



Fort Monmouth Economic Revitalization Authority

2-12 Corbett Way • Eatontown, NJ 07724-4251 • Tel: 732.935.5966 • Fax: 732.935.7440

MEMORANDUM

TO: Members of the Authority
FROM: Timothy Lizura
Interim Executive Director
DATE: September 28, 2010
SUBJECT: Agenda for Board Meeting of the Authority

1. **Al Koeppe, Interim Chairman, FMERA - Welcoming Remarks**
2. **Notice of Public Meeting - Roll Call**
3. **Timothy Lizura, Interim Executive Director, FMERA – Remarks**
4. **Organizational Meeting:**
 - Adoption of By-Laws
 - Approval of Assistant Secretaries
 - Annual Meeting Schedule
 - Newspapers of Record
5. **Board Actions:**
 - Adoption of Memorandum of Understanding
 - Approval of FMERA Budget
 - Approval of Deferred Payment
 - Approval to Submit Office of Economic Adjustment Grant Requests
 - Approval of Records Custodian
 - Approval of Additional Space Lease
6. **For Your Information:**
 - Status of Fort Monmouth Economic Revitalization Planning Authority Closeout
 - Report on Work of Architectural, Engineering, Planning and Environmental Consultant
 - Status of Business and Operations Plans and Conveyance Application RFP
 - Approval Status of Reuse and Redevelopment and Homeless Plans
 - Technology Solutions Grant
7. **Public Questions/Comments**
8. **Adjournment**



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MEMORANDUM

TO: Members of the Authority

FROM: Timothy Lizura
Interim Executive Director

RE: Creation of the Fort Monmouth Economic Revitalization Authority

DATE: September 28, 2010

Today's organizational meeting of the Fort Monmouth Economic Revitalization Authority (FMERA) marks a seminal moment in the long history of Fort Monmouth.

The legislation creating FMERA recognized the challenges that the host municipalities have in facing the base closure and in meeting the demands that the closure will bring on the towns' and region's infrastructure, residents and quality of life. It also recognized the transformational opportunity which the base's redevelopment presents for the state of New Jersey. In furtherance of that end, it called upon state and local government to come together in collaboration through this Board.

FMERA's specific charge is to implement a comprehensive Reuse and Redevelopment Plan (Plan) for Fort Monmouth that will encourage and maintain employment, promote economic development, conserve natural resources, and advance the general prosperity and economic welfare of the people in the affected communities and throughout the state.

The breadth of scope of this initiative will require informed decision making based upon local municipality, regional and state considerations. It is for that reason that the FMERA Board is comprised of representatives of those entities.

Under the law, FMERA is empowered to adopt land use, development and design guidelines in coordination with the impacted towns; to provide and maintain utilities, streets, roads and other infrastructure; to undertake redevelopment activities, and to implement revenue raising measures for the benefit of the post's redevelopment. These activities will be supported by the new Fort Monmouth office of the New Jersey Economic Development Authority (NJEDA), located at the existing Eatontown space occupied by the planning authority (FMERPA).

At the inaugural Board meeting, the Members will be asked to act on a series of recommendations that were developed over the last month with input from FMERPA, NJEDA and staff of the New Jersey Attorney General's office. The actions are designed to institute and effectuate the Board's powers and responsibilities, and enable staff to undertake the necessary day-to-day operations to advance the redevelopment plan and land transfer. They are organized around the areas of corporate governance, administration and operations, and budget. Accordingly, the Board will be asked to:

Corporate Governance

- Adopt By Laws including establishment of committees and officers; approve Meeting Calendar; designate Newspapers of Record
- Designate Public Records Custodian

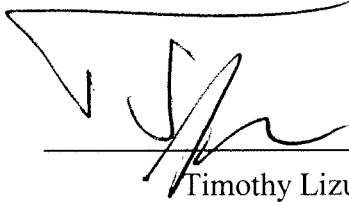
Administration and Operation

- Approve Memorandum of Understanding with the NJEDA
- Approve Ft. Monmouth Office lease

Budget

- Approve Budget (3 Month Interim, 12 Month Annual) and submission of OEA grant applications

When the flag at Fort Monmouth comes down and redevelopment begins in early 2012, New Jersey has an unprecedented opportunity to create a vital and sustainable community that will serve as a powerful economic engine of growth for the 21st century as Fort Monmouth served for the past century.



Timothy Lizura

Prepared by: Maureen Hassett



Fort Monmouth Economic Revitalization Authority

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MEMORANDUM

TO: Members of the Authority

FROM: Alfred Koeppe
Interim Chairperson

RE: Organizational Meeting

DATE: September 28, 2010

Summary:

The Members are asked to adopt the proposed By-Laws of the Fort Monmouth Economic Revitalization Authority and approve the four Directors of the Fort Monmouth Office to be Assistant Secretaries. The Members are also asked to adopt a calendar of meetings and designate newspapers of record.

The Members are also informed that the Executive Director is appointed to the Board officer position of Secretary and of the formation of a subcommittee to review and approve the hiring of an Executive Director.

