

Fort Monmouth Economic Revitalization Authority  
Board Meeting  
September 16, 2015  
FMERA Offices, 502 Brewer Avenue, Oceanport, NJ

**MINUTES OF THE MEETING**

**I. Members of the Authority present:**

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

**V - Denotes Voting Member**

**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 7:00p.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 August 19<sup>th</sup> meeting minutes. A motion was made to approve the minutes by Lillian Burry and seconded by Robert Lucky.

Motion to Approve: LILLIAN BURRY    Second: ROBERT LUCKY  
AYes: 5

Dennis Connelly abstained stating he was not at the August meeting.  
Michael Mahon abstained stating that he was not at the August meeting.  
Gerald Turning abstained stating that he was not at the August meeting.

### III. WELCOME

Chairman James V. Gorman welcomed attendees to the meeting. Mr. Gorman stated that the meeting marked FMERA's fifth anniversary of commencement of its operations to restore economic vitality to the communities affected by the closing of Fort Monmouth. Mr. Gorman stated that there are Board Actions that occur at the annual meeting and will be taken this evening, such as the election of the Vice Chairman, the appointment of Staff Advisory Committee members and Chairpersons, and the appointment of the Secretary, Treasurer and other Officers of the Authority. 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 four board actions: 1) consideration of approval of organizational matters; 2) consideration of approval of Staff Advisory Committee members; 3) consideration of approval of a Purchase and Sale Agreement and Redevelopment Agreement for Parcels C and C1, and 4) consideration of approval of Purchase and Sale and Redevelopment Agreement for Building 2525 and associated parcel.

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.

Kenneth J. Kloo arrived at 7:07p.m.

### IV. SECRETARY'S REPORT

Mr. Steadman stated that the Chairman has appointed the 2015-2016 Audit Committee Chairman and members and the Real Estate Committee Chairman and members.

Candice Valente read the names for the Committees:

- Audit Committee Chairman – Robert Lucky
- Audit Committee Members – James V. Gorman and Gerald Turning
  
- Real Estate Committee Chairman – James V. Gorman
- Real Estate Committee Members – Robert Lucky, Lillian Burry, and Dennis Connelly

Mr. Steadman stated that the Chairman has appointed Bruce Steadman as Secretary, David Nuse as Treasurer and Rick Harrison as Assistant Secretary.

Mr. Steadman stated that staff is reviewing the Executive Session minutes from past months and the minutes have not been released.

Mr. Steadman stated that the next Board meeting is scheduled for October 21<sup>st</sup>.

### V. TREASURER'S REPORT

Jennifer Lepore, Senior Finance Officer stated that FMERA staff is finalizing the Financial and Operational Summary for the first 8 months of the year assessing the performance against the 2015 organizational goals. FMERA staff will present the financial and operational summary report to the Audit Committee at their next

meeting. The Office of Economic Adjustment (OEA) approved the Authority's grant application in support of the Authority's operations through June 30, 2016. The grant funds requested from OEA are consistent with the budget approved by the Authority's Board and presented to the State's Office of Management and Budget in support of the Authority's appropriation request.

In response to Oceanport Councilman John Patti's question at the August meeting regarding the 2015 budget, the non-EDC operating budget is approximately \$2.1 million, the EDC operating budget is approximately \$4.4 million for a total operating budget of \$6.5 million.

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

There was no public comment.

#### VII. EXECUTIVE DIRECTOR'S REPORT

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

#### Update on RFPs and Contracts

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

- Auctioneer  
An auction of phase 1 property, materials and supplies turned over to FMERA by the Army associated with the Phase 1 transfer will be held on October 27<sup>th</sup> at the Pulse Power facility on Pearl Harbor Avenue. There will be an auction of the contents of the Megill Housing units in November. More information on the auctions and auction catalogue is available at <http://www.theauctioneersgroup.com/>. Staff and the Auctioneer are also starting to identify buildings in Phase 2 to start inventorying and cataloging for potential events to be scheduled in the fall after property transfers. A public, community-focused, small-lot auction will be planned for next spring after FMERA has closed with the Army on the Phase 2 transfer of property.
- Utilities  
FMERA continues to plan for upgrades to utility systems and is working with the public utilities and our subcontractors to ensure required utilities are safe and operational. There have been meetings with Two Rivers Water Reclamation Authority (TRWRA), and the three borough's engineers and officials to plan a path forward for both sanitary sewer and water service. FMERA is currently working with the Oceanport Engineer on a proposal to submit a water main application to New Jersey American Water Company (NJAW) to accommodate the historic housing development, the fitness center, FMERA offices, and additional pending building sales in the area surrounding the historic district. FMERA is also discussing roadways, public rights of way and easements with the three Boroughs. A draft agreement with Jersey Central Power & Light (JCP&L) to own, operate and maintain the Charles Wood Area (CWA) power system is undergoing a final review. This agreement will serve as a template for a Phase 2 agreement which is currently under discussion. FMERA hopes to bring it to the Board at a subsequent meeting for approval.

