

TO: Members of the Board

FROM: Bruce Steadman
Executive Director and Secretary

DATE: August 17, 2016

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 the Phase 2 Economic Development Conveyance (EDC)
 - 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. **Board Actions**

- a. Consideration of Approval of Plan Amendment #7 Permitting Additional Development Scenario in Oceanport
- b. Consideration of Approval of Amended Administrative Letter for Emergency Homeless Shelter
- c. Consideration of Approval of Deed of Roadway Dedication to Tinton Falls for Heliport Drive
- d. Consideration of Approval of Purchase and Sale Agreement & Redevelopment Agreement for Dance Hall in Oceanport
- e. Consideration of Approval of Pre-qualified Pool of Real Estate Appraisal Firms

12. **Other Items**

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

- Responses to questions submitted online or in writing

14. **Adjournment**

**Fort Monmouth Economic Revitalization Authority
Board Meeting
July 20, 2016
FMERA Offices, 502 Brewer Avenue, Oceanport, NJ**

MINUTES OF THE MEETING

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
- Gary Baldwin – Tinton Falls Councilman – V
- John Patti – Oceanport Councilman – V
- Dennis Connelly – Mayor of Eatontown – V
- Tim Lizura – President & Chief Operating Officer, NJ Economic Development Authority – V
- Gina Fischetti, Chief Counsel, Local Planning Services, NJ Department of Community Affairs
- David Kuhn, Assistant Commissioner of Capital Investment Planning & Grant Administration, NJ Department of Transportation
- John Raue, Senior Policy Advisor to the Commissioner, NJ Department of Labor & Workforce Development

V – Denotes Voting Member

Members not present:

- Kenneth J. Kloof, Director, Site Remediation Program, NJ Department of Environmental Protection

Also present:

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

The meeting was called to order by Chairman James V. Gorman at 7:02p.m.who led the meeting in the Pledge of Allegiance to the flag of the United States of America.

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

The first item of business was the approval of the June 15th regular 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: 8

The next item of business was the approval of the June 15th Executive Session meeting minutes. A motion was made to approve the minutes by Lillian Burry and seconded by John Patti.
AYes: 8

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 as a member of the Board for the last 5 years, he has been very appreciative of the excellent and collaborative efforts of the elected officials of the Boroughs of Eatontown, Oceanport, and Tinton Falls as well as the County of Monmouth for focusing and working together to achieve FMERA's primary mission, the rapid redevelopment of Fort Monmouth for the economic benefit of the local communities. Mr. Gorman stated that time after time partisan politics was put aside to achieve results for the greater good. Mr. Gorman thanked all of them for their service.

Mr. Gorman further stated that the County of Monmouth has provided significant support to FMERA in their efforts to purchase the Main Post from the Army by providing an attractive means of financing the purchase. Mr. Gorman extended his personal thanks to Freeholder Lillian Burry and to Monmouth County Freeholder Director Tom Arnone and all of the County Freeholders for their strong and unwavering support. Mr. Gorman stated that FMERA will work with the County of Monmouth to open the principle thoroughfare on the Main Post, Avenue of Memories, for public use within the coming months. This redevelopment effort will improve traffic convenience for the citizens of the local communities from Route 35 in Eatontown to Oceanport Avenue in Oceanport. The thoroughfare will also provide citizens with a window to the redevelopment efforts at Fort Monmouth. Mr. Gorman again thanked the County of Monmouth for their continued support and assistance for this important redevelopment work.

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 proved 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 six board actions: 1) Consideration of Approval of Plan Amendment #6 permitting additional development scenario in Oceanport; 2) Consideration of Approval of a Memorandum of Understanding with NJ Economic Development Authority for Parcel F-1 in Tinton Falls; 3) Consideration of Approval of Deed of Roadway Dedication to County of Monmouth for Avenue of Memories a/k/a County Route 537 extension; 4) Consideration of Approval of a Purchase and Sale Agreement & Redevelopment Agreement for the Motor Pool in Eatontown; 5) Consideration of Approval for Legally Binding Agreement, Administrative Letter and Purchase and Sale Agreement & Redevelopment Agreement for Emergency Homeless Shelter in Oceanport; and 6) Consideration of Approval to adopt a Reimbursement Resolution to Potential Financing of FMERA's Purchase of the Phase 2 Properties.

The Chairman went on to state that there will be two public comment periods at the meeting based on the Authority's public meetings protocol, 3 minutes per speaker for the first, 5 minutes per speaker for the second. 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.

SECRETARY'S REPORT

Mr. Steadman introduced David Kuhn of the Department of Transportation. Mr. Kuhn is the Assistant Commissioner of Capital Investment, Planning and Grant Administration. Mr. Kuhn is responsible for transportation planning and investment of NJDOT's capital funds, administering federal and state multimodal transportation grants, and overseeing NJDOT's safety program. Mr. Kuhn has been with the NJDOT for 28 years, working in various parts of the organization and is a licensed engineer and a graduate of the University of Delaware.

Mr. Steadman stated that FMERA's annual meeting will be on September 21st.

TREASURER'S REPORT

Jennifer Lepore, Senior Finance Officer stated that the Authority has submitted a Grant Application to the Office of Economic Adjustment (OEA) in support of the Authority's operations. This grant represents the final year of funding from OEA. No word has been received yet from OEA on this application.

The second quarter ended on June 30th and FMERA staff has begun preparing the financial and operational summary for the first half of 2016. Staff will be meeting to review the first six months of 2016 and assess the performance against the 2016 organization goals. FMERA staff will present the financial and operational summary report to the Audit Committee at their next meeting.

FMERA staff and counsel participated in meetings and conference calls over the past month with representatives of the County of Monmouth and the Monmouth County Improvement Authority regarding FMERA's requested financing of the Phase 2 EDC purchase from the Army. Staff will be presenting a reimbursement resolution for the Board's consideration at tonight's meeting. The balance of the financing documents are currently in preparation, and staff plans to seek Board approval for those items at the August meeting.

PUBLIC COMMENT REGARDING BOARD ACTION ITEMS (3 minutes re: Agenda Items)

Tom Mahedy of Wall Township stated that he was absolutely opposed to the Board Action regarding Parcel F-1 and the Myer Center. Mr. Mahedy asserted that the demolition of the Myer Center will harm the children at the Monmouth County Teen Center and the other surrounding parcels and tenants from toxic dust at the Myer Center. Mr. Mahedy asked what is being done to prevent the contamination from the demolition of the Myer Center to the surrounding areas. Mr. Mahedy asked why the citizens of New Jersey and Monmouth County have not been asked if they are in favor of the demolition.

Mr. Steadman stated that the Myer Center does not have any economic viability. FMERA has issued an RFOTP for Parcel F-1 with no responses. Mr. Steadman stated that in order for the property to have value and to generate jobs to the area it is important for both FMERA and Tinton Falls to work with the NJEDA to demolish the building which will add substantial value to New Jersey, Monmouth County and Tinton Falls. Mr. Steadman said that NJEDA will be retaining an engineering firm to prepare a full demolition plan, which will take into account aspects of the demolition, such as noise, traffic, safety, environmental concerns, and other aspects; and that this plan would have to be implemented by the demolition contractor.

John Patti, representing Mayor Coffey, asked if policing of Rt. 537/Avenue of Memories, was being worked on. Mr. Steadman responded yes, that it was one of the many logistical issues being discussed with the County, regarding the opening of the street.

EXECUTIVE DIRECTOR'S REPORT

Rick Harrison, Director of Facilities Planning stated that FMERA continues to have weekly conference calls with all of the involved Army parties. The Memorandum of Agreement (MOA) and Economic Development Conveyance (EDC) Agreement have been approved by the Army. FMERA expects to sign them at closing in the next 60-90 days. The Finding of Suitability to Transfer (FOST) still remains to be finalized. The public comment period for the Phase 2 FOST, the Army's environmental history document, closed at the end of May and the Army is responding to FMERA's comments. FMERA is currently reviewing those responses.

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

Auctioneer

- FMERA auctioned the GeoProbe vehicle on July 13th. There were 5 bidders and the winning bid was for \$15,000. FMERA is planning on some large auctions in the fall once the Phase 2 property transfers. In the meantime The Auctioneer's Group will be inventorying and prepping the Phase 2 buildings for the fall auctions.

Utilities

- FMERA continues to plan for upgrades to utility systems, and to work with the public utilities and our subcontractors to ensure required utilities are safe and operational.
- The Oceanport Engineer, under an MOU with the Borough, is completing work on a water main extension to accommodate the historic district development, the fitness center, FMERA offices and additional pending sales in the area surrounding the historic district.
- FMERA is also discussing roadways, public rights of way and easements with the three Boroughs and the County of Monmouth.
- The transfer agreement for the Charles Wood Electrical system to JCP&L was approved at the April board meeting and is being executed. This agreement will also serve as a template for a Phase 2 electrical agreement which is currently under discussion.
- FMERA is also working toward an MOU with Two Rivers Water Reclamation Authority to define the terms and responsibilities for the future maintenance and operation of the existing sanitary sewer system and the transition to a proposed new system serving the Oceanport area of the Fort.

Suneagles Golf Course

- LINX Golf Management, FMERA's operator, reports – "The 2nd quarter has seen a decrease in rounds by approximately 1,500 compared to last year. Much of this is directly attributed to the poor weather conditions on several weekends. The weather has been good lately and course conditions have improved from last year. The greens are as healthy as we have seen them and crab grass issues have been resolved. We have secured two summer leagues and a couple of outings new to Suneagles. The course has been in superb condition. With course conditions being as good as they are with a little luck and nice weather we are hoping for a strong 2nd half." Suneagles also reported that Suneagles was featured in the Spring edition of the New Jersey State Golf Association magazine and this past week they were interviewed for the fall edition of Golfing Magazine. For the second year in a row, Suneagles was voted one of the best public golf courses by Monmouth Health & Life Magazine.

Property Management/Maintenance

- Our property management/maintenance team, Chenega Operations Services and the Army Caretaker have been busy keeping the property presentable and secure, and monitoring buildings and properties for current marketing purposes. The recent summer storms have kept them busy checking and clearing roof and floor drains, storm sewer basins, and making minor repairs due to storm related damage. FMERA is also preparing for the transition to maintaining the Phase 2 property when transferred to FMERA. Thank you to the County Highway District, the Oceanport DPW, the Eatontown DPW and the Tinton Falls DPW for their help and support.

Marina

- The Marina operator reports: "More and more people are coming and taking advantage of Happy Hour daily from 4:00 to 6:30 PM, Sunday Brunch and Daily Lunch. We will continue to provide Sunday afternoon entertainment throughout the summer, along with some Friday and/or Saturday night music to dance by." They also report that they have passed all of their final construction inspections, and received a full & complete Certificate of Occupancy.

Appraiser Request for Qualifications

- FMERA issued a Request for Qualifications (RFQ) for Real Estate Appraisal Services on March 8th. Through this RFQ, the Authority sought to establish a pre-qualified pool of five (5) to ten (10) qualified

firms to provide these services on an as needed basis. The responses were due on April 15th, and 10 responses were received. Staff is in the process of evaluating these for compliance and scoring.

Dave Nuse, Director of Real Estate Development gave the following town-by-town summary of the status of redevelopment projects.

Update on RFOTPs

The following is a town-by-town summary of the status of redevelopment projects on the Fort:

In Oceanport, FMERA has executed contracts on 3 parcels:

- Officer Housing, consisting of 117 historic housing units, where RPM Development is the selected purchaser;
- The Fitness Center, where FM Partners, LLC, is proposing to renovate and expand the facility;
- And Russel Hall, the 40,000 square-foot former Garrison Headquarters building, to TetherView Property Management, LLC, a private cloud computing services company from New York.

FMERA is in negotiations for the sale and redevelopment of the following 3 properties:

- The Nurses Quarters, a 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital;
- The Dance Hall, the 16,000 square-foot recreation building on Brewer Avenue, which is projected for commercial reuse;
- And the Marina, currently approved for exclusive negotiations with AP Development Partners, LLC, for use as a marina and restaurant.

