property is located outside of the Fort's Phase One project area, so FMERA's ability to sell the property is contingent on execution of a Phase 2 EDC Agreement with the Army. The Reuse Plan contemplates the reuse of the buildings as mixed-income apartments, but FMERA will review offers that propose alternate uses. Proposals were due on June 26, 2015 and five proposals were received. An evaluation committee reviewed the proposals and discussions have begun with the leading proposer.

Commissary

The Commissary, Building 1007, is an approximately 53,700 square foot commercial building located in the Oceanport Reuse Area. The property was constructed in 1998 and was used as a grocery store by the Army. The Reuse Plan contemplates the renovation and reuse of the building as a retail and/or community center. Given its location and size, the redevelopment of the building for a retail center is unlikely. FMERA staff received interest in the building for office and research and development use. On July 17, 2015, FMERA issued an RFOTP for the Commissary on a +/- 6 acre parcel, which includes parking. The property is located outside of the Fort's Phase One project area, so FMERA's ability to sell the property is contingent on execution of a Phase 2 EDC Agreement with the Army. Proposals were due on August 17 and one proposal was received. An evaluation committee reviewed the proposal and discussions with the proposer have led to a negotiated Purchase and Sale Agreement & Redevelopment Agreement (PSARA). FMERA staff will present a recommendation to approve the PSARA to the Board at tonight's meeting.

The following is a summary of the status of the RFOTPs issued in the Eatontown Reuse Area:

Howard Commons

Howard Commons is a 63.67-acre tract on Pinebrook Road in the Fort's Charles Wood Area. The property is currently improved with 486 townhouse units constructed by the Army in 1953, along with a 3,853 sf general purpose building. The Reuse Plan calls for the demolition of the existing improvements and their replacement with 275 dwelling units and approximately 15,000 sf of ancillary retail/commercial space. In accordance with the Reuse Plan, 20% of the new units will be affordable housing qualified. At the January 2014 meeting of the Authority the Board approved a PSARA for Howard Commons with HovWest Land Acquisition, LLC (HovWest). The Authority and HovWest executed the PSARA effective as of May 19, 2014. HovWest exercised its right under the PSARA to withdraw from the project, noting that higher than expected groundwater caused them to make this decision. At the August 2014 meeting of the Authority, the Board approved the termination of the RFOTP process and the issuance of a new RFOTP for Howard Commons, in accordance with the Authority's Sales Rules. Staff issued a new RFOTP for Howard Commons on December 29, 2014. The response date for the new RFOTP was extended to July 10, 2015, and three proposals were received. An evaluation committee reviewed the proposals and discussions have begun with the leading proposer.

Parcel B

In March 2013 FMERA publically issued an RFOTP for Parcel B, a 55-acre tract located along the Fort's Route 35 frontage in the Main Post's Eatontown Reuse Area. The Reuse Plan calls for Parcel B to be developed as a high quality lifestyle center, with approximately 150,000 square feet of retail, restaurant, entertainment and other uses in a Main Street format, along with 302 mixed-income apartments. Four proposals were received. At the February 2014 meeting of the Authority, the Board authorized FMERA staff to terminate the RFOTP process without awarding a contract and issue a new RFOTP for Parcel B, in accordance with the Authority's Sales Rules. The new RFOTP for Parcel B will seek proposals that meet the Reuse Plan's goal of creating a lifestyle town center, as an exciting and attractive gateway to the Fort. At the January 2015 meeting, the Board authorized staff to add 12 acres to Parcel B and issue a new RFOTP, which will increase the square footage of retail and/or commercial development on the parcel to 250,000 square feet, while keeping the number of housing units at 302. Additionally, the new RFOTP will add another 12 acres including Mallette Hall as an optional component. On February 20, 2015 FMERA issued the RFOTP for the expanded Parcel B. Proposals were due on July 10, 2015, and five proposals were received. An evaluation committee reviewed the proposals and discussions with the leading proposer have begun.

Suneagles Golf Course

On October 8, 2015, FMERA issued an RFOTP for the Suneagles Golf Course, an A.W. Tillinghast design golf course, and associated facilities in the Eatontown Reuse Area. The 171 acre parcel of land includes Gibbs Hall (Building 2000), Joe's Sports Bar/19th hole (Building 2018), a maintenance facility (Buildings 2070/2071) and the Megill Housing area (Buildings 2022-2042). Gibbs Hall, listed as a historic resource on the National Register, is a 37,125 square foot club house/catering facility that can accommodate over 650 guests. The property also contains an in-ground swimming pool, tennis courts and a pro-shop. The Reuse Plan contemplates continued use of the property as a golf course with a new 150 room hotel/conference center to be developed in the Megill Housing area; permitted land uses for the parcel are hospitality and open space/recreation. The golf course property will have a deed restriction requiring maintenance of the golf course use for a minimum of 20 years following title transfer, and proposals carrying this restriction beyond 20 years will receive special

consideration in the evaluation process. FMERA has set \$6,287,500 as the minimum bid. Proposals are due on February 5, 2016 and a pre-proposal conference was held on October 30, 2015.

The following is a summary of the status of the RFOTPs issued in the Tinton Falls Reuse Area:

Fabrication Shops (Pinebrook Road Commerce Center at Fort Monmouth)

At the June 2013 meeting of the Authority, the Board approved making the Pinebrook Road Commerce Center (buildings 2501 – 2504, 2506 and 2507, totaling approximately 44,000 sf) available through the offer to purchase process. The five fabrication shops consist of flex (industrial/office) space in varying configurations. There is also a building (building 2501) on site that is well-suited for use as office space. The Parcel is located off of Pinebrook Road in the Tinton Falls Reuse Area of Fort Monmouth. An RFOTP for the parcel was issued in September 2013, and three proposals were received. At the May 2014 meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with the highest ranked proposer, Pinebrook Commerce Center, LLC (PCC), in accordance with the Authority's Sales Rules. The Board approved extensions of the exclusive negotiations period with PCC through April 2015, due to delays in negotiating an acceptable access plan for this section of the Charles Wood Area. At the April 15th meeting of the Authority, the Board approved a PSARA with PCC for the former fabrication shops. The PSARA was executed on August 10th.

Parcels C and C1

In March 2013 FMERA publically issued RFOTPs for Parcels C and C1. Three proposals were received for Parcel C, and three proposals were received for Parcel C1, with some firms submitting multiple scenarios for redevelopment. FMERA staff evaluated the proposals in accordance with the Authority's Sales Rules, and subsequently engaged in discussions with the highest ranked proposers. Parcel C is in the Tinton Falls Reuse Area and is planned as a mixed-use town center. The 39-acre lot can accommodate up to 239 newly constructed residential units, along with up to 107,000 square feet of retail and other commercial development. Parcel C1 is a 12-acre tract also located in the Tinton Falls Reuse Area. In accordance with Reuse Plan amendment #1, the property can accommodate up to 49 newly constructed residential units. At the April 2014 meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with Lennar Corporation in accordance with the Authority's Sales Rules. The Authority has approved extensions to the exclusive negotiations period through March 2015. At the September 16, 2015 meeting, the Board approved a PSARA with Lennar.

Parcels V-1 and F-2

Parcel V-1 was a 10-acre tract in the Eatontown section of the former Fort which was put out for bid for the purpose of establishing a Veterans Community. An RFOTP was publically issued for the parcel in September 2013 and two proposals were received in December 2013. Both bidders proposed paying nominal consideration to acquire and redevelop the property into a Veterans community. At the June 2014 meeting of the Authority, the Board authorized FMERA staff to terminate the RFOTP process without awarding a contract. At its September 2014 meeting, the Authority approved the issuance of a new RFOTP for a Veterans project in the Tinton Falls Reuse Area, on a 15-acre site to be known as Parcel F-2, which includes approximately 8.2 acres of developable land and Buildings 2704 and 2719. The RFOTP for F-2 was issued on December 12, 2014 and proposals were due on March 13, 2015. FMERA has

set \$650,000 as the minimum bid amount for the Parcel. One compliant proposal was received and an evaluation team has scored the proposal. Negotiations with the proposer continue, and a meeting of the Veterans Committee will be scheduled to discuss the project.