- Suneagles Golf Course  
The Suneagles operator, LINX Golf Management, reports that the first half of the summer delivered perfect weather conditions. Since then, the hot weather caused some severe drought conditions. The little or no rain since June has challenged the course immensely, adding to the aggressive growth of crabgrass and other weed strains. On a positive note, the recent much needed rain and the cooler weather should result in ideal playing conditions. August was a busy month resulting in 4,600 rounds, which are 30 more than last year. There were 240 outing rounds. There are two outings and three events scheduled at Gibbs in September. The membership drive is underway and is being well received. Advertising in two area papers began this month. The New Jersey State Golf Association is scheduled to do a feature on Suneagles this coming fall.
- Property Management/Maintenance  
Our property management/maintenance team, Chenega Operations Services, has been busy keeping the property presentable and secure, for both marketing purposes and keeping our employees and tenants safe and comfortable. They continue to prep buildings and grounds in support of marketing site visits and are kept very busy with increasingly frequent repairs required to keep those buildings scheduled for reuse viable. They will also be starting preparations for the cold weather to help ensure we don't have freeze-ups and other weather related issues. We are preparing for the transition to maintaining the Phase 2 property when transferred. As always - our appreciation to the Army contractors and site personnel, the Oceanport Department Public Works (DPW), and the County Public Works folks for assisting in keeping the property safe and presentable.
- Marina  
The Marina restaurant and bar are open and have met with rave reviews! Business has been brisk and most evenings it has been standing room only at the bar and usually a wait for a table. They anticipate a busy Fall and football season.

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

FMERA staff and our broker, Cushman & Wakefield, continue to see strong interest in the Fort and its properties. FMERA has responded by issuing 10 Requests For Offers To Purchase (RFOTP) so far in 2015, with 7 more planned to go out this year. Following is a town-by-town update:

In Oceanport, FMERA recently received the following proposals:

- 1 proposal for the Main Post Chapel, a 16,000 sf facility with a 600-seat sanctuary;
- 5 proposals for the Nurses Quarters, a 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital;
- 2 proposals for the 16,000 sf recreation building on Brewer Avenue known as the Dance Hall, which is projected for commercial reuse.

FMERA is currently in negotiations on the Dance Hall, and initiated discussions with the highest ranked proposer for the Nurses Quarters earlier this month.

FMERA has also completed the evaluations of the 3 proposals received for Russel Hall, the 40,000 sf former Garrison Headquarters building, and has commenced negotiations with the highest ranked proposer.

FMERA staff is also in active negotiations with Asbury Park Development Partners for their purchase of the Marina on Oceanport Creek.

FMERA recently executed contracts on 2 other 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 1 proposal on August 17 for the Commissary, the 53,000 sf former grocery store at Razor Avenue and Murphy Drive. An evaluation committee is being formed to review that proposal.

FMERA received Board approval in June 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.

In Eatontown, FMERA has proposals in hand on 2 properties:

- Howard Commons site on Pinebrook Road, zoned for 275 homes and up to 15,000 sf of retail space, where we received 3 proposals on July 10<sup>th</sup>;
- The expanded Parcel B, 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, where we received 5 proposals, also on the 10<sup>th</sup> of July.

FMERA and Army staff have evaluated the Howard Commons proposals, and will begin discussions with the highest ranked proposer shortly. We expect to complete the Parcel B evaluation process this month.

FMERA also plans to issue two RFOTPs for Eatontown properties this fall:

- The RFOTP for Suneagles Golf Course will be going out in September. A 10-acre section of the golf course is zoned for the construction of a new hotel & conference center. Tours for interested bidders will commence in October.
- In October FMERA will be issuing an RFOTP for the 6 barracks buildings on Semaphore Avenue in Eatontown. Those buildings are targeted for arts-related reuse.