Background:

Governor Chris Christie signed P.L. 2010, c. 51 (the Act) on August 17, 2010 to create the Fort Monmouth Economic Revitalization Authority (FMERA or the Authority). The FMERA succeeds the Fort Monmouth Economic Revitalization Planning Authority and will implement that entity's Reuse and Redevelopment Plan (Plan) for economic development, growth and planning, with a focus on technology-based industries, for the 1,126 acres of real estate at Fort Monmouth following the base closure.

The new Act provides FMERA with tools to revitalize and redevelop the Fort Monmouth area and implement the Plan. Among these are the abilities to undertake redevelopment projects and adopt development and design guidelines and land use regulations in connection with the provision of utilities, streets, roads or other infrastructure required for the implementation of the Plan.

Under the Act, the New Jersey Economic Development Authority (NJEDA) will establish the Fort Monmouth Office to provide staff to FMERA. (A separate memorandum to the Members addresses the understanding with NJEDA regarding the Fort Monmouth Office.) FMERA also is authorized under the new law to enter into an agreement with the NJEDA to act as the designated redeveloper.

The Board of the Authority must adopt By-Laws to govern the affairs and conduct of business of the Authority, provide for the operations of the Authority and the establishment of Committees to the Board. Proposed By-Laws for the Authority are attached.

With regard to officers, the By-Laws provide for the election of one or more Assistant Secretaries. Specifically, Article IV, Section 6 of the By-Laws states that the Authority may by resolution appoint one or more Assistant Secretaries and provides them with the power to perform any and all duties of the Secretary, by request of the Secretary or if he/she is absent or disabled. To provide for the efficient operation of the Authority, the four Directors of the Fort Monmouth Office are recommended to be elected as Assistant Secretaries: Director of Real Estate Services, Development Services Director, Operations Director, and Neighborhood and Community Services Director.

The Act provides that the Chairperson appoints the Board Secretary. Accordingly, I appoint the Executive Director to serve as Secretary. The Act also provides that the Chairperson appoint the Treasurer and that the Members elect the Vice Chairperson. Action on these two positions will not be taken today, but rather when the Board has its full complement of Members.

The Act also requires that the Chairperson of the Authority establish a subcommittee to review and approve the hiring of an Executive Director and appoint members of the Authority to serve on that subcommittee. I am appointing myself, the Interim Chairperson of the Authority, to serve as the Chairperson of this subcommittee and appointing the Governor's Executive Branch designee, the Member appointed by the Monmouth County Board of Chosen Freeholders and a mayoral representative to serve as members of this subcommittee. As stated in the Act, the sole purpose of this subcommittee will be to review and approve the hiring of an Executive Director for the Fort Monmouth Office.

This subcommittee is the only one today for which action is being requested because it is expected to be needed quickly. The Members will be requested to take action on other committees as the Board grows to full membership.

Also attached is a schedule of the monthly Board meetings through December 2010. It is recommended we adopt this schedule by resolution for the next year's Board meeting dates.

Further, the Board is being asked to designate the Asbury Park Press and the Star Ledger as the newspapers of record for the Authority.

Recommendations:

The Members are requested to adopt the attached By-Laws of the Fort Monmouth Economic Revitalization Authority.

The Members are requested to approve the four Directors of the Fort Monmouth Office to be Assistant Secretaries.

The Members are also asked to adopt the attached schedule of Board meeting dates through December 2010.

Finally, the Members are requested to designate the Asbury Park Press and the Star Ledger as the newspapers of record.



Alfred Koepp

Prepared by: Kim Ehrlich

BY-LAWS
OF
FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY
(Adopted: _____, 2010)

ARTICLE I

GENERAL PROVISIONS

Section 1. Scope and Provisions of By-laws. These by-laws are adopted pursuant to Section 9(q) of the Fort Monmouth Economic Revitalization Authority Act (P.L. 2010, Chapter 51, approved August 17, 2010), as amended and supplemented (hereinafter referred to as the “Act”). They are intended to govern the affairs and the conduct of business of the Authority with respect to the performance of its functions, powers and duties under the Act, as well as the performance of any other functions, powers, or duties which may be transferred to it pursuant to the Executive Reorganization Act (P.L. 1969, Chapter 203).

Section 2. Name of the Authority. The name of the Authority shall be the “Fort Monmouth Economic Revitalization Authority” (hereinafter referred to as the “Authority”).

Section 3. Principal Office. The principal office of the Authority shall be located within the local vicinity of Fort Monmouth, which is located in the municipalities of Eatontown, Oceanport, and Tinton Falls, New Jersey. All communications to the Authority should be addressed to its principal office except as may be otherwise specified by rule or regulation.

Section 4. Seal. The Seal of Authority shall be in the form of a circle enclosing the seal of the State of New Jersey, and shall bear the name of the Authority and the year of its creation.

Section 5. Public Inspection. All records of the Authority shall be available for public inspection to the extent required by State Law in accordance with Section 8(k) of the Act and the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).