Pistol Range

In November 2013 an RFOTP was issued for the Pistol Range. The Pistol Range is a one-story 11,110 sf building, equipped with 10 indoor firing lanes, in the Tinton Falls Reuse Area of the former Fort. The range was constructed in 2006. The facility sits on a 1-acre parcel, which represents the minimum lot size needed to accommodate required parking and building setbacks. The RFOTP allowed respondents the option to provide alternate proposals that included the purchase of additional adjacent land and/or buildings and the use of the property for non-governmental purposes. Proposals were due in February 2014 and five were received. At the May 2014 meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with Kiely Realty Group, LLC, (Kiely) the highest ranked proposer, in accordance with the Authority's Sales Rules. Negotiations with Kiely have lead to a PSARA, which will be presented for approval at tonight's meeting.

Satellite Road Parcel 1

On August 14, 2014, an RFOTP was issued for a 1.5 acre parcel in the Tinton Falls area of the former Fort, bordering Satellite Road and Fire Line Drive. The property is in the Tinton Falls Tech/Office Campus and permitted uses include office/research, institutional/civic and open space/recreation. Proposals were due on October 17, 2014 and two were received. Negotiations with the higher ranked proposer have lead to a PSARA, and staff will present a recommendation for approval at tonight's Board meeting.

Charles Wood Firehouse

In December 2013 an RFOTP was issued for the Charles Wood Firehouse in the Tinton Falls Reuse Area of the Fort. The Firehouse is a 10,000 sf structure on Corregidor Road, built in 2001. The permitted principal land use for the 2.3 acre parcel of land and building is institutional/civic reuse in the Fort's Reuse Plan. Proposals were due on March 20, 2014 and one proposal was received. Subsequently, the one proposer retracted its proposal. FMERA staff issued a second RFOTP on November 14, 2014 in accordance with the Authority's Sales Rules. Proposals were due on January 12, 2015 and two proposals were received. Both of the proposers have since withdrawn their proposals. Staff, with input from the contracted broker Cushman & Wakefield, has revised the acreage of the parcel and will request Board approval to issue a new RFOTP with this increased acreage at tonight's meeting.

Parcel F-1

On December 5, 2014, FMERA issued an RFOTP for a 38 acre parcel in the Tinton Falls Reuse Area of the former Fort, which contains the 673,450 square foot Myer Center and the 47,592 square foot Night Vision Lab, as well as several support buildings. The Reuse Plan contemplates the renovation and reuse of both the Myer Center and the Lab as part of an office/high tech industry business campus. The RFOTP allowed for either a proposal consistent with the Reuse Plan or an alternate commercial use, including but not limited to sports, entertainment, and/or hospitality uses. This could include the demolition of the two buildings. Proposals were due March 6, 2015 and no proposals were received. Our master broker, Cushman & Wakefield, is assisting FMERA staff in evaluating the options for reissuing the RFOTP.

Parcel F-3

On February 6, 2015, FMERA issued an RFOTP for a 3.5 acre parcel in the Tinton Falls Reuse Area, containing Building 2567, a 1,335 square foot building constructed in 1970. The building formerly housed a shopette/gas station and the property includes an above ground fuel tank and fuel dispensing island. The Reuse Plan envisions reuse of the property as a gas station, but FMERA will also entertain proposals for other commercial uses or open space/recreational uses. Proposals were due on April 7, 2015 and one proposal was received. An evaluation team has reviewed the proposal and will be making a recommendation at an upcoming meeting of the Board.

Building 2525

On February 13, 2015, FMERA issued an RFOTP for Building 2525, on a 13.5 acre parcel in the Tinton Falls Reuse Area. Building 2525, an 86,400± square foot office building, was constructed in 1942 and renovated in 1999, and was formerly used as administrative space by the Army. In addition to office/administrative/technology uses, FMERA indicated that it would accept proposals for other uses, excluding residential uses. Proposals were due on March 30, 2015 and one proposal was received from RADAR Properties, LLC (RADAR). An evaluation team reviewed the proposal and negotiations successfully led to a PSARA with the developer, which was approved by the Board at the September 16, 2015 meeting. RADAR will lease approximately 30,000 square feet of the building to Aaski Technology, Inc., (Aaski), a defense contractor and communications engineering firm currently located in Eatontown and Ocean Township, N.J., as well as Aberdeen, Maryland. Aaski will consolidate its New Jersey operations at Fort Monmouth rather than relocating to Maryland, thereby retaining 105 jobs in the state and creating an additional 25 new jobs by 2018. The PSARA was executed on October 16, 2015.

Child Development Center

On February 27, 2015, FMERA issued an RFOTP for Building 2290, the former Child Development Center (CDC), on a 7.4 acre parcel in Tinton Falls adjacent to CommVault's new world headquarters. Built in 1996, the CDC is a 19,600± square foot former daycare center, containing classrooms and a kitchen facility. The Reuse Plan contemplates reuse of the building as a child care/school facility, and permitted uses include institutional/civic and open space/recreation, although FMERA will review proposals for other uses. Proposals were due on May 27, 2015, and three proposals were received. An evaluation committee was formed and scored the proposals. At the October 21, 2015 meeting, the Board approved a PSARA with Trinity Hall, Inc. for the CDC. Trinity Hall will relocate its students and staff to the building upon completion of renovations in 2016. This will bring 22 jobs to the Fort, with the creation of 100 new jobs within 4 years of closing.

4. Marketing Update

FMERA and our master broker, Cushman & Wakefield (Cushman), co-hosted a preproposal conference for the Golf Course Request for Offers to Purchase on October 30 to answer questions about the site and allow for interested potential bidders to learn more. About 25 interested parties attended the conference, and tours of the Golf Course can be scheduled with Cushman and FMERA until January 29, 2016.

Cushman will be promoting Fort Monmouth as an attractive location for data and tech companies at the New Jersey Technology Council's Data Summit on December 9 at Rutgers in New Brunswick. This event brings together data center and IT professionals, as well as business and technology leaders for a conference on business intelligence and analytics systems and solutions on Tech Day at Rutgers. NJTC's Tech Day includes a Global Commercialization Conference and an Incubator Showcase.

Please refer to our website, www.fortmonmouthnj.com, for more information and to sign up for our monthly digital newsletters.

5. Action Items for Next Month.

- Continued work with 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 in the 3 host municipalities, the County and others
- Continued collaboration with the NJEDA Trenton Office on marketing and business development opportunities



Approved By: Bruce Steadman

Prepared by: Candice Valente

ADOPTED
November 12, 2015

Resolution Regarding
**Approval of Third Plan Amendment Permitting Alternative Development Scenario in
Tinton Falls**

WHEREAS, the FMERA Act, P.L. 2010, c.51, in N.J.S.A. 52:27I-26(c), and the Land Use Rules, in N.J.A.C. 19:31C-3.27, authorize FMERA to amend the plan from time to time as development progresses; and

WHEREAS, pursuant to the FMERA Act and the Land Use Rules, FMERA must transmit any proposed Reuse Plan amendment to the governing body of the three municipalities for a 45-day comment period and then consider any comments prior to the Board approving or disapproving the amendment; and

WHEREAS, the proposed amendment #3, prepared by the Authority's contracted professional planner Phillips Preiss Grygiel, encompasses a number of Fort Monmouth properties in the Tinton Falls Reuse Area and as an accommodation to the Borough of Tinton Falls, the proposed Amendment bundles these properties into a single amendment; and

WHEREAS, in accordance with the FMERA Act and the Land Use Rules, the Board approved transmitting the proposed Reuse Plan amendment #3 to the host municipalities at its August 26, 2015 meeting; and

WHEREAS, on September 17, 2015 the host municipalities received the proposed Reuse Plan amendment, starting the 45-day comment period; and

WHEREAS, the comment period expired on November 2, 2015 and responses were received from Tinton Falls, Eatontown and Oceanport; and

WHEREAS, FMERA staff reviewed the responses and provided an analysis of the responses and recommendations to the Real Estate Committee; and

WHEREAS, the Real Estate Committee reviewed the Reuse Plan amendment #3 and the responses from the three host municipalities, as well as the analysis from FMERA staff, and recommends adoption of amendment #3.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority adopts the responses and the reasons for the responses, contained in the attached memorandum, to the comments from the Boroughs of Tinton Falls, Eatontown and Oceanport.