In Tinton Falls, FMERA is in negotiations on 5 properties:

- Parcel F-2, the proposed Veterans Housing site;
- Parcel F-3, the 3.5 acre gas station and convenience store site on Hope Road;
- Child Development Center, a 20,000 sf facility previously used as a pre-school and daycare center;
- Satellite Drive Parcel, a 1.5 acre building lot;
- Pistol Range, where the Board has selected Kiely Realty as purchaser.

The two bidders for the Charles Wood Fire Station have withdrawn their proposals, so an RFOTP for that property will be re-issued later this year.

In addition, FMERA executed a Purchase and Sale & Redevelopment Agreement with Pinebrook Commerce Center LLC for the Fabrication Shops, 45,000 sf of light industrial and flex space buildings on Pinebrook Road.

At tonight's meeting staff will be asking the Board to approve agreements to sell Parcels C and C1 to Lennar Corporation, and Building 2525 to RADAR Properties.

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

Candice Valente, Senior Project Officer stated that FMERA staff has been workin with our master broker, Cushman & Wakefield to update the signage outside the Fort, which is currently in development. The new signs will go up to replace the current signs in Tinton Falls, Eatontown, and Oceanport. FMERA and Cushman will co-host a pre-proposal conference for the Golf Course RFOTP in October, to answer questions about the site and allow for interested potential bidders to learn more. FMERA will provide the confirmed date for the conference via our newsletter later this month.



FMERA is excited to once again serve as a community sponsor of the Asbury Agile event in Asbury Park on Friday, October 2<sup>nd</sup>. This event is a one day conference for web professionals, developed from the Jersey Shore Tech meet up. Staff looks forward to attending this year's event and learning more about ongoing developments in the tech community. Please refer to our website for more information and to sign up for our monthly digital newsletters.

Mr. Steadman listed the following action items:

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

## VIII. COMMITTEE REPORTS

### a) AUDIT COMMITTEE (GERALD TURNING - CHAIRMAN)

Gerald Turning stated that the Committee did not meet this month. The Committee will meet in October and December, per the required schedule.

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

Chairman Gorman stated that the Committee met on September 8<sup>th</sup> and discussed the following:

- Review and discussion of the final draft of the signage prepared by Cushman & Wakefield (C&W). The Committee made a minor change and approved the new signage.
- Review and discussion regarding the Purchase and Sale and Redevelopment Agreement (PSARA) for Parcel C & C1 with Lennar Corporation. The Committee reached a consensus and agreed to recommend approval of the PSARA with Lennar for Parcels C & C1 to the Board.
- Review and discussions regarding the PSARA with RADAR Properties for Building 2525 in Tinton Falls. The Committee reached a consensus and agreed to recommend approval of the PSARA with RADAR for Building 2525 to the Board.
- Other Issues Discussed
  - Parcel F-2 in Tinton Falls
  - Nurses Quarters in Oceanport
  - Howard Commons in Eatontown
  - Parcel B in Eatontown
  - Commissary in Oceanport
  - Charles Wood Firehouse in Tinton Falls
  - Upcoming RFOTPs
- Discussion regarding the termination of the lease with the NJ Department of Human Services (DHS) for the Megill Housing in Eatontown.
- Discussion regarding the Child Development Center in Tinton Falls. The Committee discussed the timeline for the contract, construction and occupancy.

Mayor Mahon recused himself from the Real Estate Committee meeting for the discussions regarding the Child Development Center. Chairman Gorman thanked Mayor Mahon for his excellent service to the Real Estate Committee during the last five years including his excellent knowledge base and advice on matters affecting

FMERA. Mr. Gorman also requested that Oceanport continue to provide input as to the future plans or interest in potential municipal properties on the Fort. Staff informed the Committee that the Oceanport Ad Hoc Committee has been formed which will provide Oceanport additional information and opportunities to discuss it, regarding the redevelopment of the Oceanport portion of the Fort.

Mayor Mahon stated that the years he served on the Real Estate Committee was very productive. Mayor Mahon stated that Oceanport Ad Hoc Committee members will be Borough Administrator John Bennett, Council President Ellynn Kahle, Councilman John Patti, Planning Board Vice Chair James Whitson, Board of Education President Bill McVitty, and Public members Marc Lower and Wayne MacEnrod.

Mayor Mahon stated that there was a meeting between Oceanport and Eatontown officials and FMERA staff to discuss the potential realignment of the municipal boundaries.