FMERA issued an RFOTP for the Squier Hall Complex on April 29th, a 31 acre site in the Oceanport Reuse Area. The Reuse Plan calls for office/research, institutional/civic (including educational) and/or open space/recreation uses. The future developer will be required to retain Squier Hall, which is listed on the National Register of Historic Places. Responses were due on June 27th and one response was received. Staff is in the process of evaluating the proposal.

FMERA staff has received Board approval to issue RFOTPs for several other properties in Oceanport, including Barker Circle, Allison Hall, the Main Post Chapel and the Lodging Area. Those four RFOTPs are slated to be issued this summer.

In Eatontown, FMERA is in negotiations for the sale and redevelopment of 2 properties:

- Howard Commons on Pinebrook Road, zoned for up to 275 homes and up to 15,000 square feet of retail space, where FMERA is in negotiations with the lead proposer;
- And Parcel B, an 89 acre site along Route 35 zoned for a mixed-use town center to include approximately 250,000 square feet of retail space and 302 housing units, where Fort Monmouth Parcel B Redevelopment, LLC, has been approved for exclusive negotiations.

FMERA issued an RFOTP for 6 former barracks buildings on Semaphore Avenue in Eatontown on July 1. FMERA is seeking proposals to use the approximately 4.4-acre parcel for a use consistent with the Reuse Plan, namely open space, or for an alternate use which includes the reuse of Buildings 1102 through 1107 for a cultural center that promotes the arts, music, entertainment or a museum, including up to 12 units of artist short-term residential space, or for a non-residential arts-based use. The potential purchaser and any subsequent owners will be required to maintain the approximately 2 acre Soldiers Park as open space following transfer of title. Proposals are due on August 29th.

FMERA is also exploring options for the reissuance of an RFOTP for the Suneagles Golf Course.

In Tinton Falls, FMERA closed on two properties this year:

- Building 2525 was sold to RADAR Properties in February, which will lease the building to Aaski Technology and other tenants for technology and office uses;
- Child Development Center, sold to Trinity Hall in March, which will relocate the all girls high school to the site for the upcoming school year.

FMERA has executed contracts on another five projects in Tinton Falls:

- Parcels C and C1, where Lennar Corporation plans to build 288 residential units along with up to 58,000 square feet of retail development;
- The Fabrications Shops (Pinebrook Road Commerce Center), 45,000 square feet of light industrial and flex office space buildings along Pinebrook Road that will be redeveloped by Pinebrook Commerce Center, LLC;
- The Pistol Range and Satellite Road Parcel, under contract to Kiely Realty Group for the reuse and expansion of the former Pistol Range, and additional commercial uses on the combined approximately 5 acre parcel;
- The Recreation Center and Swimming Pool, under contract to the Monmouth County Park System, which is currently open to the public through a lease with the County;
- And Parcel F-3, the former gas station and convenience store along Hope Road, which the Monmouth County Park System will utilize in conjunction with the adjacent Rec Center, to expand services and provide additional amenities.

FMERA issued an RFOTP for the Charles Wood Fire Station on May 6th, an approximately 4 acre parcel along Corregidor Road. FMERA sought proposals to either reuse the Fire Station for a civic/institutional use, or for an adaptive reuse of the building for commercial/retail uses. Proposals were due on July 8th and 5 proposals were received.

FMERA has also received Board approval to issue an RFOTP for Parcel F-2 located just north of the Pistol Range in Tinton Falls.

Copies of our RFOTPs are posted under the Bidding Opportunities tab on the FMERA website, www.fortmonmouthnj.com.

Regarding the Marketing of the Fort,

FMERA staff expects to issue approximately 6 Requests for Offers to Purchase this summer and fall (4 in Oceanport, and 1 each in Eatontown and Tinton Falls), and will be posting new information on available sites on our website in the coming weeks. FMERA and our Master Broker, Cushman & Wakefield, conduct on average four meetings and tours per week with prospective purchasers and tenants, and interest in the Fort remains strong.

FMERA staff actively markets the Fort to the real estate industry by participating in conferences and events throughout the region. Members of the Real Estate Department made a presentation to the Monmouth County Chapter of the Alliance for Action on July 18, and we are beginning to make plans for the Governor's Housing and Economic Development Conference in September.

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

Bruce Steadman conveyed his thanks to Freeholder Lillian Burry, representing the County and all those who have been involved with the Phase 2 financing from the County and the MCIA, for their help and support in preparing the many documents associated with the Phase 2 financing.

Mr. Steadman thanked the three boroughs, and specifically the Borough Engineers and the three DPWs for their work and cooperation on streets and utilities; and specifically mentioned the good support received from JCP&L and New Jersey American Water.

Mr. Steadman listed the following action items:

- 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

COMMITTEE REPORTS

a) AUDIT COMMITTEE (ROBERT LUCKY, CHAIRMAN)

Robert Lucky stated that the Committee met on July 14th and discussed the following:

- Discussion regarding the Phase 2 financing with the Monmouth County Improvement Authority including the terms, conditions and provisions associated with the loan agreement. The Committee reviewed the Reimbursement Resolution. The Committee reached a consensus and agreed to recommend to the Board approval of the Reimbursement Resolution.
- Discussion regarding FMERA's cash flow and current budget.
- Discussion regarding FMERA's Legally Binding Agreements and Homeless Obligations.

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

Chairman Gorman stated that the Committee met on July 12th and discussed the following:

- Discussion regarding Plan Amendment #6 which encompasses 16 acres of property in the Oceanport Reuse area with plans for permitting the relocation of the Oceanport Municipal Complex along Murphy Drive and the County homeless shelter where the County will construct an emergency homeless shelter. The Committee reached a consensus and agreed to recommend final approval of the proposed plan amendment #6.
- Discussion regarding the terms of the proposed Memorandum of Understanding with NJEDA related to demolition engineering proposals for the Myer Center in Tinton Falls to permit a more rapid redevelopment of the parcel. The Committee reached a consensus and agreed to recommend final approval of the MOU.
- Discussion regarding the extension of FMERA's Master Broker, Cushman & Wakefield's contract. The Committee agreed to extend a short extension of the contract.
- Discussion regarding the Phase 2 financing terms including the Reimbursement Resolution with the Monmouth County Improvement Authority (MCIA). The resolution allows the MCIA to use bond proceeds to reimburse FMERA for costs incurred by FMERA and associated with issuance of the financing. The Committee reached a consensus and agreed to recommend approval of the Reimbursement Resolution.
- Discussion regarding the conveyance of Avenue of Memories to the County via a Deed of Roadway Dedication. Conveyance of the road will permit better public knowledge of the redevelopment activities at the Fort. The Committee and the County are in strong support of this initiative while recognizing that there are a number of steps that need to occur to facilitate the opening of the road. The Committee reached a consensus and agreed to recommend approval of the Deed of Roadway Dedication.
- Discussion regarding the PSARA for the Motor Pool in Eatontown as a Local Beneficial Use (LBU) to the County. The Committee reached a consensus and agreed to recommend final approval of the PSARA.

- Discussion regarding the PSARA for the emergency homeless shelter in Oceanport to the County. The Committee reached a consensus and agreed to recommend final approval of the PSARA.
- Other Items Discussed
 - Eatontown Area in need Designation
 - Parcel B
 - Squier Hall
 - Parcel F-2
 - Parcels C & C1
 - Parcel F-1
 - Oceanport Lodging Area

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

Bruce Steadman, on behalf of Kenneth J. Kloo stated that the Committee did not meet this month. The Committee is scheduled to meet on August 8th.

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

Bruce Steadman stated that the Committee did not meet this month. The Committee will be meeting in August upon completion of the Mandatory Conceptual Review (MCR) for a soon-to-be-developed parcel.

e) HOUSING STAFF ADVISORY COMMITTEE (GINA FISCHETTI, CHAIRPERSON)

Gina Fischetti stated that the Committee met on June 23rd and discussed the following:

- Discussion regarding the status of the Phase 2 Memorandum of Agreement between FMERA and the Army.
- Discussion regarding Parcels C & C1. FMERA has an executed a PSARA with Lennar Corporation. Lennar has begun their due diligence. Parcel C will be developed to accommodate up to 239 residential units and Parcel C1 up to 49 residential units. Both Parcels will contain 20% affordable housing
- Discussion regarding Parcel B. FMERA continues the exclusive negotiations with Fort Monmouth Parcel B Redevelopment, LLC. Parcel B will include retail and/or commercial development on the parcel with the number of housing units at 302, with 20% affordable.
- Discussion regarding Suneagles Golf Course. FMERA is exploring alternate options for the reissuance of a new RFOTP.
- Discussion regarding Howard Commons. FMERA has begun discussions with the lead developer. FMERA and the Eatontown Ad Hoc Committee have reviewed the site plan and are in agreement. One issue regarding the flood plan and adjacent wetlands may affect the number of housing units.
- Discussion regarding the Nurses Quarters. The buildings will be developed as 24 one and two bedroom apartments with 20% affordable. The leading proposer submitted three scenarios and FMERA discussed with the Oceanport Ad Hoc Committee. FMERA will begin discussions with the leading proposer in the coming weeks.
- Other Discussion Items:
 - Officers Housing
 - Upcoming RFOTPs – Barkers Circle, Lodging Area, Allison Hall and the six former Barracks buildings in Eatontown.

f) VETERANS STAFF ADVISORY COMMITTEE (FREEHOLDER LILLIAN BURRY, CHAIRPERSON)

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

BOARD ACTIONS

A) The first item before the Board was the consideration of approval of Plan Amendment #6 permitting an additional development scenario in Oceanport.

Candice Valente read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 1.

A motion was made by Lillian Burry and was seconded by John Patti.

Bruce Steadman conducted a roll call vote.

NAME	YES	NO	ABSTAIN
James V. Gorman	X		
Michael Collins	X		
Lillian Burry	X		
Robert Lucky	X		
Gary Baldwin	X		
John Patti	X		
Dennis Connelly	X		
Tim Lizura	X		

Motion to Approve: LILLIAN BURRY Second: JOHN PATTI
AYes: 8

B) The second item before the Board was the consideration of approval of a Memorandum of Understanding with NJ Economic Development Authority for Parcel F-1 in Tinton Falls.

Candice Valente read a summary of the Board memo.

The resolution is attached hereto and marked as Exhibit 2.

A motion was made by Tim Lizura and was seconded by Lillian Burry

Tim Lizura stated that the NJEDA Board unanimously approved a resolution at their July meeting.

Motion to Approve: TIM LIZURA Second: LILLIAN BURRY
AYes: 8

C) The third item before the Board was the consideration of Deed of Roadway Dedication to County of Monmouth for Avenue of Memories a/k/a County Route 537 extension.

Candice Valente read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 3.

A motion was made by Robert Lucky and was seconded by Dennis Connelly

Motion to Approve: ROBERT LUCKY Second: DENNIS CONNELLY
AYes: 8

D) The fourth item before the Board was the consideration of approval of a Purchase and Sale Agreement & Redevelopment Agreement for the Motor Pool in Eatontown.

Candice Valente read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 4.

A motion was made by Lillian Burry and was seconded by Dennis Connelly.

Motion to Approve: LILLIAN BURRY Second: DENNIS CONNELLY
AYes: 8

E) The fifth item before the Board was the consideration of approval of a Legally Binding Agreement, Administrative Letter and Purchase and Sale Agreement & Redevelopment Agreement for an Emergency Homeless Shelter in Oceanport.

Candice Valente read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 5.

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

Motion to Approve: LILLIAN BURRY Second: TIM LIZURA
AYes: 8

F) The sixth item before the Board was the consideration of approval to adopt a Reimbursement Resolution to Potential Financing for FMERA's Purchase of the Phase 2 Properties.

Candice Valente read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 6.

A motion was made by Tim Lizura and was seconded by Michael Collins.

Motion to Approve: TIM LIZURA Second: MICHAEL COLLINS
AYes: 8

OTHER ITEMS

There were no other items before the Board.