2. As expressed in the attached memorandum, the Authority approves Amendment #3 to the Fort Monmouth Reuse and Redevelopment Plan that would permit

alternative development scenarios in the Tinton Falls Reuse Area.

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

Dated: November 12, 2015

EXHIBIT 1

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Recommendation to Approve Proposed Plan Amendment #3 Permitting
Alternative Development Scenario in Tinton Falls

DATE: November 12, 2015

Request

I am requesting that the Board of Members approve the proposed Amendment #3 to the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) that would permit an alternative development scenario in Tinton Falls.

Background

In 2008, the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) was completed and accepted by the U.S. Department of Housing and Urban Development and the U.S. Department of Defense, and serves as the Plan for the redevelopment and revitalization of Fort Monmouth to be implemented by FMERA. FMERA's enabling legislation, P.L. 2010 c. 51 (the Act), the Land Use Rules subsequently adopted in 2013, N.J.A.C. 19:31C-3 et seq. (Land Use Rules), and the Reuse Plan contemplate that amendments to the Reuse Plan would be required from time to time. Specifically, the Act authorizes FMERA "to adopt, revise, adjust, and implement... any aspect of the plan."

Reuse Plan amendments allow FMERA to respond to opportunities that arise through the Request for Offers to Purchase (RFOTP) process. In accordance with the Act and the Land Use Rules, prior to approving an amendment to the Plan, the amendment must be transmitted to the governing body of each host municipality for a 45 day comment period, at the end of which each municipality may provide FMERA with a written report containing the municipality's recommendations. Staff will review the report from each host municipality and prepare a preliminary analysis with reasons for accepting or not accepting the recommendations. This report shall be presented to the Board for its consideration and approval.

Development Contemplated under the Reuse Plan

The Reuse Plan currently envisions the redevelopment of the Tinton Falls Reuse Area for approximately one million square feet of non-residential uses and 288 residential uses. The Reuse Plan included development of a high-tech business campus with a multi-use town center

with ground-floor retail space with mixed-income housing or professional office space above, and standalone residential, institutional and civic uses. The Tinton Falls Reuse Area also included the commercial reuse of former fabrication shops and the institutional reuse of police training facilities at the pistol range. Reuse of additional facilities in Tinton Falls included the commercial gas station on Hope Road and the governmental reuse of the Fire Station on Corregidor Road.

In May of 2012, the FMERA Board approved Plan Amendment #1, which allowed for an alternative development scenario concept for approximately 55 acres in Tinton Falls then known as Parcel E. This amendment allowed for the option of commercial redevelopment of the parcel, and the option to redistribute the 126 residential units planned in Parcel E to other sites in Tinton Falls. The completion of the CommVault headquarters on Parcel E has quickly encouraged continued development in Tinton Falls.

The Proposed Reuse Plan Amendment

The attached proposed Amendment #3 prepared by the Authority's planning consultant, Phillips Preiss Grygiel, LLC (PPG) encompasses a number of Fort Monmouth properties in the Tinton Falls Reuse Area. As an accommodation to the Borough of Tinton Falls, and with the support of the Real Estate Committee, staff directed PPG to bundle these changes in a single amendment. The proposed Amendment maintains the Plan's land use concepts and plans while permitting alternative development scenarios for each of the parcels listed below. Including these land uses as alternative development scenarios does not delete any provisions of the Reuse Plan or Land Use Rules but rather would supplement the Plan by providing additional and/or alternative uses. Staff recommends these changes as the highest and best use for each site based on the results of the respective Requests for Offers to Purchase (RFOTPs).

1. Pinebrook Road Commerce Center Parcel: The total square footage of the former fabrication shops, which will remain for light industrial/fabrication/assembly reuse, will be corrected to include all five fabrication shops and their three ancillary buildings, as the Plan currently suggests only four buildings on the parcel. The new light industrial/fabrication/assembly use will permit incidental offices and limited ancillary retail sales. The 1.5 acres northwest of Buildings 2508 and 2625 is permitted to be developed for light industrial/fabrication/assembly and/or accessory parking uses.
2. Charles Wood Pistol Range Parcel: The former Pistol Range will be allowed for commercial reuse, and the adjacent 1.5 acre parcel along Satellite Drive for commercial and/or accessory parking. Although the 1.5 acre parcel is envisioned in the Reuse Plan as passive open space that is to be "reforested," the land is currently improved with remnants from its former uses as fire and police training facilities including concrete pads, a paved roadway, and a fragmented segment of a railroad track and is not currently forested.
3. Parcel C: Under the Land Use Rules, this parcel encompasses the Town Center development district and contains portions of the Hemphill Neighborhood and the Tech/Office/R&D Campus development districts. This Amendment would allow for the development of low-density residential uses and expand residential use to be located throughout this parcel. Otherwise, pursuant to the Land Use Rules, low-density residential use is not permitted in the Town Center or the Tech/Office/R&D Campus

development districts. Relatedly, the Amendment adjusts the number of low versus medium density units and permits a total of 243 residential units in this parcel. Also, this amendment would allow retail uses in those portions of Parcel C that lie in the Hemphill Neighborhood and the Tech/Office/R&D Campus development district, which the Land Use Rules currently do not permit.

4. Parcel C1: Reduce the number of residential units by four (which are relocated to Parcel C).
5. Parcel F3: Allow for the potential demolition of the commercial gas station on Hope Road and the institutional/civic use of the parcel, including the creation of a wetlands park with boardwalk.
6. Charles Wood Fire Station Parcel: Allow for the commercial reuse of the Fire Station on Corregidor Road, as well as the ancillary commercial and/or accessory parking use of the adjacent parcel to the east in place of the active recreation uses currently envisioned in the Reuse Plan.

Staff has reviewed the Amendment with regard to the criteria in the Land Use Rules, in N.J.A.C. 19:31C-3.27(c)5, for reviewing a proposed amendment and proposes the following conclusions:

1. This Amendment would not change the total number of residential units planned in Tinton Falls.
2. This Amendment affects only the Tinton Falls Reuse Area. As to those portions of the Tinton Falls Reuse Area not modified by this Amendment, their value and use is increased due to the incorporation of market-driven interest and uses in the parcels that are modified by this Amendment.
3. This Amendment would maintain the overarching land use concepts, objectives and principles of the Reuse Plan; thus, the Reuse Plan would remain a rational coordinated land use plan.
4. This Amendment is consistent with the Authority's BRAC obligations and the existing Phase 1 Economic Development Conveyance (EDC) agreement with the Army by aligning the planned uses with actual market-driven responses to RFOTPs.
5. The proposed Amendment includes changes to circulation envisioned in the Reuse Plan to address the land use changes. As indicated in the Reuse Plan, impacts on the existing gas, electric, water, wastewater and telephone utilities are to be evaluated at site plan review for a specific project.

The proposed changes included in the Amendment currently demonstrate an overall reduction in the open space preserved or protected in the Tinton Falls Reuse Area. Staff is working on strategies to accommodate additional open space within Tinton Falls, in accordance with the Board approved guidance in the Suggested Implementation of Open Space Inventory for Redevelopment of Fort Monmouth.