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

Kenneth J. Kloo stated that the Committee met on September 10<sup>th</sup> and discussed the following:

- Update regarding the former gas station located on Parcel F-3 in Tinton Falls, as well as the sampling results from ongoing groundwater monitoring. All underground storage tanks (USTs) have been removed and one above-ground tank remains. The Committee discussed the location of the samples, the groundwater flow in the area and the potential use of the property by the County. DEP representatives added that the sample results may suggest further product remediation may be unnecessary and natural attenuation appropriate, although the applicable standards have not yet been met.
- Update regarding the former gas station site on the Main Post in Oceanport, which will be an environmental carve-out of the Phase 2 property until such time that the site has been environmentally cleared. All USTs have been removed and two above-ground tanks remain. Sampling of groundwater is ongoing to assess current conditions. The DEP Case Manager noted that the Army is no longer operating the soil vapor extraction systems because the contaminant concentrations have decreased to a point where it was no longer effective. The DEP is awaiting additional reports from the Army. The Committee discussed the priority for the Army to address this future carve-out.
- FMERA staff reported there are a total of 35 environmental carve-outs comprising approximately 60 to 75 acres within the Phase 2 property, subject to a final survey. FMERA staff provided a description of eight specific carve-outs: (1) the lime pit outside of the Myers Center; (2) a septic field in Parcel C-1; (3) transformer vaults in Parcel B; (4) a potential carve-out at Vail Hall which has since received a No Further Action (NFA) letter from the DEP and may be taken off the list; (5) a site within the Squier Hall complex; (6) a site outside the Commissary building; (7) a former gas station just outside the AcuteCare parcel; and (8) an electric substation in the eastern section of the Fort. These sites are in various stages of review and remediation by the Army, and have been or will be carved out of the Phase 1 or Phase 2 property. The Committee discussed the priority for each of these sites in the redevelopment process.
- The final draft of the Finding of Suitability to Transfer (FOST) for the Phase 2 property is under review by the Army, and FMERA is expecting to see it by the end of the month. The document will be posted online and available to the Committee and the general public at that time.
- Discussion regarding the Army's updated asbestos report that is due to FMERA.

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

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

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

Gina Fischetti stated that the Committee is scheduled to meet on September 22<sup>nd</sup>.

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 organizational matters.
- Assistant Secretaries of the Authority
  - OPRA Records Custodian and Ethics Liaison
  - Meeting Schedule for October 2015 – September 2016

Candice Valente read the resolution which is attached hereto and marked Exhibit 1.

A motion was made to approve by Lillian Burry and was seconded by Gerald Turning.

Motion to Approve: LILLIAN BURRY Second: GERALD TURNING

AYes: 8

- B) The second item before the Board was the consideration of approval of Staff Advisory Committee Membership

Candice Valente read the resolution which is attached hereto and marked Exhibit 2.

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

Motion to Approve: LILLIAN BURRY Second: MICHAEL COLLINS

AYes 8

- C) The third item before the Board was the consideration of approval of a Purchase and Sale Agreement and Redevelopment for Parcels C & C1.

Candice Valente read the resolution which is attached hereto and marked Exhibit 3.

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

Motion to Approve: GERALD TURNING Second: DENNIS CONNELLY

AYes 8

Mayor Turning, on behalf of Tinton Falls, said that it is an honor to accept this development in Tinton Falls. Mayor Turning thanked Lennar Corporation for their discussions regarding the project and it will be an honor to welcome them to Tinton Falls. Mayor Turning thanked the FMERA staff and the Board for all their work and approving the project and that it is nice to see the project is being developed according to the Reuse Plan.

Mayor Turning stated that with the development of Parcel C & C1 and the other projects that have been completed in Tinton Falls, the borough will have completed approximately 70% of redevelopment. Mayor Turning thanked the FMERA staff for all of their hard work in making the redevelopment of Tinton Falls so successful.

- D) The fourth item before the Board was the consideration of approval of a Purchase and Sale Agreement and Redevelopment Agreement for Building 2525 and associated parcel.



Candice Valente read the resolution which is attached hereto and marked Exhibit 4.

A motion was made to approve by Gerald Turning and was seconded by Michael Mahon

Motion to Approve: GERALD TURNING Second: MICHAEL MAHON

AYes 8

Mayor Turning, on behalf of Tinton Falls, thanked the FMERA staff for their diligent work on this project. Mayor Turning stated that it was an honor to welcome Aaski Technology to Tinton Falls.