ARTICLE II

MEMBERS AND DESIGNEES

Section 1. Members. The Authority shall consist of 13 members to be appointed and qualified as follows:

(a) Three voting members appointed by the Governor with the advice and consent of the Senate, for staggered terms of five years, one of whom shall be a representative of the private sector with relevant business experience or background; one of whom shall be an individual who

is knowledgeable in environmental issues, conservation, or land use issues; and one of whom shall have appropriate experience in workforce development and job training. Preference shall be given to professionals with a background in technology, finance, energy industry or real estate. One of the members appointed under this paragraph shall be a resident of the county and be selected from a list of five candidates recommended by the Monmouth County Board of Chosen Freeholders and submitted to the Governor; the list of candidates for the initial selection of this member shall be so submitted within 45 days after the date of enactment of the Act. In the event the Governor rejects all five candidates for the member to be selected upon the recommendation of the Monmouth County Board of Chosen Freeholders, the Monmouth County Board of Chosen Freeholders may submit an additional list of five different candidates within 30 days of the Governor's rejection of the prior list. If the Monmouth County Board of Chosen Freeholders does not submit a list of five candidates within either of the aforementioned time periods, within ten days after the expiration of such time period, the Governor shall inform the Monmouth County Board of Chosen Freeholders in writing that the Governor, at the Governor's discretion, will make such appointment. Not more than two of the members appointed by Governor shall be of the same political party;

(b) the Chairperson of the New Jersey Economic Development Authority (hereafter referred to as the "NJEDA"), ex officio and voting;

(c) another member of the Executive Branch appointed by the Governor to serve on the Authority, ex officio and voting;

(d) a member of the Monmouth County Board of Chosen Freeholders to be appointed by the Monmouth County Board of Chosen Freeholders, voting;

(e) the mayors of Eatontown, Oceanport and Tinton Falls, ex officio and voting;

(f) the Commissioner of Labor and Workforce Development, ex officio, non-voting;

(g) the Commissioner of Environmental Protection, ex officio, non-voting;

(h) the Commissioner of Community Affairs, ex officio, non-voting; and

(i) the Commissioner of Transportation, ex officio, non-voting.

Section 2. Term of Membership and Vacancies. Each member appointed by the Governor shall hold the office for the term of that member's appointment and until a successor shall have been appointed and qualified. The member appointed by the Monmouth County Board of Chosen Freeholders shall hold office for the term of that member's service on that board. In the event that a member appointed by the Monmouth County Board of Chosen Freeholders ceases to serve on that board, that member shall no longer hold office on the Authority and the board shall appoint a member of the board to serve as a new member of the Authority. A member shall be eligible for reappointment. Any vacancy in the membership occurring other than by expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

Section 3. Ethics Training. All members will be required to undergo ethics training as required by the State Ethics Commission.

Section 4. Compensation. The members shall serve without compensation, but the authority may, within the limits of funds appropriated or otherwise made available for such purposes, reimburse its members for necessary expenses incurred in the discharge of their official duties.

Section 5. Removal of Governor-Appointed Members. Each member appointed by the Governor may be removed from office by the Governor for cause, after a public hearing, and may be suspended by the Governor pending the completion of that hearing.

Section 6. Oath of Governor-Appointed Members. Each member appointed by the Governor, before entering the duties of membership, shall take and subscribe an oath to perform those duties faithfully, impartially, and justly to the best of the person's ability. A record of those oaths shall be filed in the office of the Secretary of State.

Section 7. Designees. Each ex-officio member of the Authority and the member appointed by the Monmouth County Board of Chosen Freeholders may designate an employee of the member's department or office to represent the member at meetings of the Authority. The designee may act on behalf of the member. The designation shall be in writing and shall be delivered to the Authority and shall be effective until revoked or amended in writing to the Authority.

ARTICLE III

MEETINGS

Section 1. Open Public Meetings Act. All meetings of the Authority shall be conducted in accordance with the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.).

Section 2. Annual Meetings. The annual meeting of the Authority shall be held at the principal office of the Authority on the first Tuesday of September of each year, at 7:00 p.m., or at such other location or time, or such earlier or later date in September of each calendar year as the Chairperson may designate in accordance with the notice provisions hereinafter provided for the purpose of electing the Vice-Chairperson of the Authority and for the transaction of such other business as may properly come before the meeting.

Section 3. Regular Meetings. Regular meetings of the Authority shall be held at such times and places as may be determined by resolution of the Authority in accordance with the provisions of the Open Public Meetings Act.

Section 4. Special Meetings. Special meetings of the Authority may be called at any time by the Chairperson. Such meetings shall be scheduled in conformity with the provisions of the Open Public Meetings Act. Notice of such meeting shall be in writing, shall be given personally or by regular or electronic mail to each member of the Authority at the member's address as it appears on the books or records of the Authority unless the member shall have filed a written request with the Secretary that notices intended for the member shall be mailed to the address designated in such request. Notice of such meeting shall be given no less than forty-eight (48) hours prior to the date of such meeting, and shall specify the time, place and purpose or purposes of the meeting. At such meetings, any and all matters may be considered and acted upon by the members of the Authority.

Section 5. Quorum. At any meeting of the Authority, five voting members of the Authority present shall constitute a quorum for all purposes. No vacancy in the membership of the Authority shall impair the right of the quorum to exercise all the rights and perform all the duties of the Authority, except that the affirmative vote of at seven members shall be required for certain actions provided in subsection e. of Section 8 of the Act.