In accordance with the Act and the Land Use Rules, on August 26, 2015, the FMERA Board approved the transmittal of proposed Amendment #3 to the governing body of each municipality for a 45-day comment period. The municipalities received Amendment #3 on September 17, 2015; the comment period ended on November 2, 2015. The correspondence received from

Tinton Falls, Eatontown and Oceanport is attached. The Borough Council of Tinton Falls reviewed the amendment and has no comments or recommendations.

The letter from Eatontown's Borough Administrator states that the Eatontown Borough Council passed a resolution recommending approval of Amendment #3 and that, although the Planning Board did not meet during the comment period, one Planning Board member submitted his own comments. The concerns expressed by the Eatontown Planning Board member do not represent the position of the Municipal Council or the Planning Board as a whole. These comments expressed concerns with the following and provided the accompanying recommendations: the need to allow for permanent supportive housing on Parcel C and a recommendation not to include supportive housing; the reconfiguration of Municipal Drive at the 4-way intersection at Norman Field Way and a recommendation for the review of this realignment by the Eatontown, Tinton Falls and Oceanport traffic experts; the reuse of the Pistol Range for private commercial use and a recommendation to retain the original institutional use of the Pistol Range; a recommendation to maintain the original open space at Parcel C1, the 1.5 acres adjacent to the Pinebrook Commerce Center and the additional acreage adjacent to the Fire Station; and general objections to the changes in open space use and configuration. Per FMERA's Land Use Rules, Authority staff must review reports from each municipality and provide a preliminary analysis of reasons for accepting or not accepting recommendations received from host municipalities. Staff has considered the concerns and recommendations made, and would note that supportive housing is required under a legally binding agreement approved by the U.S. Department of Housing and Urban Development, the reconfiguration of Municipal Drive will create a safer traffic condition at that intersection, the alternative development scenario options would support the highest and best uses of the parcels in Tinton Falls as well as support ongoing redevelopment of the former Fort, and, as mentioned above, staff is working on strategies to accommodate additional open space within Tinton Falls.

Oceanport's comment stated that Amendment #3 was reviewed by the Borough Planner, Borough Engineer, Environmental Commission, Police Department, First Aid, Fire Department and Office of Emergency Management. The Oceanport Planning Board discussed the proposed amendment in both Workshop and Regular Meetings, and the Planning Board supported the proposed amendment. The Oceanport Borough Council passed a resolution including the Planning Board's comments and support of the proposed amendment. Per the request of the Borough, the Borough's contracted planning firm provided a review of Amendment #3 which included a summary comparison of the development scenarios in Tinton Falls envisioned by the Reuse Plan, Amendment #1 and Amendment #3. The review noted that impacts to Oceanport will be limited. Oceanport also included a letter from the Oceanport Environmental Commission, which raised concerns on two issues affecting Oceanport: open space and environmental requirements. The Commission recommends that the changes to open space should include that an equivalent increase of open space in other areas of the Reuse Area will be accommodated for the loss of open space resulting from the proposed amendment. The Commission also noted that the proper procedure for meeting the requirements of the transfer of environmentally constrained sites should be understood, although they are beyond the scope of the amendment. Staff has considered the concerns and recommendations made, and will pursue strategies to accommodate additional open space in Tinton Falls in accordance with the Board approved guidance in the Suggested Implementation of Open Space Inventory for Redevelopment of Fort Monmouth.

After reviewing the comments from the host municipalities, the Real Estate Committee recommends that the Board approve Amendment #3.

Recommendation

In summary, I am requesting that the Board approve the proposed Amendment #3 to the Reuse Plan that would permit alternative development scenarios in Tinton Falls.



Bruce Steadman

Attachments: Proposed Reuse Plan Amendment #3
Reports from Host Municipalities
Prepared by: Candice Valente

**ADOPTED
November 12, 2015**

Resolution Regarding
**Authorization for FMERA to Enter into a Purchase and Sale Agreement and
Redevelopment Agreement with Kiely Realty Group for the Pistol Range, the Fire and
Police Training Area and the Satellite Road Parcel**

WHEREAS, on November 22, 2013, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for Building 2267, the indoor pistol range in the Tinton Falls Reuse Area; and

WHEREAS, the RFOTP included approximately 1 acre of land, with the option for bidders to include the adjacent Fire and Police Training area and Building 2268, an additional 2.5 acres for additional financial consideration; and

WHEREAS, FMERA received five proposals for the Pistol Range parcel in February 2014 and the evaluation committee scored each proposal independently; and

WHEREAS, the highest scoring bidder for the Pistol Range parcel Kiely Realty Group, LLC (Kiely), and Kiely offered the highest purchase price; and

WHEREAS, Kiely's offer to purchase included the additional adjacent area and building; and

WHEREAS, at its May 2014 meeting, the Board authorized FMERA to enter into exclusive negotiations with Kiely for the sale and redevelopment of the Pistol Range and Fire and Police Training area; and

WHEREAS, on August 14, 2014, FMERA issued and publicly advertised an RFOTP for an approximately 1.5 acre parcel immediately to the east of the Pistol Range, known as the Satellite Road Parcel, in the Tinton Falls Reuse Area; and

WHEREAS, FMERA received two proposals for the Satellite Road Parcel in October 2014 and the evaluation committee scored each proposal independently; and

WHEREAS, the highest scoring bidder for the Satellite Road Parcel was Kiely, and Kiely offered the highest purchase price; and

WHEREAS, the negotiations with Kiely have resulted in the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA); and

WHEREAS, the terms of the proposed PSARA include Kiely's payment of \$2.876 million for the property, which includes both parcels; closing will occur within 30 days of satisfaction of the conditions precedent, which include Kiely's completing due diligence and

obtaining all approvals necessary to develop the project, receipt of a final remediation document from either the New Jersey Department of Environmental Protection or the purchaser's Licensed Site Remediation Professional; approval of Reuse Plan Amendment #3; and consent from the NJEDA Board of Kiely as redeveloper; and

WHEREAS, Kiely will upgrade and improve the site, with the first phase for the renovation of the existing indoor firearms range into a for-profit commercial range and the second phase to upgrade the Fire and Police Training Area, which includes Building 2628, for use and occupancy by Traffic Plan and the development of the Satellite Road Parcel to include an addition to the Pistol Range and ancillary parking and storage; and

WHEREAS, the Phase 1 Economic Development Conveyance Agreement calls for the Army to receive 63% of the net proceeds from the sale with FMERA receiving the remainder; and

WHEREAS, the Real Estate Committee has reviewed this transaction and recommends that the PSARA be forwarded to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the selection of Kiely Realty Group, LLC, as the purchaser of Building 2267, 2268, the Fire and Police Training Area, Satellite Road Parcel and associated property in Tinton Falls pursuant to the November 22, 2013 Requests for Offers to Purchase (RFOTP) and the August 14, 2014 RFOTP, on terms substantially consistent to those set forth in the attached memorandum and the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA) and with final terms acceptable to the Executive Director and the Attorney General's Office, and authorizes the Executive Director to execute the PSARA and take any necessary actions to effectuate the selection of Kiely Realty Group as the purchaser.

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

Dated: November 12, 2015

EXHIBIT 2

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: November 12, 2015

RE: FMERA Purchase and Sale & Redevelopment Agreement with Kiely Realty Group for the Pistol Range, the Fire and Police Training Area and the Satellite Road Parcel in the Tinton Falls Reuse Area

Summary

I am requesting that the Board approve the Authority's execution of a Purchase and Sale & Redevelopment Agreement ("PSARA") with Kiely Realty Group, LLC ("Kiely") for the sale and renovation of the Pistol Range, the Fire and Police Training Area and the Satellite Road Parcel (the "Project") in the Tinton Falls Reuse Area.

