

**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director and Secretary

**DATE:** December 16, 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 FMERA’s 2016 Budget and Authorization of FMERA’s Executive Director to Submit Grant Requests to the Office of Economic Adjustment as Necessary
- Consideration of Approval of Memorandum of Understanding with Borough of Oceanport for Water Main Design, Survey and Application Work

12. **Other Items**

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

- Responses to questions submitted online or in writing

14. **Adjournment**

**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
- Dr. Robert Lucky, Public Member – V
- Gerald Turning, Mayor of Tinton Falls – V
- John Patti, Oceanport Councilman – V
- Donna Sullivan, Director of Real Estate, Economic Development Authority (NJEDA) – V ( EDA)
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)
- 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)
- Gina Fischetti, Chief Counsel, Local Planning Services, NJ Department of Community Affairs (DCA)

**V - Denotes Voting Member**

**Members not present:**

- Dennis Connelly, Mayor of Eatontown – 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 7:05 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 October 21<sup>st</sup> meeting minutes. A motion was made to approve the minutes by Lillian Burry and seconded by Michael Collins.

Motion to Approve: LILLIAN BURRY Second: MICHAEL COLLINS

AYes: 6

Robert Lucky abstained from voting stating he was not at the October meeting.

### 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 five board actions: 1) Consideration of Approval of Plan Amendment #3 permitting alternative development scenario in Tinton Falls; 2) Consideration of Approval of Purchase and Sale and Redevelopment Agreement for Pistol Range and Satellite Road Parcel; 3) Consideration of approval of Purchase and Sale and Redevelopment Agreement for the Commissary; 4) Consideration of Approval of Memorandum of Understanding with the County of Monmouth for Building 901; and 5) 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.

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 the resolutions will no longer be read, but a summary statement regarding the board actions would be read. This change has been made in response to Board and public comments that the resolutions are hard to follow when read, due to their legal language. The resolutions will continue to be available in the public's copy of Board package and on the website.

### V. TREASURER'S REPORT

Jennifer Lepore, Senior Finance Officer stated that 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. 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.

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

There were no public comments.

### VII. EXECUTIVE DIRECTOR'S REPORT

Rick Harrison, Director of Facilities Planning stated that FMERA continues to have weekly conference calls and additional meetings and calls as required to address the few remaining issues between FMERA and the Army regarding the draft Phase 2 Memorandum of Agreement (MOA). The remaining issues involve asbestos abatement, some last minute environmental concerns, and utilities. Pending what we believe will be successful resolution of these issues we expect is to seek approval from the Board to execute the Phase 2 MOA with the Army at our December Board meeting.

## Update on RFPs and Contracts

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

- Auctioneer

There was an auction of the contents of the Megill Housing units on October 27<sup>th</sup>. An auction of selected property and materials and supplies turned over to FMERA by the Army associated with the Phase 1 transfer was held on November 10<sup>th</sup> at the Pulse Power facility on Pearl Harbor Avenue. A summary of results and final disposition of sales and expenses will be provided at the December Board meeting. More information on future auctions and auction catalogues will be available at:

<http://www.theauctioneersgroup.com/>.

- Utilities

FMERA continues to plan for upgrades to utility systems to facilitate redevelopment projects. We are working with the public utilities and our subcontractors to ensure required utilities are safe and operational. NJ American Water Co., JCP&L, NJ Natural Gas and the local sewerage authority have been actively working with staff and our property purchasers to ensure the availability of services for redevelopment and occupancy.

- Suneagles

The operator and property maintenance contractor is 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, and working with the Army Caretaker firm, for both marketing purposes and keeping our employees and tenants safe and comfortable. They are finalizing preparation for the winter season. FMERA is preparing for the transition to maintaining the Phase 2 property when title is 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. The marina recently received a positive response to their CAFRA application which will enable the additional indoor seating area along the water/bulkhead area to be opened. Visit the Marina at Oceanport website for more information.

Mr. Harrison thanked the Army and its caretaker group, the Monmouth County Highway District 6 and the Oceanport DPW for their support and contributions toward keeping the Fort safe, secure and presentable.

Update on RFOTPs.

Dave Nuse, Director of Real Estate Development gave the following update on RFOTPs:

1. Oceanport

FMERA staff and Cushman & Wakefield continue to see strong interest in the Fort and its properties. FMERA has responded by issuing 11 Requests for Offers to Purchase so far in 2015, with several more planned to go out by year-end. Following is a town-by-town update:

In Oceanport, FMERA is currently in negotiations for the sale and redevelopment of the following properties:

- Nurses Quarters, a 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital;

- the 16,000 sf recreation building on Brewer Avenue known as the Dance Hall, which is projected for commercial reuse;
- Marina on Oceanport Creek.