Section 6. Voting. At every meeting of the Authority, each voting member shall be entitled to one vote. The affirmative vote of at least five members shall be required for all elections, actions, motions, and resolutions except that the affirmative vote of seven members shall be required for the following actions of the Authority:

(a) any action to adopt or revise the Fort Monmouth Reuse and Redevelopment Plan (“Plan”), as provided in Section 18 of the Act, or to adopt or revise the development and design guidelines or land use regulations adopted by the Authority as provided in section 17 of the Act;

(b) any action to enter into a designated redevelopment agreement with the NJEDA as provided in subsection a of Section 16 of the Act;

(c) any action to adopt any amendment to the Plan pursuant to paragraph (1) of subsection e. of section 17 of the Act;

(d) any action to approve any project undertaken by the NJEDA;

(e) any action to acquire easements, rights of way, or fee title to properties pursuant to subsection g. of section 9 of the Act;

(f) in any year that the Authority is anticipated to receive no funding from the federal government, any action to approve the budget of the office for that year or any amendment to the budget pursuant to subsection d. of Section 6 of the Act; and

(g) consent to the designation of any portion of the project area as an area in need of redevelopment or any area in need of rehabilitation pursuant to the provisions of the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (N.J.S.A. 40A:12 A-1 et seq.), as provided in subsection o. of Section 9 of the Act.

Section 7. Certificate of Resolutions. Each member of the Authority is authorized to certify, when required, the records, proceedings, documents, or resolutions of the Authority, and to affix the seal of the Authority to all contracts, documents and instruments to be executed by the Authority.

Section 8. Minutes. Minutes of all meetings, including executive sessions, shall be kept showing the time and place, the members present, the subjects considered, the actions taken, the votes taken and any other information required to be shown in the minutes by law, and shall be promptly made available to the public, to the extent that making such matters public shall not be inconsistent with the Open Public Meetings Act provisions on executive sessions.

Section 9. Submission of Minutes to the Governor. A true copy of the minutes of every meeting of the Authority shall be forthwith delivered by and under the certification of the Secretary thereof to the Governor. No action taken at such meeting by the Authority shall have force or effect until 10 days, Saturdays, Sundays, and public holidays excepted, after the copy of the minutes shall have been so delivered, unless during such 10-day period the Governor shall approve the same, in which case such action shall become effective upon such approval. If, in

that 10-day period, the Governor returns such copy of the minutes with veto of any action taken by the Authority or any member thereof at such meeting, such action shall be void.

ARTICLE IV

OFFICERS

Section 1. Officers. The officers of the Authority shall be the Chairperson, the Vice-Chairperson, the Secretary, and the Treasurer.

Section 2. Vacancies. In case any officer of the Authority, except any office which is held ex-officio, becomes vacant by death, resignation, removal or any other cause, or in the event additional offices are created by the Authority, the members may at any meeting elect an officer to fill such vacancy or additional office, and the officer so elected shall serve until the next annual meeting of the Authority and until the election of the officer's successor.

Section 3. The Chairperson. The Governor shall appoint the Chairperson of the Authority. The Chairperson shall preside at all meetings of the Authority and rule on all questions of order, subject to appeal by the members. The Chairperson shall submit such recommendations considered proper concerning the business, duties, and affairs of the Authority. The Chair shall also have such other duties and powers conferred by any resolution adopted by the Authority.

Section 4. The Vice-Chairperson. The Vice-Chairperson shall be elected for a term of one year by the members of the Authority from their number at each annual meeting of the Authority and shall serve for said term until his or her successor shall have been duly elected, except as Section 2 of this Article provides otherwise for filling vacancies. The Vice-Chairperson shall preside over all meetings in the absence or disability of the Chairperson and shall perform the duties of the Chairperson in the event the position of Chairperson is vacant or in the event the Chairperson is unable to perform such duties by reason of illness, disability or absence. The Vice-Chairperson shall have such other powers and perform such other duties as the Authority may prescribe from time to time by resolution.

Section 5. The Secretary. The Secretary of the Authority shall be appointed by the Chairperson. The Secretary shall act as clerk of all meetings of the Authority, record or cause to be recorded all the proceedings of the meetings of the Authority, and cause such records to be kept in such a manner as to ensure their permanence. The Secretary shall attend to the giving of notices of the Authority and shall have charge of such books, documents and papers as the Authority may determine and shall have the custody of the Authority's seal and the power to affix and attest the same. The Secretary shall in general perform all the duties incident to the office of Secretary, subject to the control of the Authority and shall have such other powers to do and perform such other duties as the Authority may prescribe from time to time by resolution. The Secretary shall deliver and certify forthwith a true copy of the minutes of every meeting of the Authority to the Governor. The Secretary shall also keep a record, containing the names, alphabetically arranged, of all persons who are members of the Authority or duly appointed

designees of members, showing their places of business and dates of membership or dates of designation.

Section 6. Assistant Secretary. The Authority may by resolution appoint one or more Assistant Secretaries. At the request of the Secretary or in the event of the Secretary's absence or disability, an Assistant Secretary may perform any and all duties and possess all the powers of the Secretary.