Background

FMERA issued two separate Requests for Offers to Purchase ("RFOTP") in connection with the planned redevelopment of the Project. The initial RFOTP issued on November 22, 2013 consisted of Building 2627, the indoor pistol range, on approximately one (1) acre of land, and provided bidders with the option to include the adjacent Fire and Police Training area (an additional 2.5 acres) for additional financial consideration. The Fort Monmouth Reuse and Redevelopment Plan (the "Reuse Plan") and FMERA's Land Use Rules envision that Building 2627 will be retained for use as a fire and police training center by state, county, or local government entities. However, the RFOTP broadened the potential uses to include reuse of the range by either a private entity or a governmental entity. Therefore, the RFOTP specified that if the selected purchaser were a private entity, FMERA would undertake to amend the Reuse Plan to accommodate commercial use.

Proposals were due on February 24, 2014, with FMERA receiving five proposals from: 1. Kiely Realty, 2. First Class Endeavors, LLC, 3. Richard Schwarz, Jr., 4. David Rosen and Leonard Steen and 5. Monmouth Shooting Range Corporation. FMERA and Army staff independently evaluated and scored the proposals. The evaluation team unanimously agreed that the proposal

submitted by Kiely was compliant with the terms of RFOTP. Kiely received the highest score and offered the highest purchase price. In addition, Kiely's offer to purchase included the additional 2.5 acre Fire and Police Training Area parcel that includes Building 2628, a 5,000 sf warehouse. At its May 2014 meeting, the Board authorized staff to enter into exclusive negotiations with Kiely for the sale and redevelopment of the Pistol Range and the Fire and Police Training Area.

The second RFOTP issued on August 14, 2014 consisted of a 1.5 acre parcel immediately to the east of the Pistol Range which was originally planned for open space. Due to the anticipated reconfiguration of the adjacent road network including Satellite Drive as well as its proximity to light industrial uses, FMERA staff felt that the parcel was no longer suitable as open space, and instead could potentially serve as an addition to the Pistol Range parcel or to the Pinebrook Commerce Center parcel, or could also serve as a stand-alone, buildable site for commercial development. FMERA staff presented its recommendation at the June 2014 Board meeting and received Board approval to issue an RFOTP for the parcel.

Proposals were due on October 17, 2014, with FMERA receiving two proposals from: 1) Kiely Realty Group; and 2) Pinebrook Commerce Center LLC. FMERA and Army staff independently evaluated and scored the proposals. The evaluation team unanimously agreed that the proposal submitted by Kiely was compliant with the terms of RFOTP, that it received the highest score and offered the highest purchase price.

Kiely Realty Group, LLC, of Long Branch, N.J., includes three affiliated organizations: J. F. Kiely Construction Co., J. F. Kiely Service Co., and J. F. Kiely Group. The oldest of the Kiely companies dates back to 1952 with continuous family ownership in New Jersey, and a demonstrated record of successful business ventures and job creation. Kiely will acquire the property and develop the Project over two phases. As part of their Phase I, Kiely calls for the development of the existing indoor firearms range into a for-profit private entity commercial firearms range, offering a shooting and educational experience to the public, government entities and private membership. The conceptual site plan calls for the integration of outdoor lighted displays of Fort Monmouth historical artifacts and monuments, including the Dymaxion Deployment Unit and the Huey helicopter and C-130 fuselages currently located at the Charles Wood Area. Kiely plans to add a 10,000 sf addition to the existing structure, which will expand the educational and training areas of the range. Kiely proposes green initiatives on the site, including roof-mounted solar energy and a rain garden. Kiely will create twenty-five (25) full and part-time jobs to staff the Pistol Range. For Phase II, Kiely will lease the adjacent 5,000 square foot structure located in the south west part of the property to K. Moorea LLC d/b/a Traffic Plan. Traffic Plan is a certified women business enterprise (WBE) in the State of New Jersey and will relocate five (5) management and sixty (60) union employees to this location from Farmingdale, New Jersey. Traffic Plan expects to double in size this year, potentially adding an additional forty (40) union jobs to the leased site. Kiely will finance this project (purchase and construction) with cash on hand and also has access to a \$2,000,000 line of credit from the Bank of America.

The Phase 1 EDC Agreement calls for the Army to receive 63% of the net proceeds from the sale of Building 2627, the Fire and Police Training Area and the Satellite Road Parcel with FMERA receiving the remainder.

Purchase and Sale & Redevelopment Agreement

Pursuant to the terms of the PSARA, Kiely will pay \$2,876,000 for the property, reflecting the aggregate purchase price for the first and second RFOTPs. Closing will occur within 30 days of satisfaction of the conditions precedent to closing, which include: Kiely completing due diligence and obtaining all approvals necessary to develop the project; receipt of a final remediation document from either the New Jersey Department of Environmental Protection or purchaser's Licensed Site Remediation Professional; approval of Reuse Plan Amendment #3 to allow for Purchaser's intended uses of the property; and consent from the NJEDA Board of Kiely as redeveloper. The parties will endeavor to satisfy these contingencies within six (6) months of execution of the PSARA. Kiely will have the option of extending this time period for two additional six (6) month periods if it has not obtained approvals within the initial six (6) month timeframe, provided it is proceeding in good faith. FMERA will convey the property to Kiely in as-is condition, but with clear title and subject to the Army's on-going obligations under CERCLA to address any pre-existing contamination that may exist on the property.

Kiely's Phase I will upgrade site improvements, re-establish utility service to the property, clean the building's exterior, and bring Building 2627 to full commercial code (as evidenced by receipt of a temporary certificate of occupancy) at an estimated cost of \$1,209,400. In completing Phase II, the Purchaser will upgrade the Fire and Police Training Area's site improvements, re-establish utility service to the property, clean Building 2628's exterior, and bring the building to full commercial code (as evidenced by receipt of a temporary certificate of occupancy) at an estimated cost of \$361,400. In addition, Purchaser will develop the 1.5 acre Satellite Road Parcel into additional light industrial yard space specifically for Traffic Plan at an estimated cost of \$70,000, to be used for additional off-street parking, as well as outside storage of equipment and materials. Parking for the Pistol Range Parcel along with an addition to the Pistol Range structure will also be situated upon the Satellite Road Parcel. The Purchaser covenants to create a minimum of 25 full and part-time equivalent jobs at the property plus eighty (80) temporary positions by December 31, 2018, or pay a penalty of \$1,500 per full time job and \$750 per part time job (up to \$97,500). Kiely will secure its job creation and project completion obligations by posting bonds or through a cash deposit. Provided all approvals and permits have been received, Kiely will commence the site improvement and renovation work within forty-five (45) days of closing and complete construction within twenty-four months of closing. In the event that Kiely does not commence or complete construction within the timeframes specified above, FMERA may exercise a right to repurchase the Project from Kiely for the initial sale price of \$2,876,000.

The sale will include a bill of sale for all furniture, fixtures and equipment on the Property, including, but not limited to, the Huey helicopter fuselage, one tanker, one trailer and burn building, together with: (i) the C-130 fuselage located adjacent to the Pulse Power Building; (ii) the Dymaxion Deployment Unit located atop the Myer Center; and (iii) certain monuments located on Fort Monmouth to be mutually agreed upon by the Parties. Purchaser will be responsible for relocating items (i), (ii) and (iii) to the Property at Purchaser's expense.

With regard to utilities for the Project: 1. FMERA agrees to provide access to the public sewer or water lines at or prior to closing. 2. FMERA shall provide easement for power switch located just south of the Property. 3. Kiely shall be responsible for replacement, repair, maintenance and/or relocation of all utilities within the boundaries of the Property, subject to FMERA's review and approval. 4. FMERA shall be responsible for the cost and installation of any adjacent or off-site improvements to the sewer, access roadways, water system or other utilities located off-site or adjacent to the Property being acquired as may be required for Kiely's use of the Property for its intended purposes. Alternatively, the parties may agree that Kiely shall undertake any such offsite improvements and Kiely shall receive a reduction to the purchase price at closing in an amount equal to the cost of such improvements. 5. As between FMERA and Purchaser, Purchaser shall not pay any new water or sewer connection fees to connect to the existing water and sewer systems for the existing facilities on the Property. Infrastructure improvements to be provided by FMERA are either completed, included in this year's budget or agreed to be funded by the purchaser of the neighboring property.