Last month FMERA received Board approval to sell Russel Hall, the 40,000 sf former Garrison Headquarters building, to a NYC-based tech company, TetherView.

FMERA recently executed contracts on 2 parcels in Oceanport:

- Officer Housing Parcel, consisting of 117 historic housing units, where RPM Development is the selected purchaser;
- Fitness Center, where FM Partners is proposing to renovate and expand that facility.

FMERA received Board approval to issue RFOTPs for 3 other properties in Oceanport: Barker Circle, Allison Hall, and the Lodging Area. Those 3 RFOTPs will be released over the next few months.

At tonight's meeting, FMERA will be asking the Board to authorize a sale agreement for the 53,000 sf Commissary building, located near Main Street, to Wayside Technology Group to serve as their new headquarters.

## 2. Eatontown

In Eatontown, FMERA has proposals on 2 properties:

- Howard Commons site on Pinebrook Road, zoned for 275 homes and up to 15,000 sf of retail space;
- Expanded Parcel B site, the mixed-use town center property fronting Route 35, calling for approximately 250,000 sf of retail space and 302 housing units on about 77 acres.

FMERA and Army representatives have evaluated the Howard Commons and Parcel B proposals, and have held initial meetings with the highest ranked parties.

FMERA issued an RFOTP for Suneagles Golf Course on October 8. A 10-acre section of the golf course (Megill Housing Area) is zoned for the construction of a new hotel & conference center. Tours are currently being given to interested parties, and proposals are due by February 5, 2016.

FMERA will be issuing an RFOTP for the 6 barracks buildings on Semaphore Avenue in Eatontown before the end of the year. Those buildings are targeted for arts-related reuse.

## 3. Tinton Falls

In Tinton Falls, FMERA is in discussions on 2 properties: Parcel F-2, the proposed Veterans Housing site; and Parcel F-3, the 3.5 acre gas station and convenience store site on Hope Road.

In addition, FMERA has executed Purchase and Sale & Redevelopment Agreements with:

- Pinebrook Commerce Center, LLC for the Fabrication Shops, 45,000 sf of light industrial and flex space buildings on Pinebrook Road;
- RADAR Properties for Building 2525, the 86,000 sf office building on Heliport Drive.

FMERA is also in the process of signing agreements to sell:

- Parcels C & C1 to Lennar Corporation, for 288 units of housing and 58,000 sf of retail development;
- And the former Child Development Center on Hope Road to Trinity Hall, to serve as that school's new home.

At tonight's meeting, FMERA will be asking the Board to authorize the sale of the Pistol Range and the adjacent Satellite Drive Parcel to Kiely Realty Group.

Please visit our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com), for more information and to obtain copies of our RFOTPs.

### Marketing Update

Candice Valente, Senior Project Officer stated that Cushman & Wakefield 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<sup>th</sup> 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 FMERA's website for more information and to sign up for our monthly digital newsletters.

### Other Items

Mr. Steadman stated that FMERA has given presentations at Monmouth University and at Rutgers to grad students regarding redevelopment at the Fort

Mr. Steadman stated that FMERA's professional planning consultant, Phillips, Preiss, Grygiel, received a New Jersey Planning Officers Award for its work crafting the Historic District Design Guidelines for the Fort's Historic District. FMERA commends them on this well-deserved recognition from the NJPO, and FMERA recognizes the efforts by the Historic Preservation Staff Advisory Committee and the late Committee Chairman Robert Ades in guiding the creation of this award winning document.

Mr. Steadman stated that FMERA and the Monmouth County Improvement Authority (MCIA) held a meeting on October 26<sup>th</sup> to discuss the MOA with the Army and the financing from the County.

Mr. Steadman listed the following action items:

- FMERA will be conducting bus tours for each of the three host municipalities. The Tinton Falls and Eatontown bus tours have not yet been scheduled. The Oceanport bus tour was held on October 24<sup>th</sup>,
- 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)

Robert Lucky stated that the Committee did not meet this month. There is a meeting scheduled for December 3<sup>rd</sup>.

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

Chairman Gorman stated that the Committee met November 5<sup>th</sup> and discussed the following:

- The Committee received an update on the summary of comments received from the three host municipalities on the proposed plan amendment #3 in Tinton Falls. Discussion followed regarding the strategies FMERA will pursue to identify additional acreage for open space in Tinton Falls. The Committee reached a consensus and agreed to recommend final approval of the proposed plan amendment #3 to the Board.