PUBLIC COMMENT REGARDING ANY FMERA BUSINESS (5 minutes re: any FMERA business)

Bob English of Eatontown asked how it was decided that the Myer Center was to be demolished, and were there other parcels considered such as Howard Commons and Parcel B. Mr. English asked that if proposed sales transactions for Howard Commons or Parcel B do not work out, would an EDA demolition project like the Myer Center be considered as an option. Mr. English asked if after the transfer of the property from the Army to FMERA would the minimum bid for Suneagles be reduced or increased.

Tom Mahedy of Wall Township asked what toxics will be dispersed if and when the Myer Center is demolished. Mr. Mahedy asked what is being done to notify the surrounding parcels regarding the demolition. Mr. Mahedy asserted that the stream located by the Teen Center and the Child Development Center is toxic. Mr. Mahedy stated that the State has not done the right thing in the past with regards to demolitions. Mr. Mahedy

complained about the Army Restoration Board (RAB) and that the Army does not want to have any more oversight regarding the Myer Center. Mr. Mahedy asked why FMERA has not conducted an investigation into the RAB. Mr. Mahedy asked if the Veterans will be placed on a 2 acre dump site.

Mr. Steadman answered Mr. English by stating that FMERA has had high interest by developers to acquire Howard Commons and Parcel B for redevelopment; and that FMERA has been actively marketing the Myer Center for many years with no bona fide interest. Mr. Steadman stated that due to the investments being made by CommVault, Lennar and other potential developers in the area, it became a critical item to demolish the Myer Center and bring many developmental and reuse options to the site and the area to enhance the general area around the CommVault and Lennar projects. He added that an EDA demolition plan was a last resort for the Myer Center, after other feasible options have been exhausted, and similarly would be a last resort for either the Parcel B or Howard Commons parcels.

Tim Lizura stated that the site is zoned for commercial development and the NJEDA's expertise is for commercial development as opposed to residential development. The NJEDA also does not want to compete with the private development community, and again is the last resort for this parcel.

Mr. Steadman answered Mr. English by stating that Suneagles is included in the Phase 1 properties and is not impacted by the Phase 2 financing with the County. FMERA and the Army are still partnered for the Phase 1 properties and therefore a minimum bid may still be required for Suneagles. This has not yet been decided. Mr. Steadman stated that the Phase 2 properties will not require a minimum bid to satisfy the Army, as in Phase 1, but that FMERA may include a minimum bid in future RFOTPs on a case by case basis.

Mr. Steadman answered Mr. Mahedy by stating that the NJEDA is issuing an RFP for an engineering firm to prepare plans, specifications, and scope of work for demolition engineering of the Myer Center. The plans will be used to obtain demolition bids from contractors. The demolition plan will address various aspects of a large demolition project, such as noise, traffic, safety, environmental considerations, communication of schedule to neighboring property owners, and/or other issues.

Mr. Steadman stated that Army data indicates the stream located near the Teen Center and Child Development Center is not toxic. Mr. Steadman stated that the RAB is an Army entity and FMERA has no involvement in its management.

Mr. Steadman stated that there will be an announcement at the August meeting regarding the Veterans project..

There being no further business, on a motion by John Patti seconded by Lillian Burry and unanimously approved by all voting members present, the meeting was adjourned at 8:22p.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
July 20, 2016

Resolution Regarding
Approval of Sixth Plan Amendment Permitting Alternative Development Scenario in
Oceanport

WHEREAS, the FMERA Act, P.L. 2010, c.51, in N.J.S.A. 52:27I-26(c), and the Land Use Rules, in 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 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 #6, prepared by the Authority's contracted professional planner Phillips Preiss Grygiel, encompasses two Fort Monmouth properties in the Oceanport Reuse Area, totaling approximately 16 acres and as described in the attached memorandum; and

WHEREAS, in accordance with the FMERA Act and the Land Use Rules, the Board approved transmitting the proposed Reuse Plan amendment #6 to the host municipalities at its April 20, 2016 meeting; and

WHEREAS, the 45-day comment period commenced on May 13, 2016; and

WHEREAS, the comment period expired on June 23, 2016 and correspondence was received from Tinton Falls, Eatontown and Oceanport; and

WHEREAS, FMERA staff reviewed the correspondence and provided responses to all comments to the Real Estate Committee; and

WHEREAS, the Real Estate Committee reviewed the Reuse Plan amendment #6 and the responses to the comments from the three host municipalities, and recommends adoption of amendment #6.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority adopts 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 #6 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario in the Oceanport 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: July 20, 2016

EXHIBIT 1

ADOPTED
July 20, 2016

Resolution Regarding
Approval of the Memorandum of Understanding between FMERA and EDA with Respect
to Parcel F-1 in Tinton Falls

WHEREAS, the Tinton Falls Reuse Area contains several prominent buildings, including Building 2700, the 673,540± gsf Myer Center, and Building 2705, the 43,230± gsf former Night Vision Lab, both of which are slated to be renovated for office, data center and/or research & development uses in the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan); and

WHEREAS, this 38± acre tract, known as Parcel F-1, is a Phase One property in FMERA's June 2012 Economic Development Conveyance Agreement with the Army and FMERA took ownership of Parcel F-1 from the Army in May 2014, with the exception of a 0.285 acre environmental carve-out area; and

WHEREAS, FMERA received no offers to the Request for Offers to Purchase (RFOTP) for Parcel F-1 issued in December 2014; and

WHEREAS, FMERA staff has encountered limited interest in the reuse of the existing buildings due to their size and age, which are a significant impediment to redevelopment, due to their poor condition and the scale of the required demolition; and

WHEREAS, the NJ Economic Development Authority has significant experience and expertise in undertaking redevelopment projects, FMERA's enabling legislation authorized FMERA to enter into designated redevelopment agreements with EDA for property within Fort Monmouth; and

WHEREAS, FMERA and EDA staff have negotiated the terms of a proposed Memorandum of Understanding (MOU) that establishes a process to identify the cost of environmental remediation and demolition; and

WHEREAS, EDA will first retain an engineering firm to prepare plans, specifications, and a scope of work for the demolition engineering and environmental remediation plans for the existing buildings, which will then be used to obtain remediation and demolition bids from contractors at prevailing wage rates via public bid process; and

WHEREAS, FMERA and the EDA will then complete negotiations for a Purchase and Sale Agreement and Redevelopment Agreement (PSARA) in which EDA may purchase Parcel F-1 and redevelop the property; and

WHEREAS, EDA will provide \$1 million to fund the plan preparation for the environmental remediation and demolition of the Myer Center, the Night Vision Lab and their out-buildings; and

WHEREAS, the Real Estate Committee has reviewed the MOU and

recommends approval by the Board;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Board authorizes entering into the memorandum of understanding between FMERA and the NJ EDA with respect to Parcel F-1 in 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: July 20, 2016

EXHIBIT 2

ADOPTED
July 20, 2016

Resolution Regarding
Conveyance of County Route 537 Extension to the County of Monmouth

WHEREAS, the Fort Monmouth Economic Revitalization Authority (FMERA) is working with the County of Monmouth to improve access to properties in the Main Post Area and the surrounding region; and

WHEREAS, County Road 537 Extension in Eatontown and Oceanport is currently included in the Fort Monmouth property expected to be transferred to FMERA from the U.S. Army through a Phase 2 Economic Development Conveyance Agreement; and

WHEREAS, the County has agreed to accept the Property, as well as the associated rights-of-way, in order to facilitate the redevelopment of the adjacent parcels and to improve access to the surrounding communities; and

WHEREAS, contingent on the receipt of title from the Army, FMERA will convey the Property in as-is, where-is condition via a Deed of Roadway Dedication (Deed) that has been reviewed and approved by the County; and

WHEREAS, prior to the County opening County Route 537 Extension or any portion thereof for public use, the County and staff will negotiate a Memorandum of Understanding (MOU) to address logistical details, and upon the conveyance of the Property the County will be responsible to maintain the roads and fire hydrant service along it and to provide street lighting; and

WHEREAS, title will be conveyed subject to easements for public utilities that have been installed under the roadway and within the proposed rights-of-way area to provide service to current property owners and future purchasers and developers of property along the streets comprising County Route 537 Extension; and

WHEREAS, the Real Estate Committee recommends that the Board approve the conveyance of the Property to the County and delegation to staff to negotiate and enter into a MOU with the County to address operational and logistical issues for opening County Route 537 Extension for public use;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Authority approves the conveyance to the County of Monmouth of County Route 537 Extension on terms substantially consistent to those set forth in the attached memorandum and the attached Deed and with final terms acceptable to 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. For the reasons expressed in the attached memorandum, the Authority approves delegating to staff authority to negotiate and enter into a Memorandum of Understanding with the County of Monmouth to address operational and logistical issues necessary to open County Route 537 Extension to the public in a safe and efficient manner.

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

Dated: July 20, 2016

EXHIBIT 3

ADOPTED
July 20, 2016

Resolution Regarding

(i) Purchase and Sale and Redevelopment Agreement for of the Motor Pool Area in Eatontown to County of Monmouth; (ii) entering into a new lease with the US Army for the property; and (iii) entering into a new sublease with the County for the Property

WHEREAS, the Motor Pool Area facilities include Buildings 750, 753, 754, 760 and 761 and their associated land areas on approximately 10.3 acres in Eatontown; and

WHEREAS, in September 2012 the FMERA Board approved a Sublease Agreement between FMERA and the County of Monmouth for the Motor Pool Area for use as a regional facility for the Highway Division of its Department of Public Works; and

WHEREAS, the sublease anticipated conveyance of the Property in exchange for services in-kind once the Property was transferred to FMERA; and

WHEREAS, subsequently the County of Monmouth has occupied the property and completed the following projects: installation of a radio tower; construction of a salt barn; installation of brine tanks and dispensing system, construction of a fuel dispensing station; building of berms and planting trees; removal of sub-grade furnish ash under the parking lot and repaving the parking lot; and

WHEREAS, in May, 2016 the FMERA Board approved Evaluation Scoring for Local Beneficial Use (LBU) Requests, and the County has requested that this conveyance be administered as a LBU transaction; and

WHEREAS, the scoring of the County's proposed use of the Property is 863 which entitles the County to the maximum discount of 40% resulting in a purchase price of \$626,400, discounted from the appraised value of \$1,040,000; and

WHEREAS, in anticipation of FMERA acquiring title to the Property the County of Monmouth and FMERA agreed to the terms of a Purchase and Sale Agreement and Redevelopment Agreement, which include the following: a purchase price of \$626,400; after closing the County shall, at the County's cost and expense, install infrastructure improvements and/or provide in-kind services requested by FMERA and for the benefit of FMERA's efforts to cause redevelopment and revitalization at Fort Monmouth, which include, but are not limited to: (i) repairing the Murphy Drive culvert, (ii) road improvements and repaving following installation of underground water and sewer infrastructure, (iii) landscaping and maintenance of recreational and passive open space, (iv) storm sewer maintenance and repair, and (v) excavation; and

WHEREAS, there are currently two Environmental Carve-out Parcels on the property undergoing remediation, and as a result there will be an Initial Closing of the Property

not within the Carve-out Parcels, a Second Closing for Carve-out Parcel 51 within 30 days of Army completing environmental investigations and remedial actions and conveying the Carve-out Parcel 51 to FMERA, and a Third Closing for the Environmental Carve-out Parcel 40B within 30 days of Army conveying the Environmental Carve-out Parcel 40B to FMERA; and

WHEREAS, FMERA will lease the Property from the Army and Sublease the Property to the County until such time as it can be transferred to FMERA and conveyed to the County; and

WHEREAS, the Real Estate Committee recommends that the Board approve the conveyance of the Motor Pool Area in Eatontown to the County via the attached Purchase and Sale Agreement and Redevelopment Agreement;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Authority approves the conveyance to the County of Monmouth of the Motor Pool Area in Eatontown and (i) the attached Purchase and Sale Agreement and Redevelopment Agreement, (ii) entering into a new lease with the U.S. Army for the Property, and (iii) entering into a new sublease with the County for the Property. 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: July 20, 2016