Based on the redevelopment provisions of the PSARA between FMERA and Kiely, staff concludes that the essential elements of a redevelopment agreement between FMERA and Kiely are sufficiently addressed and that it is not necessary for FMERA to enter into a separate redevelopment agreement with Kiely for its redevelopment of the Project.

Attached is a substantially final form of the PSARA between FMERA and Kiely. Subject to FMERA Board approval, staff will present this document to the New Jersey Economic Development Authority's Real Estate Committee on November 30, 2015, and the NJEDA Board will be requested to consent to the PSARA at its December 8, 2015 meeting. The final terms of the PSARA will be subject to the approval of FMERA's Executive Director and the Attorney General's Office.

The Real Estate Committee has reviewed the PSARA and recommends the Board authorize execution of the contract.

Recommendation

In summary, I am requesting that the Board authorize the execution of a Purchase and Sale & Redevelopment Agreement with Kiely Realty Group, LLC for redevelopment of the Pistol Range, the Fire and Police Training Area, and the Satellite Drive Parcel in the Tinton Falls Reuse Area.



Bruce Steadman

Attachment: Purchase and Sale & Redevelopment Agreement
Prepared by: Kara Kopach

ATTACHMENT

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

ADOPTED
November 12, 2015

Resolution Regarding
**Authorization for FMERA to Enter into a Purchase and Sale Agreement and
Redevelopment Agreement with Wayside Technology Group for Building 1007 and
Associated Property**

WHEREAS, on July 17, 2015, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for Building 1007, the former Commissary building in the Oceanport Reuse Area; and

WHEREAS, the RFOTP included approximately 6 acres of land, including Building 1007 and the accompanying paved and parking areas; and

WHEREAS, FMERA received one proposal for the property on August 17, 2015, and an evaluation committee evaluated and scored the proposal, and agreed that the proposal was compliant with the RFOTP; and

WHEREAS, the proposal from Wayside Technology Group, Inc. (Wayside), includes the renovation of the property for the company headquarters and warehouse operations; and

WHEREAS, the Reuse Plan calls for the reuse of the building as retail and/or community center, and the RFOTP allowed proposers to submit proposals for non-retail commercial development, which will require an amendment to the Reuse Plan; and

WHEREAS, negotiations with Wayside have resulted in the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA); and

WHEREAS, the terms of the proposed PSARA include Wayside's payment of \$1.4 million for the property; initial closing will occur within 30 days of satisfaction of the conditions precedent, which include Wayside's completing due diligence and obtaining all approvals necessary to develop the project; FMERA entering into a Phase 2 Economic Development Conveyance Agreement acquiring title from the Army; approval of a Reuse Plan amendment; and consent from the NJEDA Board of Wayside as redeveloper; and

WHEREAS, in the event that the Army has not completed the environmental remediation of the entire site at the time of the Phase 2 transfer, a subsequent closing(s) for any Environmental Carve-Out Parcel(s) shall occur after receipt of a final remediation document from either the New Jersey Department of Environmental Protection or purchaser's Licensed Site Remediation Professional and within thirty (30) days of the Army conveying any Environmental Carve-Out Parcel(s) to FMERA; and

WHEREAS, while negotiations with the Army on the transfer of Phase II properties continues, subject to FMERA obtaining a license from the Army, FMERA will grant Wayside a license to enter the property prior to closing for the purposes of due diligence activities; facilitating the planning, design, financing and approvals; and allowing the purchaser to commence renovations and FMERA will also seek Army consent to allow for Wayside's occupancy of the building prior to closing, if necessary; and

WHEREAS, the Real Estate Committee has reviewed this transaction and recommends that the PSARA be forwarded to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the selection of Wayside Technology Group, Inc., as the purchaser of Building 1007 and associated property in Oceanport pursuant to the July 17, 2015 Requests for Offers to Purchase (RFOTP), on terms substantially consistent to those set forth in the attached memorandum and the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA) and with final terms acceptable to the Executive Director and the Attorney General's Office, and authorizes the Executive Director to execute the PSARA and take any necessary actions to effectuate the selection of Wayside Technology Group as the purchaser.

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

Dated: November 12, 2015

EXHIBIT 3

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: November 12, 2015

RE: FMERA Purchase and Sale & Redevelopment Agreement with Wayside Technology Group, Inc. for Building 1007 in the Oceanport Reuse Area

Summary

I am requesting that the Board approve the Authority's execution of a Purchase and Sale & Redevelopment Agreement ("PSARA") with Wayside Technology Group, Inc. ("Wayside") for the sale and renovation of Building 1007 and its associated parcel (the "Project") in the Oceanport Reuse Area. The Project is a Phase II property and has not yet been conveyed to FMERA. The Project is also the site of an environmental remediation being conducted by the Army.

Background

FMERA issued a Request for Offers to Purchase ("RFOTP") in connection with the planned redevelopment of the Project on July 17, 2015. The RFOTP included a parcel approximately 6.0± acres in size containing the +53,700 square foot former Commissary building (#1007) constructed in 1998, and the accompanying paved and parking areas. The Fort Monmouth Reuse and Redevelopment Plan ("Reuse Plan") calls for the reuse of the building as retail and/or community center. However, FMERA envisioned the Property would be used in a non-retail commercial capacity, including but not limited to office, research & development and technology-related uses. Therefore the RFOTP expanded the scope of reuse to include this non-retail commercial redevelopment. Proposals were due on August 17, 2015, with FMERA receiving a proposal from one firm, Wayside. Wayside's proposal, as submitted, was compliant with the RFOTP and proposed a commercial office use and warehouse space instead of a retail and/or community center use, so an amendment to the Reuse Plan would be needed to complete the sale. Three members of the FMERA staff independently evaluated and scored the proposal. The evaluation committee agreed that the Wayside proposal was compliant with the RFOTP, and

recommended FMERA staff proceed to negotiations for a Purchase and Sale Agreement & Redevelopment Agreement (PSARA).

Wayside is a public company founded in 1982 that provides products and solutions for corporate resellers, value-added resellers, software developers and IT professionals, as well as business, government and educational entities. Headquartered in Shrewsbury, New Jersey, the company will acquire the property and renovate the space for their company headquarters and warehouse operations. Wayside's offices are currently located in leased space in Shrewsbury, and their warehouse is currently in leased space in Eatontown. The Project will enable Wayside to consolidate their headquarters and warehouse to this location upon completion of renovations in 2016. The Project would result in the retention of one hundred and four (104) jobs in Monmouth County, and the creation of an additional twenty-five (25) new jobs at Fort Monmouth within thirty-six (36) months of closing. Wayside intends to pay for the purchase and all necessary improvements with cash on hand.

Based on their proposed purchase of this site, Wayside was approved by the New Jersey Economic Development Authority ("NJEDA") Board to receive a GROW New Jersey grant to retain and create jobs in New Jersey.

Purchase and Sale & Redevelopment Agreement

Pursuant to the terms of the PSARA, Wayside will pay \$1,400,000 for the property. Initial Closing will occur within thirty (30) days of satisfaction of the conditions precedent to closing, which include: Wayside completing due diligence and obtaining all approvals necessary to develop the Project; FMERA entering into a Phase 2 Memorandum of Agreement and acquiring title from the Army; and consent from the NJEDA Board of Wayside as redeveloper. In the event that the Army has not completed the environmental remediation at the time of the Phase 2 transfer, a subsequent closing(s) for any Environmental Carve-Out Parcel(s) shall occur after receipt of a final remediation document from either the New Jersey Department of Environmental Protection or purchaser's Licensed Site Remediation Professional and within thirty (30) days of the Army conveying any Environmental Carve-Out Parcel(s) to FMERA. The parties will endeavor to satisfy these contingencies within six (6) months of execution of the PSARA. Wayside will have the option of extending this time period for an additional six (6) month period if it has not obtained approvals within the initial six month timeframe provided it is proceeding in good faith. FMERA will convey the property to Wayside in as-is condition, but with clear title and subject to the Army's on-going obligations under CERCLA to address any pre-existing contamination that may exist on the property.