- Discussion regarding the PSARA with Kiely Realty Group, LLC for the sale and renovation of the Pistol Range and associated property, including the Satellite Drive parcel. The Committee reached a consensus and agreed to recommend approval of the PSARA with Kiely for the Pistol Range and associated property to the Board.
- Discussion regarding the PSARA with Wayside Technology Group for the sale and renovation of Building 11007, the former Commissary. Wayside will consolidate their headquarters and warehouse to this location. The Committee reached a consensus and agreed to recommend approval of the PSARA with Wayside for the Commissary to the Board.
- Discussion regarding the Use and Occupancy Memorandum of Understanding with Monmouth County for Building 901 for 36-month use as the Emergency County Homeless Shelter. FMERA has entered into a license with the Army and subsequently will enter into a license with the County. The Committee reached a consensus and agreed to recommend approval for a license for Building 901.
- Discussion regarding request to approve an additional 1.7 acres for the offer to purchase process in connection with the Charles Wood Firehouse in Tinton Falls. The Committee reached a consensus and agreed to recommend approval of issuing the additional acreage for offers to purchase to the Board.
- Discussion and update on other issues:
  - Driverless vehicle technology initiative
  - Phase 2 Economic Development Conveyance (EDC) and MOA
  - Parcel F-1-Myer Center
  - Howard Commons
  - Parcel B
  - Eatontown DPW
  - Parcel F-2
  - Upcoming RFOTPs
  - Oceanport's long-term plans for property at the Fort

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

Kenneth J. Kloo stated that the Committee did not meet this month. The Committee will meet on December 7<sup>th</sup>.

d) HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (BRUCE STEADMAN, INTERIM CHAIRMAN):

Bruce Steadman stated that the Committee did not meet this month. The Committee will meet next to discuss the Mandatory Conceptual Review (MCR) for Russel Hall upon its receipt and review by FMERA staff

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

Gina Fischetti stated that the Committee did not meet this month.

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

Lillian Burry stated that the Committee did not meet this month.

IX. BOARD ACTIONS

- A) The first item before the Board was the consideration of approval of Plan Amendment #3 permitting alternative development scenario in Tinton Falls.

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



The resolution and accompanying Board memorandum are attached hereto and marked Exhibit 1.

Candice Valente read a summary of the Board memo.

Motion to Approve: MICHAEL COLLINS 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 Pistol Range and Satellite Road Parcel.

A motion was made to approve by Lillian Burry and was seconded by Robert Lucky.

The resolution and accompanying Board memorandum are attached hereto and marked Exhibit 2.

Candice Valente read a summary of the Board memo.

Motion to Approve: LILLIAN BURRY Second: ROBERT LUCKY

AYes: 7

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

A motion was made to approve by John Patti and was seconded by Michael Collins.

The resolution and accompanying Board memorandum are attached hereto and marked Exhibit 3.

Candice Valente read a summary of the Board memo.

Motion to Approve: JOHN PATTI Second: MICHAEL COLLINS

AYes: 7

D) The fourth item before the Board was the consideration of approval of a Memorandum of Understanding with the County of Monmouth for Building 901.

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

The resolution and accompanying Board memorandum are attached hereto and marked Exhibit 4.

Candice Valente read a summary of the Board memo.

John Patti stated that the Oceanport Ad Hoc Committee has discussed alternate sites for the shelter and Oceanport's governing body has been working with the County for the selection of another site.

Motion to Approve: LILLIAN BURRY Second: MICHAEL COLLINS

AYes: 6 ANo: 1

E) The fifth item before the Board was the 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.

A motion was made to approve by Michael Collins and was seconded by Robert Lucky.

The resolution and accompanying Board memorandum are attached hereto and marked Exhibit 5.

Candice Valente read a summary of the Board memo.

Motion to Approve: MICHAEL COLLINS      Second: ROBERT LUCKY  
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 asked if the high tech companies that are coming to the Fort are posting help wanted signs after they purchase the buildings or are they bringing the positions already filled, and are they hiring local people for these jobs. Ms. Letson asked who FMERA reports to and how involved are they with FMERA. Ms. Letson asked if FMERA is audited and how often.

Bob English of Eatontown asked if the lead developer that FMERA is in discussions with for a given project is the developer who scores the highest. Mr. English asked what some of the issues are that are discussed during negotiations. Mr. English asked what CommVault's timeframe for hiring is and how many jobs are they required to create. Mr. English asked if CommVault is hiring people throughout New Jersey. Mr. English also asked about the alternative scenarios that are sometimes allowed during the RFOTP process that might not agree with the original Reuse Plan, and how these come about.