EXHIBIT 4

ADOPTED
July 20, 2016

Resolution Regarding
Approval of (i) Purchase and Sale Agreement and Redevelopment Agreement with County of Monmouth for 3-Acre Parcel in Oceanport; (ii) a Legally Binding Agreement (LBA) with the County of Monmouth for Homeless Provider Services; and (iii) an Administrative Letter supplementing certain general provisions of the LBA

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, FMERA initially presented an option for the reuse of Building 901 in the Oceanport Reuse Area which was operating with a license from the Army to the New Jersey National Guard until September 30, 2015, and the County ultimately rejected this site based on the cost of renovations; and

WHEREAS, FMERA identified another location across Murphy Drive from Building 901, totaling approximately 3 acres and including two buildings, Buildings 906 and 908, and the accompanying paved and parking areas, which are slated for demolition in the Reuse Plan, and the parcel is envisioned as open space; and

WHEREAS, in order to facilitate the County's planning and development of the 3-acre site, the Army granted use and occupancy of the property to the County using the Army's standard form of license, which allows the County to install temporary facilities on the site for immediate use; and

WHEREAS, FMERA and the County have negotiated final terms of an Administrative Letter (to supplement the LBA) and PSARA for the transfer and long-term use of the property to include the demolition of the two buildings and construction of a new homeless shelter facility; and

WHEREAS, subject to FMERA's acquisition of the property from the Army, the PSARA calls for FMERA to convey the 3-acre parcel on Murphy Drive to the County in exchange for \$1.00 plus the County's satisfaction of the covenants and obligations set forth in the LBA, as supplemented by the Administrative Letter, with additional terms as included in the attached PSARA; and

WHEREAS, FMERA and the County propose to enter into the attached LBA, which was a component of the HAS; and

WHEREAS, the attached Administrative Letter supplements the LBA by providing detail on FMERA's planned payments from its Homeless Trust in support of the development of the County homeless shelter; and

WHEREAS, the attached LBA, PSARA and Administrative Letter are in substantially final form, with final documents subject to the approval of FMERA's Executive Director and the Attorney General's Office; and

WHEREAS, the Real Estate Committee has reviewed the request and recommends that the Board authorize the PSARA between FMERA and the County, the LBA and Administrative Letter with respect to the County Homeless Shelter in Oceanport;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Board authorizes: (i) the execution of a Purchase and Sale Agreement and Redevelopment Agreement between FMERA and the County of Monmouth; (ii) a Legally Binding Agreement (LBA) with the County of Monmouth for Homeless Provider Services; and (iii) an Administrative Letter supplementing certain general provisions of the LBA. All documents are in substantially final form, with final terms 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: July 20, 2016

EXHIBIT 5

RESOLUTION NO. _____

FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY

A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY TO REIMBURSE ITSELF FROM THE PROCEEDS OF DEBT FOR CAPITAL EXPENDITURES AND COSTS OF ISSUANCE TEMPORARILY FUNDED FROM REVENUES OR OTHER SOURCES.

WHEREAS, the Fort Monmouth Economic Revitalization Authority ("Authority"), desires to undertake a project consisting of the purchase from the United States Army ("Army") of certain land and buildings owned by the Army and constituting Phase 2, located on the grounds of Fort Monmouth located in Monmouth County, New Jersey ("Project"); and

WHEREAS, the funds necessary to undertake the Project are expected to be loaned to the Authority by the Monmouth County Improvement Authority ("Monmouth Authority"), such funds to be obtained by the Monmouth Authority from the issuance of notes by the Monmouth Authority in an amount not to exceed \$35,000,000 ("Notes"); and

WHEREAS, the Authority intends to be reimbursed (i) for expenditures for the Project made not more than 60 days prior to the date of this Resolution, (ii) for expenditures pertaining to costs of issuance, (iii) for expenditures that do not exceed the lesser of \$100,000 or 5% of the portion of the proceeds of the issue used to finance the Project, or (iv) for expenditures that do not exceed 20% of the portion of the aggregate issue price of the bonds used to finance the Project which constitute preliminary expenditures within the meaning of Treas. Reg. § 1.150-2(f)(2); and

WHEREAS, the Authority intends that this Resolution be determined to be a declaration of official intent under Treas. Reg. § 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended ("Code").

NOW, THEREFORE, the Authority does resolve as follows:

Section 1. Declaration of Official Intent. The Authority hereby declares its intent:

(a) That the issuance of debt by the Monmouth Authority to be evidenced by the Notes is expected to be in an amount reasonably expected not to exceed \$35,000,000 in principal amount for the Project;

(b) That the Authority be reimbursed from the proceeds of debt (i) for expenditures paid for the Project not more than 60 days prior to the date of this Resolution; (ii) for expenditures pertaining to costs of issuance; (iii) for expenditures that do not exceed the lesser of \$100,000 or 5% of the proceeds of the debt issue; or (iv) for expenditures that do not

exceed 20% of the aggregate issue price of the debt issue which constitute preliminary expenditures within the meaning of Treas. Reg. § 1.150-2(f)(2);

(c) That this Resolution be determined to be a declaration of official intent under Treas. Reg. § 1.150-2 promulgated under the Code; and

(d) That the reimbursement allocation occur not later than 18 months after the later of (i) the date on which the original expenditure subject to Treas. Reg. § 1.150-2 is paid, (ii) the date on which the Project is placed in service or abandoned, but in no event more than three years after the original expenditure is paid, or (iii) the date otherwise permitted by the Code or Treasury Regulations promulgated thereunder.

Section 2. Effective Date. This Resolution shall take effect upon the earliest date permitted by law after adoption this 20th day of July, 2016.

**FORT MONMOUTH ECONOMIC
REVITALIZATION AUTHORITY**

By: _____
Chairman

ATTEST:

Secretary

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: August 17, 2016

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 Grant Application; 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. Second Quarter Financial and Operational Summary
With the close of the second quarter on June 30th, FMERA staff has prepared the financial and operational summary for the first half of 2016. Staff will present the financial and operational summary report to the Audit Committee at their next meeting in September.
3. Phase 2 Financing
FMERA staff and counsel participated in meetings and conference calls over the past month with representatives of the County of Monmouth and the Monmouth County Improvement Authority regarding FMERA's requested Phase 2 financing. A reimbursement resolution was approved by the Board at last month's meeting. The balance of the financing documents are currently in preparation, and staff plans to seek Board approval for those items at the September meeting. The New Jersey Local Finance Board provided positive findings on August 10, 2016 with respect to MCIA's note sale, and the Monmouth County Board of Chosen Freeholders introduced a resolution on August 11, 2016 guarantying the notes. The resolution will be considered for final adoption at the Freeholders' August 24, 2016 meeting.

Executive Director's Report

1. Update on Phase 2 Economic Development Conveyance (EDC)
FMERA and the Army have concluded discussions on the impending transfer of the balance of the Main Post, 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 (EDC) application on July 1, 2014, and it has been approved by the Army. At the April 2016 meeting of the Board, staff presented a substantially final form of the Phase 2 MOA, which the Board approved. The Army and FMERA are working toward a fall 2016 closing with the Army. The public comment period for the Phase 2 Finding of Suitability to Transfer (FOST), the Army's environmental history document, closed at the end of May, and the Army is in the process of preparing its responses to public comments received.

2. Update on RFPs and Contracts

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

Auctioneer

There was an auction of equipment at the Pulse Power Plant August 17, 2016. The Auctioneer's Group is planning on some large auctions in the fall once the Phase 2 property transfers. In the meantime The Auctioneer's Group is prepping and staging the Phase 2 buildings for the fall auctions.

Utilities

FMERA continues to plan for upgrades to utility systems, and to work with the public utilities and our subcontractors to ensure required utilities are safe and operational. The Oceanport Engineer under an MOU between the Borough and FMERA is completing work on design of a water main extension to accommodate the historic district development, the fitness center, FMERA offices and additional pending sales in the area surrounding the historic district. The draft plans should be delivered this week. FMERA is also discussing roadways, public rights of way and easements with the three Boroughs and the County of Monmouth. The transfer agreement for the Charles Wood Electrical system to JCP&L was approved at the April board meeting and is complete. This agreement will also serve as a template for a Phase 2 electrical agreement which is currently under discussion. FMERA is also working toward an MOU with Two Rivers Water Reclamation Authority to define the terms and responsibilities for the future maintenance and operation of the existing sanitary sewer system and the transition to a proposed new system serving the Oceanport area of the Fort.

Suneagles Golf Course

LINX Golf Management, FMERA's operator, reports –

“The weather continues to be the big story around the golf course. The cold and rainy spring followed up with a summer of extreme heat. To date, we are pacing approximately 2,000 rounds short of where we were a year ago. Despite play being down, the course is holding up extremely well. Conditions for this time of year are well above norms. We are proud to say that our crew has done an exceptional job dealing with the severe weather elements. We continue to hand water greens throughout the day to supplement auto irrigation. Applying wetting agents to greens and tees has also helped as well. Other measures have included weekly spray application of fertilizer and fungicides to greens, bi-weekly spraying on tees and monthly spraying on fairways. Additional areas of attention include bi-weekly verticutting greens and tee patching. We have scheduled an aggressive fall aerification program for the greens on September 21-23. Despite the challenges, feedback remains very positive. With the hope of good weather conditions for the remainder of the year, we remain optimistic that we can catch up on some lost rounds and finish strong.”

Property Management/Maintenance

Our property management/maintenance team, Chenega Operations Services and the Army Caretakers have been busy keeping our property presentable and secure, and monitoring buildings and properties for current marketing purposes. The recent summer storms have kept them busy checking and clearing roof and floor drains, storm sewer basins, and making minor repairs due to storm related damage. FMERA is also preparing for the transition of maintaining the Phase 2 property when transferred to FMERA. Thank you to the County Highway District, the Oceanport DPW, the Eatontown DPW and the Tinton Falls DPW for their help and support.

Marina

The Marina celebrated their first anniversary this past month with an all weekend Happy Hour. Business continues to grow and the boat rental business is becoming a popular service as well.

Appraiser Request for Qualifications

FMERA issued a Request for Qualifications (RFQ) for Real Estate Appraisal Services on March 8th. Through this RFQ, the Authority sought to establish a pre-qualified pool of five (5) to ten (10) qualified firms to provide these services on an as needed basis. The responses were due on April 15th, and 10 responses were received. Staff has evaluated these proposals and is recommending seven firms for approval by the Board at tonight's meeting.

3. Update on RFOTPs

The following is a town-by-town summary of the status of redevelopment projects.

In **Oceanport**, FMERA has executed contracts on 3 parcels:

- Officer Housing, consisting of 117 historic housing units, where RPM Development is the selected purchaser;
- Fitness Center, where FM Partners, LLC, is proposing to renovate and expand the facility;
- Russel Hall, the 40,000 square-foot former Garrison Headquarters building, to TetherView Property Management, LLC, a private cloud computing services company from New York.

FMERA will present a recommendation to approve a contract for the Dance Hall at tonight's meeting. The Dance Hall is a 16,000 square-foot former recreation building on Brewer Avenue, planned for commercial and retail uses, including entertainment and restaurant purposes.

FMERA is in negotiations for the sale and redevelopment of the following 3 properties:

- Nurses Quarters, a 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital;
- Marina, currently approved for exclusive negotiations with AP Development Partners, LLC, and contemplated for a marina/public boat ramp and restaurant.
- Squier Hall Complex, an approximately 31-acre site currently under negotiations with the sole bidder, that is slated for office/research, institutional/civic (including educational) and open space/recreation uses. The future developer will be required to retain Squier Hall, which is listed on the National Register of Historic Places. Sale of the parcel, and all Phase 2 parcels, is contingent on the execution of the Phase 2 Economic Development Conveyance Agreement with the Army.

FMERA has received Board approval to issue RFOTPs for several other properties in Oceanport, including Barker Circle, Allison Hall, the Main Post Chapel and the Lodging Area.