X. OTHER ITEMS

Mayor Mahon stated that there were two Oceanport Ad Hoc Committee members not present at the first meeting. Mayor Mahon stated that one of the primary topics discussed at the meeting was the homeless accommodations and the deception on other issues. Mayor Mahon stated that there is an on-going investigation with Oceanport and the property owner of the clinic.

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

Rosanne Letson of Oceanport stated that FMERA has sold 70-80% of the Tinton Falls portion of the Fort (according to Mayor Turning), and asked how much land has been sold within the Oceanport portion of the Fort. Ms. Letson stated that in speaking with a developer, she was told that the redevelopment of a parcel takes over a year, and asked if this is the reason that developers have walked away from projects. Ms. Letson asked that there be maps at the meetings to indicate the parcels and buildings that are being discussed. Ms. Letson asked if the FMERA website has been updated with CVs, resumes and pictures of all of the members. Ms. Letson asked if FMERA has looked into AcuteCare's adult day care now being a drug rehab. Ms. Letson asked how the article in the Asbury Park Press regarding the PILOT program affects FMERA.

David Stein of Oceanport asked when the FMERA offices would be available for Oceanport to purchase as their new borough hall.

Carol Seely of Oceanport asked if the public can be made aware of what businesses will be purchasing the buildings and what their reuse will be before closing on the property. Ms. Seely stated that the Oceanport residents were not made aware until after the fact that the adult day care at the clinic was now a drug rehab facility. Ms. Seely asked if a compromise can be made with the Board and Oceanport taxpaying residents to know what is being considered for reuse.

Tom Mahedy of Wall Township asserted that the criteria for the Staff Advisory Committee were created to prevent him from being on the Environmental Committee. Mr. Mahedy asked if the Ethics Liaison and OPRA records custodian were in attendance at the meeting and stated that they should be present at all meetings. Mr. Mahedy stated that he is not in favor of war profiteering companies on the Fort. Mr. Mahedy asked what tax breaks Aaski and CommVault are getting. Mr. Mahedy asserted the Real Estate Committee makes all the decisions and does not represent the public.

Mr. Steadman answered Ms. Letson by stating the Army early on dictated to FMERA that the first transfer of property would include the Tinton Falls portion of the Fort, and approximately half of the Eatontown portion of the Fort (totaling 563 acres). FMERA received title of the 563 acres in May 2014 and therefore was able to market this property first. The 70-80%, referred to by Mayor Turning, also includes property for which an RFOTP has been issued. FMERA has issued many RFOTPs for Fort land within the balance of Eatontown and Oceanport but because FMERA does not have title for this second transfer from the Army, they cannot close on the property with prospective buyers as of yet. Mr. Steadman answered Ms. Letson by stating that developers and investors tell FMERA that residential projects generally will take longer to close on than closing on commercial property. This is apparently true throughout the State. Mr. Steadman stated the delays are also due to the site plan approvals and the related iterations associated with required site plan changes dictated by the

to the site plan approvals and the related iterations associated with required site plan changes dictated by the various planning boards. He indicated that he is not aware of any developers that have walked away from prospective projects here at the Fort due to a concern over how long it would take to get to closing. Mr. Steadman stated that FMERA will have the bios on the FMERA website in the next few weeks.

Mr. Steadman stated that FMERA is not aware of any deception by AcuteCare with regards to their performance in the purchase and redevelopment of the former Clinic Parcel. In fact, based on a review of the RFOTP, their proposal, the PSARA, deed, and other related documents, AcuteCare has performed in the manner and schedule that they committed to, and has invested approximately \$5 million in the renovation of a substantial portion of the former hospital building. Mr. Steadman stated that any further discussion of this point is an issue for the Oceanport Planning Board.

Mr. Steadman answered Mr. Stein by stating that FMERA plans to put itself out of business in the next 12-15 years and it is FMERA's expectation to own the building, as it is currently being leased from the Army, and to sell it in the future.