David Stacks of Oceanport stated that the amendments seem very specific to the RFOTPs and suggested that the amendments should be contingent on the bidders of the RFOTPs. Mr. Stanks suggested that if the bidder is not successful on a property that the amendment reverts back to the Reuse Plan. Mr. Stanks asked what are the circumstances of an RFOTP falling through, (i.e. Main Post Chapel). Mr. Stanks asked for information regarding the process for AcuteCare to date, from the RFOTP to the second amendment and Phase 1 & 2. Mr. Stanks asked if the 85 apartments add to the 720 residential units in the Reuse Plan for Oceanport.

Mr. Steadman answered Ms. Letson by stating that FMERA's mission is to facilitate the creation of new jobs that were lost due to the Fort's closing. In addition, Mr. Steadman stated that there are state incentives available to a company that will commit to remaining in New Jersey based on the number of jobs that may be retained by that company in New Jersey. Retention of existing jobs is just important as attracting new jobs to the state. Mr. Steadman stated that if a company is expanding and is outgrowing its current space, then a new facility at a new location will allow the company to grow even further and to add new jobs. Mr. Steadman stated that the redevelopment agreements executed with the employers have stipulations regarding job creation over a set period of time, and that there are penalties if the milestones are not attained. Mr. Steadman said that it is up to the companies to determine whether they will hire local people or relocate people from another facility.

Dave Nuse stated that the scoring criterion does include job creation and FMERA does evaluate the attraction, retention and creation of new jobs. Mr. Nuse stated that for the Commissary purchase, Wayside Technology will be retaining 104 jobs in Monmouth County and will be creating 25 new jobs within 36 months. Mr. Nuse stated that for the Russel Hall purchase, Tetherview and Monarch Medical, will be moving their headquarters from out of state to New Jersey. Mr. Nuse stated that both companies have agreed to job creation goals and both have applied for tax incentives through NJEDA's Grow New Jersey program, which also carries job creation/retention obligations.

Mr. Steadman answered Ms. Letson by stating that FMERA was created by statute. The Authority has a Board of Directors which consists of 13 members, 9 voting members and 4 non-voting members. The Board members consist of three public members, the Mayors of the Host municipalities, a representative of Monmouth County, and representatives from several State agencies within New Jersey. FMERA reports into the Governor's

Authority Unit through a Board member representing the Governor's office. FMERA's meeting minutes are subject to a ten-day veto period by the Governor.

Mr. Steadman answered Ms. Letson by stating that FMERA has two annual audit responsibilities. FMERA, as a state authority, has an annual audit obligation required under New Jersey law, conducted by an outside independent auditor. This is completed every spring for the preceding year. All of FMERA's audits to date have achieved the highest rating.. FMERA's by-laws require an Audit Committee that is required to meet four times per year to review and decide upon financial issues. Additionally, in accordance with the MOA executed with the Army, FMERA is required to have an annual audit on any funds related to the sale of real or personal property that were acquired from the Army. This is completed at the same time as the independent audit noted above.

Mr. Steadman answered Mr. English by stating that FMERA's sales rules include eight different criteria to help evaluate and score the proposals. The scores for each criterion are based on the type of project, its impact on the community, the type and number of jobs to be created, overall investment, and other parameters. Also considered is any input from the Army and the host community. Upon completion of the scoring, FMERA meets with the highest ranked scorer, and during discussions confirms the key points of the proposal, and that the proposer has the capabilities and resources to comply with the terms of their proposal.

Mr. Nuse stated that during the preliminary meetings, FMERA is able to discuss the developer's proposal and get answers to any questions and seek clarification, if any, with regards to the proposals (such as site plan considerations) to allow FMERA to bring a recommendation to the Real Estate Committee.

Mr. Nuse stated that CommVault has completed Phase 1 of their project and reportedly have approximately 900 employees at the facility. CommVault projects to have approximately 2,500 employees upon completion of the three phases of the project. Mr. Nuse stated that AcuteCare's redevelopment agreement obligated it to create a minimum of 50 permanent jobs. AcuteCare indicates that it has met that goal and is in the process of documenting its job creation. To date, a total of 950 permanent jobs have been created at the Fort. This does not include construction or consultant jobs that are not considered permanent.

Mr. Steadman answered Mr. English regarding any alternative scenarios for RFOTPs, noting that given that the marketplace has changed considerably since the Reuse Plan was first developed in 2008, from time to time there may be obvious opportunities to take advantage of current marketplace projects that were not considered in 2008. Therefore, in those RFOTPs language may be included to encourage respondees to add an alternative scenario in their proposal that might be considered a higher and better use for that particular property. Any such alternative scenarios are considered on an RFOTP by RFOTP basis and not across the board.