In **Eatontown**, FMERA is in negotiations for the sale and redevelopment of 2 properties:

- Howard Commons on Pinebrook Road, zoned for up to 275 homes and up to 15,000 square feet of retail space, where FMERA is in negotiations with the lead proposer;
- Parcel B, an expanded parcel including up to 89 acres for a mixed-use town center along Route 35 to include approximately 250,000 square feet of retail space and 302 housing units, where Fort Monmouth Parcel B Redevelopment, LLC, has been approved for exclusive negotiations.

FMERA issued an RFOTP for 6 former barracks buildings on Semaphore Avenue in Eatontown. FMERA is seeking proposals to use the approximately 4.4-acre parcel for a use consistent with the Reuse Plan, namely open space, or for an alternate use which includes the reuse of Buildings 1102 through 1107 for a cultural center that promotes the arts, music, entertainment or a museum, including up to 12 units of artist short-term residential space, or for a non-residential arts-based use. The potential purchaser and any subsequent owners will be required to maintain the 2 existing monuments and the approximately 2 acre Soldiers Park as open space following transfer of title. Proposals are due on August 29th.

FMERA is also exploring options for the reissuance of an RFOTP for the Suneagles Golf Course.

In **Tinton Falls**, FMERA closed on two properties this year:

- Building 2525, sold to RADAR Properties in February, which will lease the building to Aaski Technology and other tenants for technology and office uses;
- Child Development Center, sold to Trinity Hall in March, which will relocate the all girls high school to the site as their new home for the upcoming school year.

FMERA has executed contracts on another four projects:

- Parcels C and C1, with Lennar Corporation, approved for 288 residential units over the two parcels, and up to 58,000 square feet of retail development;
- Fabrications Shops (Pinebrook Road Commerce Center), 45,000 square feet of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC;
- Pistol Range and Satellite Road Parcel, under contract with Kiely Realty Group for the reuse and upgrades to the former Pistol Range, and additional office and commercial uses on the combined approximately 5 acre parcel.
- Parcel F-3, the former gas station and convenience store along Hope Road, which the Monmouth County Park System will utilize in conjunction with the adjacent Recreation Center and Swimming Pool, to expand services and public open space amenities.
- Recreation Center and Swimming Pool, under contract to the Monmouth County Park System, is currently open to the public through a lease with the County.

FMERA is in negotiations for a contract related to the sale and redevelopment of the Charles Wood Fire Station, an approximately 4 acre parcel along Corregidor Road in the Tinton Falls Reuse Area. FMERA received 5 proposals to the RFOTP, and an independent evaluation committee scored those proposals and recommended FMERA begin negotiations with the highest scoring bidder. FMERA sought proposals to redevelop the site for civic/institutional or commercial/retail uses.

FMERA has also received Board approval to issue an RFOTP for Parcel F-2, and will evaluate options for issuing an updated RFOTP for Parcel F-1, which includes the Myer Center.

4. Marketing Update

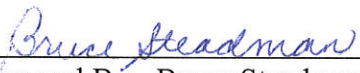

FMERA and Cushman & Wakefield (Cushman), the Authority's Master Broker, will issue additional Requests for Offers to Purchase in the second half of 2016. FMERA and Cushman conduct several tours per week, and will be posting new flyers and information on available sites on FMERA's website in the coming weeks.

FMERA staff actively markets the Fort to the real estate industry by participating in conferences and events throughout the region. Fort Monmouth will be the focus of a Conference Session at the 20th Annual Governor's Conference on Housing and Economic Development on September 19th and 20th. The Conference, sponsored by the NJ Housing and Mortgage Finance Agency, the NJ Department of Community Affairs and the NJ Economic Development Authority, brings together public and private sector partners, as well as community and housing advocates and industry experts, to focus on economic development and affordable housing creation in the state. The panel of speakers for the Fort Monmouth session includes Mayor Dennis Connelly from Eatontown, the CEO of TetherView, Mike Abboud, the president of Paramount Realty, Maurice Zekaria, and Les Smith, Senior Director from Cushman. For more information on the Conference and the Fort Monmouth Session, visit <http://www.state.nj.us/dca/hmfa/home/conference/index.htm>.

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

5. Action Items for Next Month.

- Continued work with the N.J. Department of Environmental Protection to identify and resolve environmental issues of concern
- Continued meetings and tours with interested prospective employers and investors
- Continued outreach to our stakeholders in the 3 host municipalities, the County and others
- Continued collaboration with the NJEDA Trenton Office on marketing and business development opportunities


Approved By: Bruce Steadman 

Prepared by: Candice Valente

ADOPTED
August 17, 2016

Resolution Regarding
**Approval of Plan Amendment #7 Permitting Alternative Development Scenario in
Oceanport**

WHEREAS, the FMERA Act, P.L. 2010, c.51, in N.J.S.A. 52:27I-26(c), and the Land Use Rules, in 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 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 #7, prepared by the Authority's contracted professional planner Phillips Preiss Grygiel, encompasses the Fitness Center Parcel in the Oceanport Reuse Area, totaling approximately 7.5 acres and as described in the attached memorandum; and

WHEREAS, in accordance with the FMERA Act and the Land Use Rules, the Board approved transmitting the proposed Reuse Plan amendment #7 to the host municipalities at its May 18, 2016 meeting; and

WHEREAS, the 45-day comment period commenced on June 10, 2016; and

WHEREAS, the comment period expired on July 25, 2016 and correspondence was received from Tinton Falls and Oceanport, and no correspondence was received from Eatontown; and

WHEREAS, FMERA staff reviewed the correspondence and provided responses to all comments to the Real Estate Committee; and

WHEREAS, the Real Estate Committee reviewed the Reuse Plan amendment #7 and the responses to the comments from the three host municipalities, and recommends adoption of amendment #7.

THEREFORE, BE IT RESOLVED THAT:

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

2. As expressed in the attached memorandum, the Authority approves Amendment #7 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario in the Oceanport 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: August 17, 2016

EXHIBIT 1

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Recommendation to Approve Proposed Plan Amendment #7 Permitting
Alternative Development Scenario in Oceanport

DATE: August 17, 2016

Request

I am requesting that the members of the Board approve the proposed Amendment #7 to the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) that would permit an alternative development scenario in Oceanport.

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 Oceanport Reuse Area for approximately 1.75 million square feet of non-residential uses and 720 residential units. The Reuse Plan included development of a high-tech/green industry cluster, education/medical

campus, a neighborhood center, a boutique hotel and spa, and expansive green space including the historic Parade Ground. The Oceanport Reuse Area also included the commercial/retail reuse of the approximately 32,250 square-foot Fitness Center along a realigned street network, connecting Avenue of Memories to Main Street in Oceanport.

In December of 2012, the FMERA Board approved Plan Amendment #2, which allowed for an alternative development scenario concept for approximately 16 acres in Oceanport for the Patterson Army Health Clinic (Clinic) parcel. This amendment allowed for the option to reuse the Clinic and allowed a medical clinic and offices at the Clinic. The completion of the renovation and sale of this parcel to AcuteCare Health Systems has quickly encouraged continued development in Oceanport.

In January of 2016, the FMERA Board also approved Plan Amendment #4, which allowed for an additional development scenario for Russel Hall and an alternative development scenario for the former community center, known as the Dance Hall, both in the Oceanport Reuse Area. This amendment allowed for the option to reuse Russel Hall for office/research uses, as well as ancillary retail uses; the amendment also allowed for the commercial/retail use of the Dance Hall building, including outdoor dining, and the maintenance of the adjacent Van Kirk Park.

In July of 2016, the FMERA Board also approved Plan Amendment #6, which allowed for the relocation of the Oceanport Municipal Complex to an approximately 13-acre parcel along Murphy Drive, for the renovation and reuse of four buildings for the Oceanport Police Department, the Borough Hall, the Department of Public Works, a municipal library, a court house and a potential community center. In addition, this amendment provided for the County Shelter to also be located along Murphy Drive, in a 3-acre parcel that includes two buildings slated for demolition in the Reuse Plan. The County will construct an emergency shelter, and would no longer pursue the shelter envisioned along Sherrill Avenue. This parcel would be available for open space or office/R&D use in support of the adjacent Squier Hall complex. The buildings originally slated for a municipal complex include two buildings in Barker Circle; these buildings are now envisioned to hold the 32 residential units moving from the 16 acres, and/or office/R&D uses. The former Fire House, currently leased to the Oceanport Police Department, would be available for a retail or office/R&D use, in support of the adjacent Barker Circle uses.

The Proposed Reuse Plan Amendment

The attached proposed Amendment #7 prepared by the Authority's planning consultant, Phillips Preiss Grygiel, LLC (PPG) encompasses approximately 7.5 acres of Fort Monmouth property in the Oceanport Reuse Area. The proposed Amendment maintains the Plan's land use concepts and plans while permitting a development scenario for the parcel that, if pursued, would result in an additional ±53,000 square feet of commercial recreational uses in Oceanport. The amendment includes a specific definition of commercial recreational uses permitted at the Fitness Center, to include training, indoor sports courts and ancillary retail uses, among others. The proposed amendment also reconfigures the road network to take advantage of the existing streets surrounding the parcel and allow for adjacent parking. The amendment also retains the water tower for certain limited signage. Finally, the amendment clarifies the bulk, area and use-guidelines governing this parcel, as it is currently located in all three development districts in

Oceanport. This would apply the requirements of the Center districts, including a 0.25 permitted floor area ratio, lot coverage of 75% and a maximum height of 2 feet or 3 stories.

Staff recommends these changes as the highest and best use for the site based on the results of the Request for Offers to Purchase (RFOTP).

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 Oceanport.
2. This Amendment affects only the Oceanport Reuse Area. As to those portions of the Oceanport 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 parcel that is modified by this Amendment.
3. This Amendment would maintain the overarching land use concepts, objectives and principles of the Reuse Plan, and will ensure consistent bulk requirements across the Fitness Center parcel. 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 Phase 2 Economic Development Conveyance (EDC) agreement currently in negotiation with the Army by aligning the planned uses with actual market-driven responses.
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.

In accordance with the Act and the Land Use Rules, on May 18, 2016, the FMERA Board approved the transmittal of proposed Amendment #7 to the governing body of each municipality for a 45-day comment period. The municipalities received Amendment #7 on June 10, 2016, upon expiration of the Governor's 10-day veto period; the comment period ended on July 25, 2016. The correspondence received from Tinton Falls and Oceanport is attached. No correspondence was received from Eatontown.

The letter from the Tinton Falls Council President states that the Borough Council reviewed the amendment and has no comment.

Oceanport's correspondence states that Amendment #7 was reviewed by the Borough Planner, Borough Engineer, Environmental Commission, Planning Board, Police Department, First Aid, Fire Department and Office of Emergency Management. The Oceanport Borough Council passed a resolution offering its support subject to FMERA's consideration of the comments from the Borough officials and board members. The Oceanport Planning Board discussed the proposed amendment at a Regular Meeting and expressed concerns about the following issues: ultimate height and size of the building and water tower, traffic, hours of operation, and the signage on the water tower. The Planning Board Engineer and Planner submitted correspondence that his office recommends the Planning Board consider supporting Amendment #7 but suggested that



the Planning Board consider whether the signage on the water tower is desirable. The Borough's contracted planning firm provided a review of Amendment #7. The review noted that the amendment is consistent with the objectives and principles of the Reuse Plan and the Borough's Master Plan. The Oceanport First Aid noted that this expanded facility will be beyond the scope the volunteer First Aid Squad's ability to handle increased services. The Office of Emergency Management requested additional information on the roadway configuration and its effect on traffic but was otherwise fine. Comments were also received from Oceanport Environmental Commission members raising the following concerns: Husky Brook is not addressed, storm water retention and runoff is not considered, the details of the road configuration including road dimensions are not mandated, mature trees on the site should be retained, the option to remove the water tower should be included, and current condition of water tower and ongoing maintenance are not specified.