Wayside will upgrade site improvements, re-establish utility service to the property, clean the building's exterior, and bring Building 1007 to full code compliance (as evidenced by receipt of a temporary certificate of occupancy) at an estimated cost of \$2,200,000. Purchaser's improvements will include interior renovation and exterior parking lot repair. The purchaser covenants to relocate one hundred and four (104) existing jobs and to create a minimum of twenty-five (25) additional full-time equivalent jobs at the property within thirty-six (36) months of closing, or pay a penalty of \$1,500 per job (up to \$37,500). Wayside will secure its job creation and project completion obligations by posting bonds or through a cash deposit.

Provided all approvals are in place, Wayside will commence the site improvement and renovation work within forty-five (45) days of closing and complete construction within twelve (12) months of closing. In the event that Wayside does not commence or complete construction within the timeframes specified above, FMERA may exercise a right to repurchase the Project from Wayside for the initial sale price of \$1,400,000 plus the cost of improvements made by Wayside.

In an effort to accommodate Wayside's move to the Fort while negotiations with the Army on the transfer of Phase II properties continues, subject to FMERA obtaining a license from the Army, FMERA will grant Wayside a license to enter the property prior to closing for the purposes of due diligence activities; facilitating the planning, design, financing and approvals; and allowing the purchaser to commence renovations. FMERA will also seek Army consent to allow for Wayside's occupancy of the building prior to closing, if necessary.

Based on the redevelopment provisions of the PSARA between FMERA and Wayside, staff concludes that the essential elements of a redevelopment agreement between FMERA and Wayside are sufficiently addressed and that it is not necessary for FMERA to enter into a separate redevelopment agreement with Wayside for its redevelopment of Building 1007.

Attached is a draft of the PSARA between FMERA and Wayside. The final terms of the PSARA will be subject to the approval of FMERA's Executive Director and the Attorney General's Office. The Real Estate Committee has reviewed the PSARA and recommends the Board authorize execution.

Recommendation

In summary, I am requesting that the Board authorize the execution of a Purchase and Sale & Redevelopment Agreement with Wayside Technology Group for redevelopment of Building 1007 in the Oceanport Reuse Area.



Bruce Steadman

Attachment: Purchase and Sale & Redevelopment Agreement
Prepared by: Kara A. Kopach

ATTACHMENT

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



ADOPTED
August 26, 2015

Resolution Regarding
**Approval of Memorandum of Understanding between FMERA and County of Monmouth
for Building 901**

WHEREAS, in September 2008, the Fort Monmouth Economic Revitalization Planning Authority (FMERPA), the predecessor to FMERA, submitted a Homeless Assistance Submission along with the Reuse Plan to the U.S. Department of Housing and Urban Development (HUD) which included a Legally Binding Agreement (LBA) providing for an emergency shelter for the County of Monmouth (County), which was subsequently approved by HUD in 2010; and

WHEREAS, in 2012 the existing County shelter on Fort Monmouth in the Oceanport Reuse Area was evacuated due to flooding by Superstorm Sandy, and the County temporarily relocated the shelter to an offsite County-owned facility; and

WHEREAS, the County has since sold this facility and has pursued the option to relocate the facility back on Fort Monmouth per the LBA and FMERA's obligation to provide an emergency shelter for the County; and

WHEREAS, Building 901 in the Oceanport Reuse Area is currently operating with a license from the Army to the New Jersey National Guard, and the term of this license expired on September 30, 2015; and

WHEREAS, FMERA has entered into a license with the Army for Building 901 that expires on March 31, 2016 and an Interior and Exterior Improvement Right of Entry Permit with the County to begin renovations of the building; and

WHEREAS, FMERA will enter into a Memorandum of Understanding (MOU) with the County for use and occupancy of Building 901 as a temporary homeless shelter based on the terms and conditions outlined in the attached memorandum; and

WHEREAS, the County shall pay all costs of utilities and other services during the term of the MOU and the term of the MOU shall end not later than three years from execution, provided that the term shall be revocable by FMERA should the Army not convey title to the Property prior to March 31, 2016 or the Army has not extended the license with FMERA beyond its current term; and

WHEREAS, the Real Estate Committee has reviewed the MOU and recommends that the Board authorize the MOU between FMERA and the County;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Board

authorizes the execution of the attached Use and Occupancy Memorandum of Understanding between FMERA and the County of Monmouth, which is in substantially final form, with final terms subject to the approval of FMERA's Executive Director and the Attorney General's Office. The Executive Director or other staff authorized to execute documents pursuant to Operating Authority is authorized to do and perform all acts necessary to effectuate this action.

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: November 12, 2015

EXHIBIT 4

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: November 12, 2015

RE: Use and Occupancy Memorandum of Understanding Between the County of Monmouth and FMERA for Building 901

Summary

I am requesting that the Board approve the Authority's execution of a Use and Occupancy Memorandum of Understanding between the County of Monmouth and FMERA for Building 901.

Background

The Fort Monmouth Economic Revitalization Planning Authority (FMERPA) submitted a Homeless Assistance Submission (HAS), along with the Fort Monmouth Reuse and Redevelopment Plan (the Reuse Plan), in September of 2008 to the U.S. Department Housing and Urban Development (HUD) which included a Legally Binding Agreement (LBA) (Exhibit b14) providing for an emergency shelter for the County of Monmouth. This shelter would have replaced the shelter on Fort Monmouth Property that had been utilized by the County under an agreement with the U.S. Army. The HAS was subsequently approved by HUD in 2010. In 2012 the existing shelter was evacuated due to flooding caused by Storm Sandy. The County of Monmouth temporarily relocated the shelter to a County owned facility. Plans were underway to renegotiate the LBA to subsidize improvements to that facility to provide a permanent shelter that would have fulfilled FMERA's LBA obligation to the County. Recently, the County put its temporary facility up for sale and now needs to relocate the shelter again. As FMERA still has an obligation to provide a shelter for the County, the County requested help from FMERA in finding a replacement temporary facility on the Fort that could be occupied within a short time frame. As the Reuse Plan located the County's shelter in the Oceanport area of the Fort, FMERA staff looked for potential buildings in the Oceanport area that could be activated in a short timeframe; however, all of the buildings in the Oceanport area are still owned by the Army which would require a lengthy time frame to obtain an environmental clearance and lease from the Army. FMERA's only option is Building 901 which had been occupied by the NJ National Guard up until September 30, 2015 under a License from the Army.



FMERA has entered into a License with the Army that expires on March 31, 2016 and subsequently entered into an Interior and Exterior Improvement Right of Entry Permit with the County to start making improvements and renovations to Building 901.

Use and Occupancy Memorandum of Understanding (MOU)

Pursuant to the terms of the MOU, FMERA agrees to permit the County the use of the Premises, as a temporary homeless shelter. For the term of the MOU, FMERA agrees to permit the County to use any and all equipment located on the Premises including but not limited to the following: rest room facilities; heating, air conditioning, ventilation; lights; electricity (and facilities for transmitting the same); and hot and cold potable water (and facilities for transmitting the same). The County shall pay all costs of any utilities and other services provided to the Premises during the Term of the MOU.

The County shall have and hold the Premises with their appurtenances for a term starting on the execution of this MOU by FMERA and ending not later than three (3) years thereafter; provided, however, the Term of the MOU shall be revocable by FMERA in the event that: (i) the US Army has not conveyed title to the Premises to FMERA on or before March 31, 2016, or (ii) the US Army has not extended the Term of the License granted by the US Army to FMERA.

Due to the importance of the County's Purpose, FMERA agrees to waive its fee for use of the Premises. The consideration for this MOU shall be the care, custody and maintenance of the Premises by the County.