Section 7. The Treasurer. The Chairperson shall appoint the Treasurer. The Treasurer shall have such powers and perform such duties as the Authority may prescribe from time to time.

Section 8. Removal of Officers. Any officer or agent of the Authority other than the Chairperson, Secretary, or Treasurer may be removed by the Authority whenever in its judgment the best interests of the Authority will be served thereby. The removal of a member of the Authority from an office thereof shall in no way constitute such member's removal as a member of the Authority.

ARTICLE V

EXECUTIVE DIRECTOR AND STAFF

Section 1. Fort Monmouth Office Staff. The Authority will be staffed by personnel employed by the New Jersey Economic Development Authority (referred to as "Fort Monmouth Office Staff"). The Fort Monmouth Office Staff shall remain under the supervision and control of the NJEDA. The Authority shall rely solely on the Fort Monmouth Office Staff to carry out its mission under this Act, including, but not limited, to administrative, procurement, budgetary, clerical, and other similar types of services. The NJEDA may provide additional administrative and support services to meet the needs of the Fort Monmouth Office Staff.

Section 2. Hiring of the Executive Director. The Executive Director shall be hired by the NJEDA; such hiring shall be reviewed and approved by a subcommittee of the members of the Authority to be appointed and convened at the direction of the Chairperson for the purposes of this action.

Section 3. Executive Director Role. The Executive Director shall report to the Chief Executive Officer of the NJEDA and have general supervision over and be in administrative charge of the Fort Monmouth Office Staff, and together with the Fort Monmouth Office Staff shall be responsible for carrying out the policies set forth by the Authority, in a collaborative manner with the host municipalities and the county. The Executive Director shall attend all meetings of the Members of the Authority. In the absence or incapacity of the Executive Director, or if a vacancy exists in the office of Executive Director, the NJEDA shall appoint someone who shall assume, on an interim basis, the powers and perform all duties of the Executive Director.

Section 4. Professional Services. Upon the approval of the members of the Authority, the Authority may enter into contracts for professional services required for the efficient and effective operation of the Authority and to implement the Act. Professional services as used in this section may include, but are not limited to, the services of counsel, bond counsel, auditors, engineering and appraisal services, financial and credit reporting services, planning, and architectural services.

ARTICLE VI

WAIVER OF NOTICE

Whenever the Authority or any officer thereof is authorized to take any action or to hold any meeting or proceeding after notice or after the lapse of a prescribed period of time, such actions may be taken, or such meeting or proceeding held, without notice and without the lapse of any period of time, if at any time before or after the action to be completed or the meeting or proceeding to be held, the notice or lapse of time requirements be waived in writing by the member, person or body entitled to said notice or entitled to the benefit of the lapse of time.

ARTICLE VII

FISCAL YEAR

The fiscal year of the Authority shall commence on the first day of January of each calendar year and conclude on the last day of December of the same calendar year.

ARTICLE VIII

AUDIT AND AUDITOR EVALUATION COMMITTEE

Section 1. Audit Committee Members. The Audit Committee shall consist of at least three members. The Chairperson of the Authority shall be a member of the Audit Committee and shall appoint the other members of the Audit Committee. At least two of the members of the Audit Committee shall be voting members of the Authority, and at least one member shall have accounting or related financial expertise. At no time shall a member of the Fort Monmouth Office Staff be a member of the Audit Committee. All members shall be independent of the Authority and have knowledge of the Authority's governmental functions. The Audit Committee shall have a direct relationship with the external, independent auditor. The Chairperson of the Audit Committee shall be appointed by the Chairperson of the Authority.

Section 2. Audit Committee Meetings. Meetings of the Audit Committee shall be held quarterly, unless otherwise determined by the Chairperson, with no fewer than two meetings each year. One of these meetings shall take place prior to the commencement of the annual audit and the one of these meetings shall take place prior to the issuance of the final audit report.

Section 3. Auditor Evaluation Committee. The Authority shall establish an Auditor Evaluation Committee of no less than three members of the Authority. The Auditor Evaluation Committee shall be responsible for drafting requests for proposals, soliciting responses to such requests, accepting and evaluating proposals, and providing a final written report of the responses to the Audit Committee.

Section 4. Audit Committee Duties. The Committee shall monitor the financial operations of the Authority. The duties of the Committee shall include, but not be limited to, review of:

- (a) Draft quarterly and annual financial statements to include comparison of actual expenses to budget;
- (b) Annual operating budget;
- (c) Audit scope, prior to the commencement of the annual audit. Post audit-annual audited financial statements, to include comparison of actual expenses to budget, internal control functions, results of the annual audit to include management letters from auditors and managements response, the effectiveness of electronic data processing procedures, controls and related security programs;
- (d) Major changes in financial policies and procedures;
- (e) Major financial commitments being contemplated by the financial management of the Authority and recommend policies with respect to risk assessment and risk management;
- (f) Oversee the competitive selection process for the retention of independent external auditors, to include non-audit engagements, as conducted by the Audit Evaluation Committee and make a recommendation to the Board of Directors. Provide the Audit Evaluation Committee with selection criteria. Within six months of making the recommendation to the Board, issue a report to the State Treasurer setting forth the steps taken in the selection process. Monitor the auditor's performance and, if necessary, recommend replacement;
- (g) The Authority's compliance with legal, regulatory and ethical requirements to include adequacy of compliance with the Authority's Code of Ethics; and
- (h) Such other duties as may be prescribed from time to time by the Chairperson of the Authority or by resolution of the members of the Authority.