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. First, staff notes that no specific recommendations were made. Second, staff proposes the following responses to the concerns raised: With regards to concerns and questions related to the roadway configurations, the street envisioned in the Reuse Plan that ran from the Avenue of Memories out to Main Street, cutting through the Fitness Center parcel, would not have allowed for the redevelopment and reuse of the facility with adequate space for parking. Amendment #7 allows for the maintenance of the existing road network around the Fitness Center, and the eventual reconfiguration of Alexander Avenue and the Fort road just north of Wolfhill Avenue to provide an alternate access from the Avenue of Memories to Main Street in Oceanport. With regards to questions and concerns related to the water tower, the Reuse Plan does not provide any detail on the retention or demolition of the water tower. This amendment allows for the maintenance of the tower for commercial signage only. Although FMERA will be required to review any signage per the Authority's Mandatory Conceptual Review process, the Borough will have ultimate authority over the granting of any variances or design exceptions related to the dimensions of the applicant's sign. The maximum building height and size is noted in the amendment. Any impact on traffic will be an element of a developer's site plan application. Hours of operation are governed by local ordinance. Environmental issues on the property are beyond the scope of the amendment, as are issues of storm water retention and runoff, mature tree location, and the condition of the water tower. Several of these concerns would be addressed in the site plan process.

After reviewing the comments of the host municipalities, FMERA staff recommends final Board approval of Amendment #7. The Real Estate Committee has reviewed the request and recommends final Board approval of proposed Amendment #7.

Recommendation

In summary, I am requesting that the Board adopt the proposed Amendment #7 to the Reuse Plan that would permit an additional development scenario in Oceanport.


Bruce Steadman 

Attachments: Proposed Reuse Plan Amendment #7
Reports from Host Municipalities
Prepared by: Candice Valente

DRAFT

**Proposed Amendment #7 to the
*Fort Monmouth Reuse and Redevelopment Plan***

Prepared for:
The Fort Monmouth Economic Revitalization Authority

By:
Phillips Preiss Grygiel LLC
Planning and Real Estate Consultants
33-41 Newark Street
Hoboken, NJ 07030

May 2016

This study was prepared under contract with the Fort Monmouth Economic Revitalization Authority, New Jersey, with financial support from the Office of Economic Adjustment, Department of Defense. The content reflects the views of the Fort Monmouth Economic Revitalization Authority and does not necessarily reflect the views of the Office of Economic Adjustment.

- Development of a ±52,750 square foot expansion to Building #114 for use as a commercial recreation facility.
- Maintenance of the existing roadway configurations of Saltzman, Brewer, Todd and Alexander Avenues.
- Retention of the existing water tower adjacent to Building #114. The water tower will not be reused as a water tower but can have a sign painted on it which reads “Fort Monmouth,” “The Borough of Oceanport” or the name of the business operating in Building #114, and/or the logo of any the three. The tower may not be used for telecommunications or other utility services. The tower signage may not be lighted.

The Subject Parcel lies in three development districts as delineated in the Land Use Rules (N.J.A.C. 19:31C-3). For this parcel the bulk requirements for convenience and lifestyle retail uses in Center Districts shall apply. These requirements are as follows:

- Maximum permitted floor area ratio (FAR) of 0.25.
- Maximum permitted height shall be two (2) stories/30 feet.
- Maximum permitted lot coverage of 75 percent.
- Minimum side lot line of 7 feet on each side.
- Minimum rear lot line of 25 feet.

This amendment does not purport to delete any provisions of the *Reuse Plan* but rather would supplement the Plan by proposing alternative development scenarios for the Subject Parcel. Under N.J.A.C. 19:31C-3.19(a)1, principal land uses permitted in the *Reuse Plan* are specifically permitted under the Land Use Rules. Thus, this amendment is incorporated into the Land Use Rules for the Reuse Area in a manner similar to an “overlay zone,” whereby an alternative set of requirements are superimposed on the area allowing for alternative land use scenarios to be realized. With regard to the alternative land use scenario, the overlay zoning provides alternative opportunities for development which do not apply unless the land is developed in accordance with the purposes for which the overlay zoning is adopted.

This amendment is consistent with the planning objectives and principles articulated in the *Reuse Plan* and is necessary to fulfill the Authority’s main objectives—specifically job creation, economic development and the provision of housing. The real estate market has taken a turn for the worse since the *Reuse Plan* was prepared and this downturn has been compounded by the actual closure of Fort Monmouth, which has resulted in the loss of 5,000 jobs on the base and 15,000 supporting jobs in the region. The impacts associated with the base closure relative to the local property tax base and local and regional employment will continue to be felt so long as the former Fort properties remain fallow and unproductive.

The Fort Monmouth *Reuse and Redevelopment Plan* involved years of careful consideration and study as well as an extensive effort to draw input from local residents, the

II. Scope of *Reuse Plan* Amendment

The Fort Monmouth properties in Oceanport total approximately 419 acres and are bounded generally by New Jersey Transit's North Jersey Coast Line, Main Street and Oceanport Creek to the south, Parkers Creek to the north, and the former Fort properties in Eatontown to the west. The *Reuse Plan* envisions redevelopment of this area for approximately 1.75 million square feet of non-residential space and 720 residential units. Such development would include: a high-tech/green industry cluster, education/medical campus, a neighborhood center, a boutique hotel and spa, and expansive green space including the historic Parade Ground.

The Fitness Center Parcel is a 7.75 acre parcel of land in the western section of the Oceanport Reuse Area. It is surrounded on four sides by roadways: Saltzman Avenue to the north, Brewer Avenue to the west, Todd Avenue to the east, and Alexander Avenue to the south. The parcel has three buildings on it: Building #114 ("Fitness Center") which is a ±32,250 square foot building constructed in 1952; Building #562, a New Jersey Natural Gas facility which is ±362 square foot structure constructed in 1941; and Building #752, a Sewage Lift Station which was also constructed in 1941. The Property also includes a water tower that is no longer in use. Most of the parcel south of the Fitness Center comprises lawn area. The Fitness Center building includes a 10,000 square foot gymnasium, 25-meter pool, two handball/racquetball courts, free weight room, fitness rooms, locker rooms and other support functions.

The *Reuse Plan* envisions reuse of Building #114 for commercial recreation facility purposes (i.e., as a fitness center) but is silent on Building #562, Building #752 and the water tower. The Plan also proposes that Razor Drive/North Drive be realigned to create a north-south access between Route 35 in Eatontown and Main Street in Oceanport. This proposal involves the creation of a new roadway extending from the intersection of North Drive and Wilson Avenue in the Fort to Main Street north of Wolfhill Avenue. This new roadway would pass Building #114 to the south. Alexander Avenue, Todd Avenue and Brewer Avenue between Alexander Avenue and the new roadway would be removed.

This amendment to the *Reuse Plan* continues to contemplate the reuse of Building #114 for commercial recreation facility purposes (i.e., as a fitness center). However, this amendment permits development of a ±52,750 square foot expansion to Building #114 for use as a commercial recreation facility and the maintenance of the water tower. The water tower will not be reused as a water tower but can have a sign painted on it which reads "Fort Monmouth," "The Borough of Oceanport" or the name of the business operating in Building #114, and/or the logo of any the three. The tower may not be used for telecommunications or other utility services. The tower signage may not be lighted. Finally, this amendment envisions maintaining the existing roadway configurations of Saltzman, Brewer, Todd and Alexander Avenues.



★ SEE FIGURE 2 FOR ENLARGEMENT OF FMERA PARCELS

6 **FIGURE 1 | Location of AMENDMENT #7 in the Oceanport Reuse Area**
 PHILLIPS PREISS GRYGIEL LLC 2016

III. Relationship to Elements, Objectives and Principles of the *Reuse Plan* and FMERA Directive

Relationship to Reuse and Redevelopment Plan Elements

In considering the impacts of the *Reuse Plan* amendment, the following *Reuse Plan* elements were considered: land use and circulation, infrastructure, environmental issues, historic preservation and community impacts. The relationship between the amendment and these Plan elements are described below.

Land Use and Circulation

Total Non-Residential Square Footage Yield

This amendment continues to allow for the reuse of the ±32,250 Fitness Center as a private health club (i.e., a commercial recreation facility use). As compared to the *Reuse Plan*, this amendment would permit an additional ±52,750 square feet of commercial recreation facility in the form of an expansion of Building #114. This amendment would also allow for the retention of the nearby water tower with the possibility of signage painted on the tower. As such, the water tower will not add any additional square footage to the Fort's redevelopment yield).

Total Residential Development Yield

This amendment permits 720 residential dwelling units, which is the same number of residential units as was contemplated in the *Reuse Plan* and subsequent amendments to the Oceanport Reuse Area.

Compatibility with Surrounding Land Uses

The uses contemplated in this amendment are compatible with the surrounding land uses anticipated in the *Reuse Plan* and subsequent amendments. The Fitness Center was contemplated for reuse as a fitness center (i.e., a commercial recreation facility) in the *Reuse Plan*. The expanded fitness center contemplated in this amendment will be separated from any adjacent land uses by roadways. The maintenance of the water tower, which has been at this location for many years, is not expected to have any impact on surrounding land uses. The tower signage may read "Fort Monmouth," "The Borough of Oceanport" or the name of the business operating in Building #114, and/or the logo of any the three. The tower may not be used for telecommunications or other utility services. The tower signage may not be lighted.

Traffic

Building #114 will be reused as a commercial recreation facility as contemplated in the *Reuse Plan*. There may be a minimal increase in traffic generated by the additional square footage associated with the expansion to Building #114. An increase in non-residential square footage on the Fitness Center Parcel over that which was contemplated in the *Reuse Plan* may be offset by a decrease in total non-residential square footage on other parcels in the Oceanport Reuse Area. A detailed traffic analysis would be prepared as part of any site plan review related to the reuse and/or development of this parcel. Any necessary traffic mitigation would be addressed at that time.

Environmental Issues

The parcel permitted to be developed by this amendment is not environmentally constrained per Geographic Information System (GIS) layers provided by the New Jersey Department of Environment Protection (NJDEP). Any environmentally constrained areas within the Fitness Center Parcel would be preserved and protected accordingly.

Historic Preservation

Building #114 is not part of the Fort Monmouth Historic District and is not listed on the State and National Registers of Historic Places. The reuse of the Fitness Center is not expected to have any adverse impacts on the Fort's historic resources.

Community Impacts and Affordable Housing

As noted in the *Reuse Plan*, the host communities, including Oceanport, rely on taxation for the largest portion of their municipal revenues. The Fort's closure, and the resulting loss of Defense contractor jobs is expected to result in a larger share of the tax burden falling to residential property owners. The potential offered by this amendment to increase non-residential tax ratables would therefore lessen the burden on local residents.

Commercial/retail uses contemplated for the Fitness Center Parcel in this amendment typically generate more positive fiscal impacts on a municipality, i.e., generate more tax revenues than incur municipal costs, than do other land uses, including residential development. Additional non-residential square footage on the Subject Parcel can be expected to have a positive fiscal impact on the tax base of Oceanport. These uses would not generate any school children and the municipal costs associated per new employee, as indicated in the *Reuse Plan*, is almost 30 percent less than municipal costs associated per new resident in Oceanport.

- Principle #3: Enhance auto mobility and redevelopment capacity with targeted roadway infrastructure improvements.* This amendment does not preclude the enhancement of auto mobility and redevelopment capacity with targeted roadway infrastructure improvements as set forth in the *Reuse Plan*.
- Principle #4: Combine open space, habitat, and water resources to establish a continuous Blue – Green belt.* The amendment does not preclude the creation of an open space network consisting of environmentally sensitive areas, including wetlands, watercourses, and habitats.
- Principle #5: Utilize the Blue – Green belt as an armature for enhanced bicycle and pedestrian mobility throughout the Fort.* The amendment would not preclude the development of the bike path or trails envisioned as part of the *Reuse Plan*.
- Principle #6: Remove Fort boundaries & extend existing land uses to reconnect the Fort to the communities.* The amendment would not prevent the opening of any gates into the Fort, nor inhibit public access to the Fort's amenities.
- Principle #7: Leverage existing Fort Monmouth assets (People, Buildings, Technology, and Infrastructure).* The amendment affords FMERA with an opportunity to leverage existing assets of the Oceanport Reuse Area, i.e., Building #114, to attract new office users that generate much-needed local employment and tax ratables. The amendment would not involve the removal of any buildings identified in the *Reuse Plan* as being required for preservation.