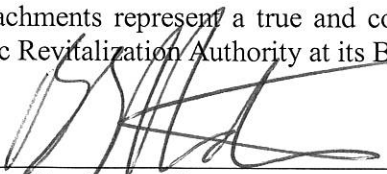
Mr. Steadman answered Ms. Seely by stating that it is FMERA's obligation to uphold the Reuse Plan. If there are any changes to the Reuse Plan, then a plan change amendment must go before the Board for approval. Upon Board approval, the plan change amendment is made public for the 45 day comment period. Mr. Steadman stated that HovWest Land Acquisition did not withdraw from Howard Commons due to the long delays in the process, but because during their due diligence, they discovered there were ground water issues that did not allow for basements on the property, which was in their site plan. Mr. Steadman further stated that he is not aware of any developer who did not want to do business with FMERA because of possible delays in closing.

Dave Nuse answered Mr. Mahedy's question regarding the tax breaks for Aaski by stating that they were approved for tax incentives by the NJEDA Board which is public information. Mr. Nuse stated that CommVault was approved for the Business Employment Incentives Program (BEIP) and the Business Retention and Growth Grant Program (BRAGG) and the awards are on the NJEDA website.

Mr. Steadman stated that the names of the Record Custodian and the OPRA Liaison are public information and are listed in the Board resolution.

There being no further business, on a motion by Lillian Burry seconded by Robert Lucky and unanimously approved by all voting members present, the meeting was adjourned at 8:17p.m.

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



Bruce Steadman - Secretary

**ADOPTED**  
**September 16, 2015**

Resolution Regarding the  
**Appointment of Two Directors of the Fort Monmouth Office to be Assistant Secretaries,  
Reaffirmation of OPRA Records Custodian and Ethics Liaison, and Approval of  
October 201 – September 2016 Meeting Dates**

**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 Authority’s By-Laws provide that an annual reorganization meeting be held in September of each year.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the designation of the Director of Facilities Planning of the Fort Monmouth Office as Assistant Secretary.
2. The Authority affirms the appointment of Marcus Saldutti as OPRA Records Custodian and the appointment of Fred Cole as Ethics Liaison Officer.
3. The Authority approves the October 2015 – September 2016 Meeting Dates attached hereto.
4. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT  
Dated: September 16, 2015

**EXHIBIT 1**

**ADOPTED**  
**September 16, 2015**

Resolution Regarding  
**Staff Advisory Committee Membership Criteria**

**WHEREAS**, the Authority has established four staff advisory committees: Environmental, Historical Preservation, Housing and Veterans; and

**WHEREAS**, these Committees (“Staff Advisory Committees” or “SAC”) were established to assist FMERA, such as by providing advice to FMERA staff on how best to move Fort Monmouth’s redevelopment effort forward within the context of their area of expertise; and

**WHEREAS**, while the SACs provide important insight and information to the staff for the benefit of the staff as it manages the issues associated with the redevelopment of the Fort property, there is no formal action taken at SAC meetings; and

**WHEREAS**, each SAC is chaired by a FMERA board member; however, the selection of the Historic Preservation SAC chair is deferred to allow time for the nomination and confirmation of a public member to the currently vacant position; and

**WHEREAS**, FMERA staff developed SAC membership criteria in 2012, which helped to standardize and focus experience and expertise requirements for prospective SAC members; and

**WHEREAS**, the objective is to ensure that FMERA has a knowledgeable and balanced SAC membership, capable of providing timely and sound advice to FMERA regarding the subject matter of the Committee.

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached Board memorandum, the Authority reaffirms the Staff Advisory Committee (SAC) membership criteria attached to the Board memorandum, selects the identified committee chairs, and authorizes the FMERA Executive Director and the SAC Chairs to fill the membership of each Committee accordingly, which membership shall be at the pleasure of the Board.

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: September 16, 2015

**EXHIBIT 2**

**ADOPTED**  
**September 16, 2015**

Resolution Regarding  
**Authorization for FMERA to Enter into a Purchase and Sale Agreement and  
Redevelopment Agreement with Lennar for Parcels C and C1**

**WHEREAS**, on March 26, 2013, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for Parcel C with a response date of June 10, 2013, and a RFOTP for Parcel C1 with a response date of June 10, 2013; and

**WHEREAS**, Parcel C is a 40-acre lot in the Tinton Falls Reuse Area that formerly contained enlisted family housing and currently contains one building, the former Post Chapel, built in 1942 and slated for demolition; and

**WHEREAS**, Parcel C1 is a 12-acre tract located in the Tinton Falls Reuse Area, containing three buildings, which are slated for demolition; and