ARTICLE IX

REAL ESTATE COMMITTEEE

Section 1. Members. The Real Estate Committee shall consist of from three to four members of the Authority appointed by the Chairperson with a minimum of two members voting members of the Authority. All members will be independent of the Authority and have knowledge of the Authority's governmental functions. The Chairperson of the Real Estate Committee will be appointed by the Chairperson of the Authority.

Section 2. Meetings. The times, places and the agenda for the Real Estate Committee will be set forth by the Executive Director of the Authority, in consultation with the Chairperson of the committee.

Section 3. Duties. The duties of the Real Estate Committee shall include, but not be limited to:

(a) Review proposals and make recommendations for a designated redevelopment agreement with the NJEDA as provided in subsection a of Section 16 of the Act and to provide ongoing oversight and direction as it relates to the agreement;

(b) Review and make recommendations on development and design guidelines and land use regulations;

(c) Ensure the appropriate identification and mitigation of environmental related concerns, with respect to the implementation of the Plan;

(d) Review, recommend and monitor negotiations with the federal government regarding real estate transfers;

(e) Review, recommend and monitor lease agreements and all subsequent changes to the agreement; and

(f) Review and make policy recommendations as they relate to the administration and management of Special Improvement Districts and Transportation Planning Districts, prior to submission to the members of the Authority for their consideration;

(g) Such other duties that may be prescribed from time to time by the Chairperson of the Authority or by resolution of the members of the Authority.

ARTICLE X

OTHER COMMITTEES

Section 1. Advisory Committees. In accordance with Section 10 of the Act, the Authority shall appoint a Historical Preservation Advisory Committee and an Environmental Advisory Committee to assist in its activities in such areas, and any other advisory committee it deems appropriate. The membership of the advisory committees shall be determined by the Authority, and shall include appointees by the mayor of the host municipalities. The Historical Preservation Committee and the Environmental Committee shall for all intents and purposes be the exclusive “historic preservation commission,” as established pursuant to section 21 of P.L. 1985, c.516 (N.J.S.A. 40:55D-107), and the “environmental commission,” as established pursuant to P.L. 1968, c245 (N.J.S.A. 40:56A-1 et seq.), for all land use matters and approvals within the project areas.

Section 2. Committee to Review and Approve Hiring of Executive Director. The Chairperson shall appoint members of the Authority to a committee the Chairperson shall convene for the purpose of reviewing and approving the hiring of the Executive Director by the NJEDA.

Section 3. Establishment of Other Committees. The Chairperson or, by resolution, the members of the Authority may appoint and abolish committees, other than those provided herein, as is necessary to address affairs of the Authority. Each additional committee shall have at least three members, of which two shall be voting members. The Chairperson of the Authority shall appoint the chairperson of each of these committees.

Section 4. Establishment of Other Advisory Committees. The Chairperson or, by resolution, the members of the Authority may appoint or abolish advisory committees, other than those provided herein, as necessary to address affairs of the Authority. The Chairperson of the Authority shall appoint the chairperson of each of these advisory committees.

ARTICLE XI

CONDUCT RESTRICTIONS GENERALLY

Section 1. No Interest in Projects. No member, officer, employee or agent of the Authority or of the Fort Monmouth Office Staff shall have a personal interest, either directly or indirectly, in any project, employment agreement or any contract, sale, purchase, lease, or transfer of real or personal property to which the Authority or the Fort Monmouth Office Staff is a party.

Section 2. Financial Disclosure. The members of the Authority shall be subject to the same financial disclosure requirements as the members, officers, and employees of State authorities subject to executive orders of the Governor with respect to financial disclosure.

ARTICLE XII

AMENDMENTS

The by-laws may be altered, amended, or repealed at any meeting of the Authority provided that notice of the proposed action and a copy of such alteration or amendment or a copy of the provisions to be repealed are inserted in the notice of such meeting given to each member, at least seven days in advance of the meeting at which the motion on adoption on such resolution is to be made.

ARTICLE XIII

SUSPENSION OF BY-LAWS

Any and all provisions of these by-laws may be suspended by unanimous consent of the members present at any duly constituted meeting of the Authority.

CERTIFICATION

The foregoing is a true copy of the by-laws duly adopted by the Fort Monmouth Economic Revitalization Authority at a meeting of the Authority held on September 28, 2010.