In summary, the amendment is consistent with the *Reuse Plan* elements, objectives and planning principles.

Relationship to FMERA Directive

To implement the *Fort Monmouth Reuse and Redevelopment Plan*, the New Jersey State legislature empowered the Fort Monmouth Economic Revitalization Authority (FMERA) to adopt any modifications or amendments to the *Reuse Plan* and adopt development and design guidelines and land use regulations to implement the plan.

Pursuant to P.L.2010, c. 10 (N.J.S.A. 52:27I-18 et. seq.), FMERA's purpose is the following:

to oversee, administer, and implement the [Reuse Plan] as provided in this act, in a manner that will promote, develop, encourage, and maintain employment, commerce, economic development, and the public welfare; to conserve the natural resources of the State; to provide housing, including hous-

IV. Relationship to State, County and Municipal Planning Objectives

State Development and Redevelopment Plan (SDRP)

On March 1, 2001, the State Planning Commission readopted the State Development and Redevelopment Plan (SDRP). In the SDRP, the Oceanport Reuse Area is classified as Planning Area 1, Metropolitan Planning Area (PA-1). The SDRP defines Metropolitan Planning Areas as areas which “provide for much of the state’s future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities.” The amendment is well-reconciled with the guiding policies and policy objectives of the adopted SDRP for the Planning Area 1, Metropolitan Planning Area.

Consistent with the goals for the PA-1, the amendment promotes the type of redevelopment needed to transform the Oceanport Reuse Area, currently largely unused and unproductive, into a vibrant, mixed-use community with compact development that will ensure efficient utilization of scarce land resources while also carefully protecting the character of surrounding communities. Also in accordance with the objectives for PA-1, the amendment allows for redevelopment in a location well served by existing transportation networks which is consistent with the plans for the Oceanport Reuse Area.

Monmouth County Open Space Plan

The Monmouth County Open Space Plan, adopted by the Monmouth County Planning Board in August 2006 as an element of the Monmouth County Growth Management Guide, specifically advocates the acquisition of a portion of the Fort Monmouth property as a new County park site. To fulfill this acquisition, Monmouth County filed a Notice of Interest for park and recreation lands within Fort Monmouth. The County subsequently filed an application to the National Park Service’s Federal Lands to Park Program for a Public Benefit Conveyance, which was endorsed by the three host municipalities of Eatontown, Oceanport and Tinton Falls. Building #114 was part of the County application. The County proposed that the building remain in use as a fitness center which would be operated by the County. Although this amendment does not anticipate the County operating the fitness center, the amendment is not inconsistent with the County’s goals for the facility to be reused as a fitness center.

Fort to Village Plan: A Vision for Oceanport’s Fort Monmouth

The former Fort properties in Oceanport are included within the “master plan” for Fort Monmouth, i.e., the *Reuse and Redevelopment Plan*. However, a vision for the redevelopment of the fort is provided in ***Fort to Village Plan: A Vision for Oceanport’s Fort***

V. Conclusion

The subject amendment, referred to as Amendment #7 to the *Fort Monmouth Reuse and Redevelopment Plan*, maintains the land use concepts and plans articulated in the *Reuse Plan*. However, the amendment permits alternative development scenarios for the Oceanport Reuse Area.

This amendment is consistent with the objectives and principles in the *Reuse Plan*, as well as State, County and Municipal planning objectives. Furthermore, the amendment advances the public welfare, particularly with regard to promoting, developing, encouraging and maintaining employment. Lastly, the amendment provides flexibility for FMERA to more effectively attract potential non-residential users to the Oceanport Reuse Area, thereby enabling it to fulfill its statutory mandate to create new jobs, regenerate the local tax base and advance the general prosperity and welfare of the people most impacted by the Fort's closure.

ADOPTED
August 17, 2016

Resolution Regarding
Approval of Amendment to Administrative Letter Supplementing Certain General Provisions of the Legally Binding Agreement with the County of Monmouth

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, at its July 2016 meeting, the Board approved the execution of the LBA, an Administrative Letter that supplements the general terms of the LBA, and a Purchase and Sale & Redevelopment Agreement (PSARA) for a 3-acre parcel located on Murphy Drive, including Buildings 906 and 908, and the accompanying paved and parking areas to include the demolition of the two buildings and construction of a new homeless shelter facility; and

WHEREAS, the County subsequently submitted a letter requesting a reduction in the minimum beds capacity at the shelter facility and provided documentation to demonstrate a reduction in the overall need for the temporary housing and social services as described in the LBA; and

WHEREAS, the LBA states that the County, as the Homeless Provider, will operate an adult homeless shelter to accommodate thirteen (13) men and ten (10) women, a requirement based on the demonstrated need in the County at the time of the submittal of the HAS to HUD in 2010; and

WHEREAS, the attached Administrative Letter has been amended to allow the reduction in capacity to a minimum of sixteen (16) beds based on Monmouth County's representation that this number of beds will satisfy the obligations of the LBA and will satisfy the current need for temporary housing and social services for homeless individuals in Monmouth County; and

WHEREAS, the attached Administrative Letter is in substantially final form, with the final document subject to the approval of FMERA's Executive Director and the Attorney General's Office; and

WHEREAS, the Real Estate Committee has reviewed the request and recommends that the Board approve the amended Administrative Letter with respect to the County Homeless Shelter in Oceanport;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Board approves the amended Administrative Letter supplementing certain general provisions of the Legally Binding Agreement with the County of Monmouth for Homeless Provider Services. The document is in substantially final form, with final terms 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.

ATTACHMENT

Dated: August 17, 2016

EXHIBIT 2

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Amendment to Administrative Letter with respect to the County of Monmouth Homeless Shelter in Oceanport

DATE: August 17, 2016

Request

I am requesting that the Board approve the amended Administrative Letter supplementing certain general provisions of the Legally Binding Agreement (LBA) with the County of Monmouth for Homeless Provider Services, in support of the County's efforts to establish a permanent County emergency homeless shelter on Fort Monmouth.

Background

In September 2008 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), 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. This shelter would have replaced the shelter on Fort Monmouth 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 in the Oceanport section of the Fort was evacuated due to flooding caused by Superstorm Sandy. The County of Monmouth temporarily relocated the shelter to an off-site County owned facility. Subsequently, the County sold its temporary facility and needs to relocate the shelter again.

In order to meet its LBA obligation, FMERA identified a location on the Fort that is suitable for the County's long-term needs. At FMERA's July 2016 meeting, the Board approved the execution of the LBA, an Administrative Letter that supplements the general terms of the LBA, and a Purchase and Sale & Redevelopment Agreement (PSARA) for a 3-acre parcel located on Murphy Drive, including Buildings 906 and 908, and the accompanying paved and parking areas to include the demolition of the two buildings and construction of a new homeless shelter facility. The terms of these documents are intended to satisfy FMERA's obligations under the HAS and the LBA.

Subsequently, the County submitted the attached letter requesting a reduction in the minimum beds capacity at the shelter facility and provided the attached documentation to demonstrate a reduction in the overall need for the temporary housing and social services as described in the LBA. The County Department of Human Services confirms that daily average census numbers have been trending downward since 2013. Currently, the LBA states that the County, as the Homeless Provider, will operate an adult homeless shelter to accommodate thirteen (13) men and ten (10) women. This requirement was based on the demonstrated need in the County at the time of the submittal of the HAS to HUD in 2010. The documentation provided by the County, attached to this memo, indicates a reduction in need, with an annual average between 13.4 (2015) to 15.9 (2013).

Administrative Letter Amendment

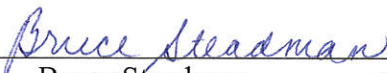
The attached Administrative Letter supplements the LBA by providing detail on certain general provisions in order to assist both parties in the implementation thereof. The attached Administrative Letter has been amended to allow the reduction in capacity to a minimum of sixteen (16) beds based on Monmouth County’s representation that this number of beds will satisfy the obligations of the LBA and will satisfy the current need for temporary housing and social services for homeless individuals in Monmouth County. This revision makes no other changes to the terms and provisions of the Administrative Letter. This revision also makes no changes to the LBA or PSARA previously approved by the Board. The LBA is attached for reference.


The attached Administrative Letter is in substantially final form. The final document 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 final Board approval of the amended Administrative Letter with respect to the County of Monmouth Homeless Shelter on a 3-Acre Parcel in Oceanport.

Recommendation

In summary, I am requesting that the Board approve the amended Administrative Letter supplementing certain general provisions of the Legally Binding Agreement (LBA) with the County of Monmouth for Homeless Provider Services, in support of the County’s efforts to establish a permanent County emergency homeless shelter on Fort Monmouth..



Bruce Steadman 

Attachments: Amended Administrative Letter
Legally Binding Agreement
County Letter and Data
Prepared by: Candice A. Valente and David E. Nuse

ATTACHMENT

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



ADOPTED
August 17, 2016

Resolution Regarding
Conveyance of Heliport Drive and a Portion of Laboratory Road to the Borough of Tinton Falls

WHEREAS, the Fort Monmouth Economic Revitalization Authority (FMERA) is working with the Borough of Tinton Falls to improve access to properties in the Charles Wood Area; and

WHEREAS, Heliport Drive and Laboratory Road are currently included in the Fort Monmouth property transferred to FMERA from the U.S. Army in May 2014; and

WHEREAS, the Borough has agreed to accept the Heliport Drive, and a portion of the Laboratory Road pavement areas, as well as the adjacent areas to create a more uniform right of way width which will facilitate the redevelopment of the adjacent parcels; and

WHEREAS, FMERA will convey the Property via a Deed of Roadway Dedication (Deed), that has been reviewed and approved by the Borough; and

WHEREAS, upon the dedication of the Property, which measures approximately 1.5 acres, the Borough will be responsible for maintenance of the road; and

WHEREAS, the Real Estate Committee recommends that the Board approve the conveyance of the Property to the Borough;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Authority approves the conveyance to the Borough of Tinton Falls of Heliport Drive and a portion of Laboratory Road on terms substantially consistent to those set forth in the attached memorandum and the attached Deed and with final terms acceptable to 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: August 17, 2016

EXHIBIT 3

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Recommendation to Approve Conveyance of Heliport Drive and a Portion of
Laboratory Road to the Borough of Tinton Falls

DATE: August 17, 2016

Request

I am requesting that the Board approve the conveyance of Heliport Drive and a portion of Laboratory Road to the Borough of Tinton Falls.

Background



In an effort to coordinate the redevelopment of Fort Monmouth, FMERA is working with the Borough of Tinton Falls to improve access to properties in the Charles Wood Area. Heliport Drive and Laboratory Road are currently included in the Fort Monmouth property transferred to FMERA from the U.S. Army in May 2014. The Borough has agreed to accept the Heliport Drive, and a portion of the Laboratory Road pavement areas, as well as the adjacent areas to create a more uniform right of way width which will facilitate the redevelopment of the adjacent parcels.

FMERA will convey the property via a Deed of Roadway Dedication (Deed), which is attached, that has been reviewed and approved by the Borough. Upon the dedication of the portion of the road, which measures approximately 1.5 acres, the Borough will be responsible for its maintenance.

The attached Deed is in substantially final form. The final document 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 Board approval of the conveyance of the property to the Borough.

Recommendation

In summary, I am requesting that the Board approve the conveyance of Heliport Drive and a portion of Laboratory Road to the Borough of Tinton Falls.