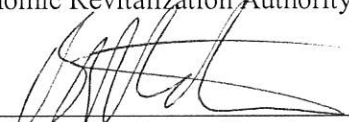
Mr. Steadman answered Mr. Stacks by stating that it is FMERA's objective to implement the Reuse Plan, but at the same time to make certain that consideration is given to all projects that will create jobs, create tax revenue for the Boroughs, and facilitate amenities or services that will help to improve the community. Therefore, on occasion, RFOTPs will include language that states that FMERA will consider a Reuse Plan amendment for a particular parcel, which is based on feedback received during marketing meetings and tours, so as not to exclude bidders from submitting a proposal that might offer a unique opportunity that would otherwise be lost. Further, any plan amendments are considered overlays, meaning that the ultimate project considered may be either the initial Reuse Plan use, the amended use, or a combination thereof.

Mr. Steadman answered Mr. Stacks that stating that there are several circumstances whereby an RFOTP can be cancelled, including the bidders desire to withdraw the proposal, or FMERA and the bidder unable to reach an agreement on the terms of the proposal. Mr. Nuse stated that with regards to the Main Post Chapel, there was one response to the recent RFOTP. The congregation withdrew their proposal because the offer price was considerably less than the appraised value of the property, and the parties were unable to reach agreement on price.

Mr. Steadman stated that AcuteCare is developing the property in two phases. AcuteCare submitted a site plan for its first phase, which was approved by the Oceanport Planning Board last year. They currently have two businesses at the facility under this first phase: Beacon of Life, and Unity Place. Mr. Steadman stated that the 85 residential units AcuteCare wants to add in its second phase are not in addition to Oceanport's 720 required residential units within the Reuse Plan, and that the 85 units would be subtracted from the 720. Mr. Nuse verified that AcuteCare's Phase 1 project included the 50,000 sf low-rise portion of the property that includes the PACE program (Beacon of Life), along with other medical uses (Unity Place), and that the Phase 2 project will include the 83 residential units. The Reuse Plan amendment creates overlay zoning rather than superceding the Reuse Plan.

There being no further business, on a motion by John Patti seconded by Michael Collins 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.

A handwritten signature in black ink, appearing to read 'Bruce Steadman', is written over a horizontal line.

Bruce Steadman - Secretary

**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.



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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.

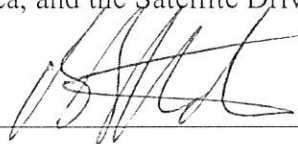
Based on the redevelopment provisions of the PSARA between FMERA and Kiely, staff concludes that the essential elements of a redevelopment agreement between FMERA and Kiely are sufficiently addressed and that it is not necessary for FMERA to enter into a separate redevelopment agreement with Kiely for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



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Bruce Steadman

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

**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.

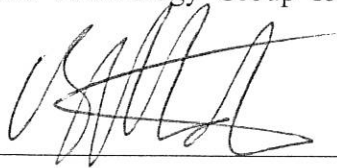
In an effort to accommodate Wayside's move to the Fort while negotiations with the Army on the transfer of Phase II properties continues, subject to FMERA obtaining a license from the Army, FMERA will grant Wayside a license to enter the property prior to closing for the purposes of due diligence activities; 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.



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Bruce Steadman

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

**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.



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Bruce Steadman

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

Prepared by: Rick Harrison

**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**



DISCOVER › INNOVATE › TRANSFORM

**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  $\pm 1.7$  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.

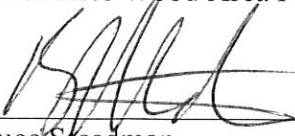
FMERA staff recommends proceeding with the Offer to Purchase process for the additional acreage, rather than Sealed Bids. The Reuse Plan envisioned the additional acreage would be maintained for active open space. FMERA staff believes that issuance of an RFOTP that includes the Firehouse site and this 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

**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  $\pm 1.7$  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.

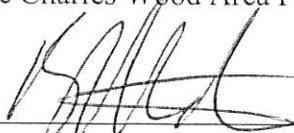
FMERA staff recommends proceeding with the Offer to Purchase process for the additional acreage, rather than Sealed Bids. The Reuse Plan envisioned the additional acreage would be maintained for active open space. FMERA staff believes that issuance of an RFOTP that includes the Firehouse site and this 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.



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Bruce Steadman

Attachment: Parcel Map  
Prepared by: Candice A. Valente

## MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman  
Executive Director

DATE: December 16, 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 2016 Budget; 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. Consolidated Budget

FMERA staff presented the 2016 Consolidated Budget to the Audit Committee at their December meeting. Based on their review, the Audit Committee recommended that the 2016 Consolidated Budget be submitted to the Authority at its December 16, 2015 meeting.