**FORT MONMOUTH ECONOMIC
REVITALIZATION AUTHORITY**

[SEAL]

ATTEST:

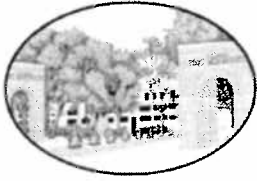
FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY

**2010 -2011
BOARD MEETING DATES**

Tues, September 28, 2010	7 - 9PM	Tinton Falls Municipal Bldg, 556 Tinton Ave, Tinton Falls, NJ 07724
Wed, November 10, 2010	7 - 9PM	Agriculture (AG) Building, 4000 Kozloski Road, Freehold, NJ 07728
Wed, December 15, 2010*	7 - 9PM	Eatontown Municipal Bldg, 47 Broad Street, Eatontown, NJ 07724
Please Note that Dates, Times, and Locations are Subject to Change		

Calendar Year 2011		TBD
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*3rd Wednesday



Fort Monmouth Economic Revitalization Authority

2-12 Corbett Way • Eatontown, NJ 07724-4251 • Tel: 732.935.5966 • Fax: 732.935.7440

MEMORANDUM

TO: Members of the Authority

FROM: Timothy Lizura
Interim Executive Director

RE: Memorandum of Understanding

DATE: September 28, 2010

Summary

The Members are requested to approve the Memorandum of Understanding (MOU) between New Jersey Economic Development Authority (NJEDA) and the Fort Monmouth Economic Revitalization Authority (FMERA or Authority). The MOU outlines the roles and responsibilities of the two organizations concerning the Fort Monmouth Office and related support services. As part of the approval of the MOU, the Members are requested to approve a delegation of administrative powers to the Fort Monmouth Office and other NJEDA personnel. This MOU will be presented to the NJEDA Board for its approval at its October meeting.

Background

On August 17, 2010, the Governor enacted P.L. 2010, c.51, the Fort Monmouth Economic Revitalization Authority Act (Act). Section 6 of the Act states that an office (Fort Monmouth Office) will be established, staffed and managed by NJEDA to carry out the policies of FMERA and to cooperatively perform the necessary tasks to redevelop Fort Monmouth to the benefit of the three host communities, Monmouth County and the State of New Jersey. The section requires the Authority to rely solely on the Fort Monmouth Office for all services necessary for the Authority to carry out its mission. The section further provides that the Authority and NJEDA may enter into any agreements necessary to provide for the establishment, operation, and financial support of the Fort Monmouth Office. Finally, the section provides that the Authority shall pay all costs of the Fort Monmouth Office, pursuant to an annual budget presented by NJEDA, which budget may be amended. If the Authority does not have sufficient funds, the section authorizes NJEDA to defer payment from the Authority.

Accordingly, the attached MOU outlines each organization's roles and responsibilities. NJEDA is responsible for Fort Monmouth Office Personnel who, in accordance with the needs of FMERA to carry out its mission, will procure and administer contracts including consulting services, provide asset management and real estate development services, plan for and manage

the assumption of utility services and infrastructure improvements, provide accounting, financial reporting services, and general administrative operating services and other services that may be needed by FMERA to carry out its mission.

NJEDA will provide additional staff on an as-needed basis to provide Support Services to Fort Monmouth Office Personnel. These Support Services include such items as salary, benefits and payroll administration; human resources support; technical guidance on compliance with procurement law and executive orders; information technology support; and governance and public information.

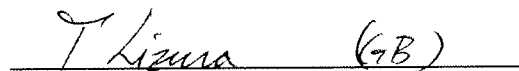
Annually, NJEDA will present a budget for approval by the FMERA Board that will cover the costs of providing office space, office equipment and office furniture for the Fort Monmouth Office Personnel and for reimbursing NJEDA on a quarterly basis for the Fort Monmouth Office Personnel salary and fringe benefits. To pay these expenses, FMERA is expected to receive grant funding from the federal government and appropriations from the State of New Jersey in a proportion of 90% federal funding to 10% state match. If there are timing considerations in receipt of these funds, NJEDA may elect to accept a deferral of payment that will have an interest rate of 3% per annum, accruing quarterly, which will be repaid from fees, redevelopment activities, real estate sales, leasing and other income that may become available to FMERA.

The MOU also provides that the annual budget presented to the FMERA Board will include the anticipated costs and deferred payment (if necessary) for Support Services for the coming year. NJEDA will be reimbursed for these costs when funding becomes available from such sources as State appropriations, redevelopment activities, fees and other income that may become available. As is the case for Fort Monmouth Office Personnel, deferrals of payment for Support Services will have an interest rate of 3% per annum and accrue quarterly.

To provide for efficient and effective operation of the Authority, the MOU contains the approval of delegation of administrative powers, as shown in the exhibit attached to the MOU. The levels and amounts of the specific delegated powers mirror the delegations approved by the NJEDA Board.

Recommendation

To define the roles and responsibilities of NJEDA and FMERA with regard to Fort Monmouth Office Personnel and Support Services, to provide for associated costs, and to delegate powers, the Members are requested to approve the MOU between NJEDA and FMERA.



Timothy Lizura

Prepared by: Gina Behnfeldt

Revised Pursuant to Board Action

**MEMORANDUM OF UNDERSTANDING
(STAFFING AND SUPPORT SERVICES)
between
FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY (FMERA)
and
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY (NJEDA)**

This Memorandum of Understanding (MOU) dated the 1st day of October, 2010, will confirm the mutual understanding and intention between the New Jersey Economic Development Authority (NJEDA) and the Fort Monmouth Economic Revitalization Authority (FMERA) regarding NJEDA providing office personnel and support services to FMERA in connection with revitalization and reuse of the former military base known as Fort Monmouth (Fort Monmouth). NJEDA and FMERA are collectively referred to herein as the "Parties."