Bruce Steadman 

Attachments: Deed of Roadway Dedication

Parcel Map

Prepared by: Candice Valente

ATTACHMENT

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

ADOPTED
August 17, 2016

Resolution Regarding
**Authorization for FMERA to Enter into a Purchase and Sale Agreement and
Redevelopment Agreement with AP Development Partners, LLC for Dance Hall Parcel**

WHEREAS, on March 13, 2015, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for the Dance Hall Parcel, an approximately 4.2 acre parcel of land including Building #552, a former recreation center, Van Kirk Park and the accompanying paved and parking areas, in the Oceanport Reuse Area; and

WHEREAS, the Dance Hall was slated for demolition in the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan), but FMERA staff received interest in the building for potential reuse as a small entertainment or recreation center catering to the various uses in development around this site; and

WHEREAS, FMERA received two proposals for the property on June 26, 2015, and an evaluation committee evaluated and scored the proposals, and AP Development Partners, LLC (AP Development) received the highest bid; and

WHEREAS, subsequently the second bidder withdrew their proposal and the evaluation committee recommended FMERA staff proceed with negotiations with AP Development; and

WHEREAS, FMERA included this Project as part of Reuse Plan Amendment #4, adopted by the FMERA Board in January 2016, permitting an alternative development scenario for the Dance Hall allowing the reuse of the building for commercial/retail uses, maintaining some or all of Van Kirk Park as publicly accessible open space, including the construction of permitted accessory structures such as an outdoor performance stage, and maintaining the existing roadway configuration of Brewer Avenue and parking areas totaling approximately 29,000 square feet, while Telegraph Avenue could be eliminated or privatized by the owner of the Dance Hall parcel; and

WHEREAS, the proposal from AP Development includes reuse of the property for commercial and retail uses, including entertainment and restaurant purposes; and

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

WHEREAS, the terms of the proposed PSARA include AP Development's payment of \$120,000 for the property; initial closing will occur within 30 days of satisfaction of the conditions precedent, which include AP Development completing due diligence and obtaining all approvals necessary to develop the project, consent from the NJEDA Board of AP Development as redeveloper, receipt of a final remediation document and FMERA entering into

an Economic Development Conveyance (EDC) Agreement with the Army and acquiring title to the property; 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 AP Development Partners, LLC, as the purchaser of the Dance Hall Parcel and associated property in Oceanport pursuant to the March 13, 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 AP Development 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: August 17, 2016

EXHIBIT 4

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Purchase and Sale Agreement & Redevelopment Agreement with AP
Development Partners for Dance Hall Parcel in Oceanport

DATE: August 17, 2016

Request

I am requesting that the Board approve the Purchase and Sale & Redevelopment Agreement (PSARA) with AP Development Partners, LLC (AP Development) for the sale and redevelopment of the Dance Hall Parcel (the Project) in the Oceanport Reuse Area.

Background

FMERA issued a Request for Offers to Purchase (RFOTP) in connection with the planned redevelopment of the Dance Hall Parcel in Oceanport on March 13, 2015. The Dance Hall Parcel is an approximately 4.2 acre parcel that contains Building 552, Van Kirk Park and associated parking area. Building 552 is a circa 1941 semi-permanent 16,420 sf recreation center targeted for demolition in the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan). The building was used as a general purpose recreation center and is located just west of the Fort Monmouth Historic District, and is now more commonly referred to as the Dance Hall. FMERA staff received interest in the building for potential reuse as a small entertainment or recreation center catering to the various uses in development around this site.

Responses to the RFOTP were due on June 26, 2015 and two responses were received from AP Development Partners, LLC (AP Development or Purchaser) and Ken Schwartz. An evaluation committee scored the proposals and AP Development was the winning proposal. Subsequently, the second bidder submitted a formal withdrawal of the proposal. As the winning proposal was also compliant with the RFOTP, the evaluation committee recommended proceeding with negotiations for a Purchase and Sale & Redevelopment Agreement (PSARA).

Subsequent to FMERA selecting Purchaser as the winning bidder, FMERA included this Project as part of Reuse Plan Amendment #4, adopted by the FMERA Board in January 2016. The

amendment permits an alternative development scenario for the Dance Hall allowing the reuse of the building for commercial/retail uses, which the amendment clarifies to include craft production; outdoor dining accessory uses would also be allowed. The alternative maintains some or all of Van Kirk Park as publicly accessible open space, including the construction of permitted accessory structures such as an outdoor performance stage. The alternative also maintains the existing roadway configuration of Brewer Avenue and parking areas totaling approximately 29,000 square feet, while Telegraph Avenue could be eliminated or privatized by the owner of the Dance Hall parcel.

AP Development proposes to use the Property for commercial and retail uses, including entertainment and restaurant purposes. Potential users of the facility include a restaurant/café, microbrewery, and coffee roaster. The Purchaser plans to retain the wood truss system within the building, while upgrading the interior and refurbishing the exterior of the building to retain the character of the adjacent Fort Monmouth Historic District. Van Kirk Park will be retained as open space, and entertainment events throughout the year will be hosted in the park. The conceptual redevelopment plan includes outdoor dining in the adjacent lot, as well as a potential shared parking scenario in the existing lot across Brewer Avenue.

Purchase and Sale & Redevelopment Agreement

Pursuant to the terms of the PSARA, AP Development will pay \$120,000 for the property, reflecting its proposal. Closing will occur within 30 days of satisfaction of the conditions precedent to closing, which include: FMERA entering into an Economic Development Conveyance (EDC) Agreement with the Army and acquiring title to the property; AP Development completing due diligence and obtaining all approvals necessary to develop the project; receipt of a final remediation document; and consent from the NJEDA Board of AP Development as redeveloper. The parties will endeavor to satisfy these contingencies within 6 months of the completion of the Due Diligence Period and AP Development will have the option to extend this time period for an additional 6 months if it has not obtained approvals within the initial timeframe, provided it is proceeding in good faith. FMERA will convey the property to AP Development 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. AP Development will dedicate a portion of Brewer Avenue which runs through their site to the Borough of Oceanport post-closing for no consideration.

The Project will consist of the renovation of the existing structure for commercial and retail uses, including entertainment and restaurant uses. AP Development will commence construction within 45 days of closing, and complete construction within 12 months of closing. Provided the Purchaser is diligently pursuing completion of the project, AP Development shall have the right to extend the time period for completing the project for an additional 6 months. FMERA will have the right to repurchase the property if construction is not timely commenced or completed. AP Development will incur a minimum investment of approximately \$1,380,000 to complete the Project. The Purchaser will also be obligated to create 48 permanent, full-time jobs at the property within eighteen months of occupancy, or pay a penalty of up to \$36,000.


Based on the redevelopment provisions of the PSARA between FMERA and AP Development, staff concludes that the essential elements of a redevelopment agreement between FMERA and


AP Development are sufficiently addressed and that it is not necessary for FMERA to enter into a separate redevelopment agreement with AP Development for its redevelopment of the Dance Hall Parcel.

Attached is a substantially final form of the PSARA between FMERA and AP Development. The final terms of the PSARA are 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 Board approval of the PSARA with AP Development for the Dance Hall parcel.

Recommendation

In summary, I am requesting that the Board authorize the execution of a Purchase and Sale Agreement & Redevelopment Agreement with AP Development Partners, LLC for the Dance Hall Parcel in Oceanport.



Bruce Steadman 

Attachment: Purchase and Sale & Redevelopment Agreement
Parcel Map
Prepared by: Candice A. Valente and David E. Nuse

ATTACHMENT

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

ADOPTED
August 17, 2016

Resolution Regarding
Approval to Select Pre-Qualified Pool of Appraisers for Real Estate Appraisal Services

WHEREAS, FMERA issued a Request for Qualifications (RFQ) on November 13, 2015, soliciting qualifications and supporting data from qualified firms to provide real estate appraisal services to facilitate the conveyance of Fort Monmouth property from the U.S. Army to the Authority as well as property transfer from the Authority to interested purchasers, on an as needed basis; and

WHEREAS, due to unsatisfactory response, FMERA staff terminated the RFQ issued on November 13th and issued a new RFQ on March 17, 2016, which removed the requirement that the firms be located in Monmouth County or counties contiguous to Monmouth County and instead required that they have experience in performing appraisals on property located in Monmouth County; and

WHEREAS, responses were due on April 15, 2016 and 10 responses were received and FMERA staff has evaluated the proposals for compliance and scoring; and

WHEREAS, FMERA staff recommends selecting those appraisers whose scores are above 80% of the maximum score of 300 points; and

WHEREAS, the seven highest scoring appraisal firms that submitted responsive proposals are the following: Gagliano & Company, Sterling DiSanto & Associates, Federal Appraisal Consulting, Wade Appraisal, Stack, Coolahan & Stack, Otteau Group, and Novogradac & Company; and

WHEREAS, the Real Estate Committee has reviewed the request and recommends the Board approve the selection of the seven highest scoring bidders as pre-qualified appraisal firms for future appraisal services;

THEREFORE, BE IT RESOLVED THAT:

1. The Authority authorizes the selection of Gagliano & Company, Sterling DiSanto & Associates, Federal Appraisal Consulting, Wade Appraisal, Stack, Coolahan & Stack, Otteau Group, and Novogradac & Company as a pre-qualified appraisal firms for Real Estate Appraisal Services for and authorizes the Executive Director to take all necessary actions to effectuate the selection.

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: August 17, 2016

EXHIBIT 5

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Request for Qualifications for Real Estate Appraisal Services

DATE: August 17, 2016

Request

I am requesting Board approval of a list of selected Real Estate Appraisers for future appraisal services as needed.

Background

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

The Authority issued a Request for Qualifications (RFQ) on November 13, 2015, soliciting qualifications and supporting data (“Qualifications Responses”), from qualified firms interested in performing the services described in the RFQ, to provide real estate appraisal services to facilitate the conveyance of Fort Monmouth property from the U.S. Army to the Authority as well as property transfer from the Authority to interested purchasers, on an as needed basis. Pursuant to an Economic Development Conveyance Agreement between the Authority and the U.S. Army, the U.S. Army has conveyed most of the Phase 1 to the Authority and will from time to time convey additional parcels and tracts of land to the Authority, and the Authority will in turn convey such parcels and tracts of land to developers, municipalities and owner-users. From time to time, the Authority will need to obtain appraisal reports for individual parcels and tracts of land. Through this RFQ, the Authority sought to establish a pre-qualified pool of five (5) to ten (10) most highly qualified firms in Monmouth County or counties contiguous to Monmouth County. Qualifications were received on December 14th and only 2 responsive proposals were received. Due to the unsatisfactory response, FMERA staff terminated the RFQ issued on November 13th and issued a new RFQ on March 17, 2016. The new RFQ removed the requirement that the firms be located in Monmouth County or counties contiguous to Monmouth

County and instead required that they have experience in performing appraisals on property located in Monmouth County.

Whenever the Authority identifies a need for an appraisal of a particular parcel or tract of land, the Authority will issue a Request for Proposals (“RFP”) to each and all of the most highly qualified firms selected through the March 2016 RFQ. Each RFP will identify the property to be appraised, specify the Authority’s time and other requirements for completing the appraisal report and solicit fee proposals. A contract to perform the appraisal for the particular parcel or tract of land will be awarded to the lowest priced responsible proposal that timely responds to an RFP.

The responses were due on April 15, 2016 and 10 responses were received. Staff has evaluated these for compliance and scoring. The proposals were scored by a team of three evaluators and recommends selecting those appraisers whose scores were above 80% of the maximum score of 300 points with the following results:

Maximum Score **300**

Company Name	Score	Percentage
Gagliano & Company	291	97%
Sterling, DiSanto & Associates	277	92%
Federal Appraisal	270	90%
Wade Appraisal	256	85%
Stack, Coolahan & Stack	255	85%
Otteau Group	251	84%
Novogradac & Company	248	83%
The Meers Group	237	79%
Colliers International	229	76%
Stuart Appraisal	183	61%

The Real Estate Committee has reviewed the request and recommends the Board approve the selection of the seven (7) highest scoring bidders as pre-qualified appraisal firms for future appraisal services.

Recommendation

In summary, I am requesting that the Board approve the seven highest scoring appraisal firms that submitted responsive proposals: Gagliano & Company; Sterling DiSanto & Associates; Federal Appraisal Consulting; Wade Appraisal; Stack, Coolahan & Stack; Otteau Group; and Novogradac & Company as our pre-qualified pool of appraisal firms. These firms will be eligible to respond to the Authority requests for proposals to perform appraisal services on an as needed basis.

Bruce Steadman

Bruce Steadman (CW)

Prepared by: Rick Harrison