#### 2015 Projected Budget Results

- 2015 Grant revenue lower than budgeted as operating expenses were lower than projected, and grant revenue is a product of the expenses incurred.
- EDC expenses are under budget for 2015 due to the delay in closing with the Army on the Phase 2 property. Because of this delay, the Authority did not incur the carrying costs associated with the property.
- The Authority is projecting a net loss in 2015 as a result of the delay in closing with the Army on the Phase 2 property. Due to this delay, FMERA was not able to close and receive the revenue on the Phase 2 parcels that were projected to be sold during the year. However, this loss was covered by the Authority's EDC cash reserves, and on a cumulative basis since inception, the Authority is cash flow positive.

### 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 in the first quarter 2016.

2. Update on RFPs and Contracts

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

Auctioneer

There has been no auction activity since November 10th. A summary of auction proceeds is available with the Board materials today.

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. There is an action item on the agenda for consideration of approval of a Memorandum of Understanding with the Borough of Oceanport for water main design, survey and application work which will provide reimbursement to Oceanport for this work. Staff also hopes to bring a proposed agreement with TRWRA for the Board's consideration at the January Board meeting. 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 in January.

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. The CAFRA application for the additional dining area was recently approved. Visit the Marina at Oceanport website for more information.

#### Appraiser Request for Qualifications

FMERA issued a Request for Qualifications (RFQ) for Real Estate Appraisal Services on November 13<sup>th</sup>. Qualifications were received on December 14<sup>th</sup> and 5 proposals were received and are under evaluation. Through this RFQ, the Authority seeks to establish a pre-qualified pool of five (5) to ten (10) qualified firms to provide these services on an as needed basis.

### 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 29<sup>th</sup>.

#### 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. The Army has revised its Lease with FMERA to allow for the use and occupancy of the building until conveyance of the property. TetherView has begun interior renovation work to prepare for occupancy in late December.

#### 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 early next 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 negotiations have begun with the leading proposer. Staff plans to present a recommendation at its January meeting.

#### 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 led to a negotiated Purchase and Sale Agreement & Redevelopment Agreement (PSARA), which was approved by the Board at its November 2015 meeting. FMERA was informed that the proposed buyer, Wayside Technology, has decided not to move forward with the purchase. FMERA will issue a new RFOTP for the building in the coming months.

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/19<sup>th</sup> 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 15<sup>th</sup> 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, which was executed on December 1, 2015.

### 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 lead to a PSARA, which was approved at the November 2015 Board 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. Kiely Realty Group, LLC, (Kiely) was the highest ranked proposer for the parcel; the company proposed to use the site in conjunction with the redevelopment of the adjacent parcel, the former Pistol Range. As Kiely was also the Board approved developer of the Pistol Range site, FMERA and Kiely negotiated a joint PSARA, which was approved by the Board at its November 2015 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, revised the acreage of the parcel and received Board approval in November 2015 to issue a new RFOTP that includes this expanded acreage. The new RFOTP, which encompasses approximately 4 acres, will be issued early next year.

#### 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, negotiations have begun with the sole bidder and FMERA staff 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. The PSARA was executed on November 19, 2015.

4. Marketing Update

Cushman & Wakefield (Cushman) and FMERA staff attended the New Jersey Technology Council's Data Summit on December 9 at Rutgers in New Brunswick, promoting Fort Monmouth as an attractive location for data and tech companies. This event brought 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. Over 200 companies attended this year's event.

Fort Monmouth served as the main topic for an Asbury Park Press Business Roundtable held on December 15, 2015. Participants included Cushman, CommVault, TetherView, Wayside Technology, the Monmouth Ocean Development Council, and the State's Department of Community Affairs. The Roundtable focused on developing strategies to position the Fort as an economic force for the Shore region. Asbury Park Press will be issuing a video and story shortly to share the ideas discussed.

Please refer to our website, [www.fortmonmouthnj.com](http://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  
December 16, 2015**

Resolution Regarding  
**2016 Consolidated Budget and the Office of Economic Adjustment Grant Requests**

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

**WHEREAS**, the 2016 Consolidated Budget includes an Economic Development Conveyance (EDC) Budget, representing the projected 2016 sales and financial activity under the approved Phase 1 EDC Agreement and the Phase 2 EDC Agreement which is projected to be executed by the 1<sup>st</sup> quarter of 2016, encompassing the sale of thirteen parcels; and

**WHEREAS**, the 2016 Consolidated Budget also includes a Non-EDC Budget, representing the funding of qualified expenses received the U.S. Department of Defense's Office of Economic Adjustment (OEA) and the requisite local match from the State of New Jersey; and