**WHEREAS**, Lennar Corporation (Lennar) received the highest score for their proposal for Parcel C and the highest score for their proposal for Parcel C1, and Lennar also submitted the highest price proposals for both Parcel C and C1, and subsequent to the Board's action authorizing exclusive negotiations with Lennar, the other two bidders elected to withdraw their proposals; and

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

**WHEREAS**, the terms of the proposed PSARA include Lennar's payment of \$12 million for Parcel C and \$3.2 million for Parcel C1; closing will occur within 30 days of satisfaction of the conditions precedent, which include Lennar 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, the Army's conveyance of two environmental carve-out areas free of any environmental restrictions, and an amendment to the Reuse Plan to accommodate the project; and

**WHEREAS**, the project will consist of the development of approximately 243 residential units and 58,000 square feet of retail and other non-residential uses on Parcel C and approximately 45 single-family detached homes on Parcel C1, with twenty percent of the 288 total residential units reserved for affordable housing, located on Parcel C; and

**WHEREAS**, FMERA or the Affordable Housing Alliance will have an option to purchase 20 housing units from Lennar to satisfy FMERA's obligation under a legally binding agreement with the Affordable Housing Alliance; and



**WHEREAS**, Lennar will be required to commence construction no later than 60 days after closing and complete construction within five years, with the right to extend construction to eight years if diligently pursuing the completion of the project; 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 US Home Corporation, a wholly owned subsidiary of Lennar Corporation, as the purchaser of Parcel C and Parcel C1 in Tinton Falls pursuant to the March 26, 2013 Requests for Offers to Purchase, on terms substantially consistent to those set forth in the attached memorandum and the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA) and with final terms acceptable to the Executive Director and the Attorney General's Office, and authorizes the Executive Director to execute the PSARA and take any necessary actions to effectuate the selection of US Home Corporation as the purchaser of Parcels C and C1.

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: September 16, 2015

**EXHIBIT 3**

**ADOPTED**  
**September 16, 2015**

Resolution Regarding  
**Authorization for FMERA to Enter into a Purchase and Sale Agreement and  
Redevelopment Agreement with RADAR for Building 2525 and Associated Property**

**WHEREAS**, on February 13, 2015, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for Buildings 2525 and associated property with a response date of March 30, 2015; and

**WHEREAS**, the property includes Building 2525 and 2535, and a 250,000 gallon elevated water storage tank, on an approximately 12.25 acre parcel in the Tinton Falls Reuse Area; and

**WHEREAS**, the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) contemplated the reuse of Building 2525 for office/tech/R&D space, and the demolition of Building 2535 and the water storage tank; and

**WHEREAS**, FMERA received one proposal from RADAR Properties, LLC (RADAR) and the evaluation committee agreed that the proposal submitted was compliant with the RFOTP; and

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

**WHEREAS**, the terms of the proposed PSARA include RADAR's payment of \$1.845 million for the property; closing will occur within 30 days of satisfaction of the conditions precedent, which include RADAR completing due diligence and obtaining all approvals necessary to develop the project, receipt of a final remediation document from either the New Jersey Department of Environmental Protection or the purchaser's Licensed Site Remediation Professional and consent from the NJEDA Board of RADAR as redeveloper; and

**WHEREAS**, the project will consist of the lease of approximately 30,000 square feet of Building 2525 to Aaski Technology, Inc. (Aaski), a defense contractor and communications engineering firm currently located in Eatontown and Ocean Township, New Jersey, and Aberdeen, Maryland, that will enable Aaski to retain its Monmouth County jobs rather than consolidate them at Aberdeen, and with the potential accommodation of Aaski's future growth and the leasing of excess space to other technology companies; 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, based on a Floor Price established by appraisal; and

**WHEREAS**, RADAR's final offer price was less than the \$2.84 million Floor

Price and FMERA staff and the Army have agreed that the Army will receive all net sales proceeds in order to accommodate the transaction, as the redevelopment of the building meets FMERA's small business, tech attraction and business retention objectives; 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 RADAR Properties as the purchaser of Building 2525 and associated property in Tinton Falls pursuant to the February 13, 2015 Requests for Offers to Purchase, on terms substantially consistent to those set forth in the attached memorandum and the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA) and with final terms acceptable to the Executive Director and the Attorney General's Office, and authorizes the Executive Director to execute the PSARA and take any necessary actions to effectuate the selection of RADAR Properties as the purchaser of Building 2525 and associated property.

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

Dated: September 16, 2015

**EXHIBIT 4**