The attached MOU is in substantially final form. The final terms of the MOU will be subject to the approval of FMERA's Executive Director and the Attorney General's Office.

The Real Estate Committee has reviewed the request and recommends the Board approve the execution of a Use and Occupancy MOU with the County for Building 901.

Recommendation

In summary, I am requesting that the Board approve the execution of a Use and Occupancy Memorandum of Understanding between the County of Monmouth and FMERA for Building 901.



Bruce Steadman

Attachment: Use and Occupancy Memorandum of Understanding County of Monmouth and FMERA

Prepared by: Rick Harrison

ATTACHMENT

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

ADOPTED
November 12, 2015

Resolution Regarding
Approval to Make an Additional 1.7 Acres in Tinton Falls Available through the Offer to Purchase Process as an Expansion to the Charles Wood Firehouse Site

WHEREAS, in accordance with Section 19:31C-2.5(a) of FMERA's Rules for the Sale of Real and Personal Property, "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, Building 2560, the Charles Wood Firehouse (Firehouse), is an approximately 10,000 square-foot structure on Corregidor Road at Heliport Drive in Tinton Falls on a 2.25-acre parcel; and

WHEREAS, the Firehouse was envisioned to remain for a civic and/or institutional use in the Reuse Plan and the Borough of Tinton Falls withdrew their Notice of Interest for the property; and

WHEREAS, the Board authorized the issuance of an Request for Offers to Purchase (RFOTP) for the property for either a use compliant with the Reuse Plan or for a commercial use; and

WHEREAS, FMERA issued an RFOTP in December 2013 and then issued a second RFOTP in November 2014, and all proposers withdrew their proposals; and

WHEREAS, discussions with potential interested parties, as well as FMERA's contracted broker Cushman & Wakefield, have indicated that the economic value of the Firehouse site may be enhanced by incorporating additional acreage to allow for expanded parking options, as well as the option to expand the footprint of the building, and FMERA staff recommends incorporating an additional 1.7 acres, adjacent to the Firehouse parcel on Corregidor Road, within the property available through the offer to purchase process for the Firehouse; and

WHEREAS, FMERA staff recommends proceeding with the offer to purchase process for the additional acreage because issuance of an RFOTP that includes the Firehouse site and this additional acreage at this time could attract a potential purchaser that would be willing to pay market value for the parcel, as well as increase the likelihood that a suitable proposer for the Firehouse could be identified, and negotiation with respondents may be necessary to ensure that the value of the property and adjacent tracts are maximized; and

WHEREAS, the Real Estate Committee has reviewed and discussed making the additional acreage available through the offer to purchase process as an expansion to the Firehouse site and recommends it to the full Board of the Members for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves making an additional 1.7 acres in Tinton Falls available through the offer to purchase process as an expansion to the Charles Wood Firehouse site, 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.

ATTACHMENT

Dated: November 12, 2015

EXHIBIT 5

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Making Available 1.7 Acres in Tinton Falls through the Offer to Purchase Process as an Expansion to the Charles Wood Firehouse Site

DATE: November 12, 2015

Request

I am requesting that the Board authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make an additional ± 1.7 acres adjacent to the Charles Wood Area Firehouse (Firehouse) in Fort Monmouth's Tinton Falls Reuse Area available through the offer to purchase process, in conjunction with the Firehouse, in accordance with FMERA's approved sales rules.

Background

FMERA issued a Request for Offers to Purchase ("RFOTP") in connection with the planned redevelopment of the Firehouse in Tinton Falls in December 2013. The Firehouse, Building 2560, is an approximately 10,000 square-foot structure on Corregidor Road at Heliport Drive, built in 2001. The approximately 2.25-acre parcel has a one-story fire station consisting of three high-bays, offices, bedrooms, a day room, kitchen and associated parking. The Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) envisioned the Firehouse would be used for an institutional or civic function. The Borough of Tinton Falls withdrew their Notice of Interest for the Firehouse, however, and the Board authorized the issuance of an RFOTP seeking potential purchasers for either a use compliant with the Reuse Plan or for a commercial use that would require an amendment to the Reuse Plan. Proposals were due on March 20, 2014 and one proposal was received; the proposer subsequently retracted its proposal.

In accordance with FMERA's Rules for the Sale of Real and Personal Property (Sales Rules), FMERA staff issued a second RFOTP for the property on November 14, 2014. Proposals were

due on January 12, 2015 and two proposals were received. Both proposers have since withdrawn their proposals.

Subsequent discussions with potential interested parties, as well as FMERA's contracted broker Cushman & Wakefield, have indicated that the economic value of the Firehouse site may be enhanced by incorporating additional acreage to allow for expanded parking options, as well as the option to expand the footprint of the building, while remaining in compliance with FMERA's Land Use Regulations and Development and Design Guidelines (N.J.A.C.19:31C) (Land Use Rules). FMERA staff recommends incorporating an additional 1.7 acres, adjacent to the Firehouse parcel on Corregidor Road, within the property available through the offer to purchase process for the Firehouse. This would provide for a new parcel, totaling approximately 4 acres and including the Firehouse building, and the issuance of a new RFOTP.

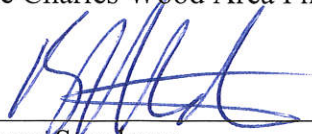
FMERA staff recommends proceeding with the Offer to Purchase process for the additional acreage, rather than Sealed Bids. The Reuse Plan envisioned the additional acreage would be maintained for active open space. FMERA staff believes that issuance of an RFOTP that includes the Firehouse site and this additional acreage at this time could attract a potential purchaser that would be willing to pay market value for the parcel, as well as increase the likelihood that a suitable proposer for the Firehouse could be identified. Since the second issuance of the RFOTP, FMERA staff received approval of the transmittal of Proposed Plan Amendment #3 to the three host municipalities, and staff will be presenting a recommendation to the Board for final approval of Amendment #3 at its November meeting. This amendment includes the option of reusing the Firehouse for a commercial use. In addition, the amendment allows for a commercial or ancillary parking use on the ±1.7 acre parcel. The Borough of Tinton Falls has reviewed the plan amendment and discussed the potential for increased interest in the Firehouse with the additional acreage with FMERA staff; the Borough supports the request to make the additional acres available through the RFOTP process. Staff also believes that negotiation with respondents may be necessary to ensure that the value of the property, and adjacent tracts, are maximized and therefore the Offer to Purchase process is preferred, rather than Sealed Bids.

In May 2015, the Board approved the Suggested Implementation of Open Space Inventory for Redevelopment of Fort Monmouth (Open Space Inventory) prepared by the Authority's contracted professional planner, Phillips Preiss Grygiel (PPG), with input from FMERA staff. The Open Space Inventory analyzed the Reuse Plan and provided suggestions and recommendations for implementing open space development. As part of this process, PPG prepared a parcel-by-parcel inventory of the planned and actual open space development on the former Fort. FMERA staff has worked to update this inventory for ongoing redevelopment and to inform decisions for future RFOTPs. Based on the current redevelopment and proposed site plans for contracted parcels, there is an estimated shortfall of approximately 10 acres of active recreation and 13 acres of passive open space in Tinton Falls, including the potential reuse of the 1.7 acres for commercial redevelopment or ancillary parking. FMERA staff is working to incorporate open space in upcoming RFOTPs for the remaining undeveloped acreage in Tinton Falls.

The Real Estate Committee has discussed the request and recommends that the Board authorize FMERA to make the additional acreage available through the offer to purchase process in conjunction with the Charles Wood Firehouse.

Recommendation

In summary, I am requesting that the Members of the Real Estate Committee recommend that the Board authorize the FMERA staff to make an additional 1.7 acres available through the Offer to Purchase process in conjunction with the Charles Wood Area Firehouse in Tinton Falls.



Bruce Steadman

Attachment: Parcel Map
Prepared by: Candice A. Valente