**WHEREAS**, the Audit Committee reviewed the 2016 Consolidated Budget and recommends it to the Authority for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the 2016 Consolidated Budget, as described in the attached memorandum.
2. The Authority authorizes the Executive Director to take all necessary actions to submit grant requests to the Office of Economic Adjustment for federal funds in an amount not to exceed \$1,577,840 to support the Authority's operations for the 2016 calendar year as necessary.
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: December 16, 2015

**EXHIBIT 1**

**MEMORANDUM**

**TO:** Members of the Board  
**FROM:** Bruce Steadman, Executive Director  
**DATE:** December 16, 2015  
**RE:** 2016 Consolidated Budget

The draft 2016 Consolidated Budget, consisting of the draft 2016 Non-Economic Development Conveyance Budget and the draft 2016 Economic Development Conveyance (EDC) Budget is enclosed for your review and consideration. FMERA staff has collaborated in the development of a Consolidated Budget which supports and enhances FMERA's Mission to *create an atmosphere in which employers will employ and investors will invest, to maximize the jobs created and the value of the property*. The Consolidated Budget is also intended to expand the Authority's sources of funding while continuing to control costs and direct spending to advance the Authority on the path toward financial self-sufficiency.

The 2016 Consolidated Budget illustrates the Authority's progress in implementing the approved Phase 1 EDC Agreement and embarking on the economic redevelopment of the former Fort property. This year's budget includes: the EDC Budget, representing the projected 2016 financial activity under the approved Phase 1 EDC Agreement and the Phase 2 EDC Agreement which is projected to be executed by the 1<sup>st</sup> quarter of the year; and the Non-EDC Budget representing the funding of qualified expenses received through the Office of Economic Adjustment (OEA) and the local match.

The 2016 FMERA draft Non-EDC Budget's total expenses and costs of \$1,753,155 will be funded by federal grants of \$1,577,840 through OEA and the local match requirement of \$175,315 and are lower than 2015's level of \$2,102,854. This is mainly due to the step down of funding by OEA. As a result, certain budget categories were transferred to the EDC Budget which include operational items and certain salaries.

The draft 2016 EDC Budget illustrates the Budget based on the 2016 projected parcel sales. Thirteen parcels are projected to be sold during 2016 for \$21,939,999. The projected Net Earnings from the parcel sales are \$5,345,452. The Land Costs for the parcel sales total \$16,594,547 and consists of \$13,530,036 in payments to the Army, \$1,790,111 to the Homeless Accommodation under the terms of the EDC Agreement and Sales Commissions of \$1,274,400.

FMERA's 2016 proposed EDC Budget's Direct Office and General and Administrative expenses of \$272,710 and \$213,500 respectively, represent amounts which do not qualify for funding under the terms of the federal grant such as advertising, communication, equipment, utilities, supplies, meetings/seminars and travel. EDC operating income of \$62,500 represents the amount to be received under the Golf Course Operating Agreement and Miscellaneous Revenue of \$200,000 represents projected proceeds from the



auctions of personal property transferred from the Army to the Authority. Interest expense on Bonds Payable of \$87,975 represents the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarter interest payments on the bonds expected to purchase the Phase 2 property from the Army.

The 2016 EDC Program Costs of \$3,639,800 are higher than the 2015 Budget. The 2015 Budget projected the purchase of the Phase 2 parcels in the 2<sup>nd</sup> quarter of 2015 which would have consisted of 6 months in carrying costs. The 2016 Budget is projecting 9 months of carrying costs which caused an increase in Program Costs from 2015 to 2016. Carrying costs mainly consist of property maintenance, utilities and insurance.



The Authority's 2016 proposed Capital Budget calls for outlays totaling \$1,650,000, comprised of: \$1,150,000 in Short Term Capital Projects that include Infrastructure and Other improvement costs on properties transferred to the Authority; and \$500,000 in Long Term Capital Projects that include Infrastructure and Demolition & Renovations. Projects to be funded from the Capital Budget include a new water main extension and sanitary sewer system on the Main Post. The Long Term Capital Projects will be financed out of the Authority's cash reserves per the EDC Agreement, however, no more than 25% of the total cash reserve will be used in 2016 for these projects.

The draft 2016 Consolidated Budget is projecting net earnings for the year in excess of \$1.2 million compared to the net loss in 2015 as a result of the delay in closing with the Army on the Phase 2 property. This loss was covered by the Authority's EDC cash reserves, and on a cumulative basis since inception, the Authority is cash flow positive.

### **Recommendation**

Based on the above, the Members of the Board are asked to approve the attached draft 2016 Consolidated Budget.

The Members are also requested to approve authorizing the Executive Director to submit grant requests and any other necessary documentation to the Office of Economic Adjustment for federal funds in an amount not to exceed \$1,577,840.

  
\_\_\_\_\_  
Bruce Steadman 

ATTACHMENT

Prepared by: Jennifer Lepore

**ATTACHMENT**

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

**ADOPTED**  
**December 16, 2015**

Resolution Regarding  
**Approval of the Interagency Agreement between FMERA and Oceanport to Contract for Water Design, Survey and Application Work for Portions of the Oceanport and Eatontown Sections of Fort Monmouth**

**WHEREAS**, the water mains which service the Main Post of Fort Monmouth require upgrades for water usage requirements of future property owners; and

**WHEREAS**, FMERA staff will make approximately \$60,000 in funding available to the Borough of Oceanport through a Memorandum of Understanding to pay for all costs associated with the design, survey and application work for the installation of a water main for a portion of the Oceanport and Eatontown sections of Fort Monmouth; and

**WHEREAS**, FMERA shall notify the Borough of Oceanport of any services completed outside of this agreement if FMERA contracts separately with New Jersey American Water for the design, survey and/or application work for the water main installation; and

**WHEREAS**, the Real Estate Committee recommends that the Board authorize the interagency agreement between FMERA and the Borough of Oceanport;

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Board authorizes the interagency agreement between FMERA and the Borough of Oceanport to coordinate the design, survey and application work of water main for portions of the Oceanport and Eatontown sections of Fort Monmouth, with final terms of the agreement subject to approval by the 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: December 16, 2015

**EXHIBIT 2**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director

**RE:** Approval of the Interagency Agreement between FMERA and Oceanport to contract for water design, survey and application work FMERA for portions of the Oceanport and Eatontown sections of Fort Monmouth.

**DATE:** December 11, 2015

**Request**

I am requesting that the Board approve the interagency agreement between FMERA and the Borough of Oceanport to coordinate the design, survey and application work for the installation of a water main for portions of the Oceanport and Eatontown sections of Fort Monmouth. This agreement will enable FMERA to move forward with planned upgrades and improvements to the infrastructure in both towns.

**Background**

The water mains which service the Main Post of Fort Monmouth are outdated and not suitable for future water usage requirements. Therefore, they must be replaced to provide potable water service for all future property owners. This interagency agreement will enable FMERA to move forward with the design, planning, survey and application work for the installation of the Saltzman Avenue water main in anticipation of the transfer of the property from the Army to FMERA and then from FMERA to a number of prospective purchasers of Main Post property.



FMERA will make \$60,000.00 in funding available to the Borough of Oceanport through a Memorandum of Understanding (MOU) to pay for all costs associated with the pre-installation work for the water main and the Engineering Services associated with this Project (“Project Funding”). This includes the design, survey and application work for the installation of a water main for the Oceanport section and a portion of the Eatontown section of Fort Monmouth. Subject to sufficient Project Funding being available to the Borough of Oceanport, the Borough will retain an engineering firm to prepare plans, specifications, and a scope of work (the “Plans”) for the Project. This may also include surveying services, examination of title, and environmental services including, but not limited to, an NJDEP-compliant preliminary site assessment. The Plans will be used by FMERA to contract for the installation of a water main for portions of the Oceanport and Eatontown sections of Fort Monmouth. The consideration for this interagency agreement is the Borough of Oceanport expediting the water main work for the eventual installation and operation of a water main in Oceanport and Eatontown to provide updated water service to all future property owners.

If FMERA contracts separately with New Jersey American Water for the design, survey and/or application work for the installation of a water main for portions of the Oceanport and Eatontown sections of Fort Monmouth, FMERA shall notify the Borough of Oceanport of all services completed outside of this agreement.

The Authority will enter into this interagency agreement utilizing the attached draft MOU between FMERA and the Borough of Oceanport for this utility work. The attached MOU is in substantially final form. The final terms of the MOU will be subject to the approval of the Executive Director and the Attorney General's Office, as well as the Borough of Oceanport.

Recommendation

In summary, I am requesting that the Board approve the interagency agreement between FMERA and the Borough of Oceanport to coordinate the design, survey and application work for the installation of a water main for portions of the Oceanport and Eatontown sections of Fort Monmouth. This will expedite the provisions of water service for the Oceanport and Eatontown sections of Fort Monmouth. Utilizing the Borough of Oceanport's engineers also ensure that the project will comply with all permitting requirements and that the improvements will meet the Borough's standards.

  
\_\_\_\_\_  
Bruce Steadman 

Attachment: Memorandum of Understanding & Parcel Map  
Prepared by: Kara Kopach

**ATTACHMENT**

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