WHEREAS, NJEDA was created pursuant to N.J.S.A. 34:1B-1 et seq.;

WHEREAS, Fort Monmouth, a federally-owned and operated military installation located in the municipalities of Eatontown, Oceanport, and Tinton Falls in Monmouth County, was scheduled for closure on May 13, 2005 by recommendation of the federal Base Realignment and Closure Commission;

WHEREAS, FMERPA was created pursuant to P.L. 2006, c.16 (C.52.271-1 et seq.) to create a comprehensive conversion and revitalization plan (the Plan) for the revitalization and reuse of Fort Monmouth;

WHEREAS, FMERA was created pursuant to the Fort Monmouth Economic Revitalization Authority Act, P.L. 2010, c.51 (the Act) to be the successor of FMERPA and oversee, administer, and implement the Plan;

WHEREAS, pursuant to Section 6 of the Act, an office was created in NJEDA (the Fort Monmouth Office) to provide all office staff and support services required to carry out the policies set forth by FMERA, in a collaborative manner with the host municipalities and the county;

WHEREAS, NJEDA will incur expenses and overhead associated with providing office staff and support services;

WHEREAS, the Act provides that the costs NJEDA incurs in connection with providing such office staff and support services will be paid by FMERA;

WHEREAS, this MOU is intended to address the role and reimbursement of the Fort Monmouth Office and is not intended to address NJEDA's role as designated redeveloper, under Section 16 of the Act; and

WHEREAS, this MOU has been submitted to and approved by the Boards of FMERA and NJEDA; and

WHEREAS, the Parties enter into this MOU as an inter-department governmental agreement pursuant to N.J.S.A. 52:14-1 et seq.

1. NJEDA's Role and Responsibilities; Fort Monmouth Office Personnel

NJEDA will provide office personnel (Fort Monmouth Office Personnel) which, pursuant to the Act, will remain under the supervision and control of the NJEDA and which will carry out the policies and directions of FMERA including, but not limited to the following:

- a) Procure and administer contracts in FMERA's name, including, but not limited to, contracts for consultants and services needed to assist FMERA to adopt development and design guidelines and land use regulations consistent with and in furtherance of the Plan, and contracts for consultants needed to assist the Fort Monmouth Office to provide the services set forth herein, which will be procured consistent with applicable statutes, Executive Orders and delegated authority approved by the NJEDA and FMERA Boards.
- b) Provide asset management and real estate development services such as technical guidance, assessment of the condition of Fort Monmouth and guidance on real estate reuse and revitalization;
- c) Negotiate on behalf of the FMERA Board for the acquisition of all or portions of Fort Monmouth which will be approved by the FMERA Board;
- d) Provide oversight, management and administrative services for intergovernmental service agreements related to portions or operations of Fort Monmouth in accordance with Board-approved agreements;
- e) Provide oversight, management and administrative services for developing Board-approved development and design guidelines and land use regulations for revitalization and reuse of Fort Monmouth;

- f) Provide oversight, management and administrative services for planning, designing, financing, installing and managing utility service and other infrastructure improvements at Fort Monmouth;
- g) Provide accounting services including administer cash receipts and disbursements, prepare financial reports to management and audit committee, prepare audited financial statements and comprehensive annual reports, serve as liaison to New Jersey Office of Management and Budget, serve as liaison to independent state and federal auditors, annually prepare a budget for review and approval by the FMERA Board and administer other budgetary services;
- h) Provide assistance to implement financing mechanisms for special improvement, infrastructure and transportation districts as provided in the Act;
- i) Provide general administrative services, clerical services and office operations needed by FMERA, including, but not limited to, preparation of board materials;
- j) Report to the FMERA Board on the progress that is being made advancing the various interests and initiatives of FMERA; and
- k) Provide other services needed by FMERA to carry out its mission under the Act.

2. Qualifications for Fort Monmouth Office Personnel

- a) The Fort Monmouth Office will be staffed with Fort Monmouth Office Personnel who have sufficient experience to carry out the policies and directions of FMERA and manage the operations of the Fort Monmouth Office. Fort Monmouth Office Personnel will be dedicated exclusively to working on matters related to Fort Monmouth. The Fort Monmouth Office staffing/organization chart will be amended and revised from time to time (primarily contemporaneously with the adoption of an annual budget by FMERA), as the need for services under this MOU changes.
- b) The Fort Monmouth Office Personnel, as well as the Support Services personnel in Section 3, below, will administer to the business and operational affairs of the FMERA under FMERA's delegated operating authority, attached as Exhibit A, as approved by FMERA and NJEDA and as may be revised and amended from time to time. FMERA's delegated operating authority defines the types of business transactions, related to operations, and the staff level or title that is authorized to conduct these transactions pursuant to the approved budget, without Board approval. Any revisions to the delegated operating authority affecting FMERA will be brought to

the FMERA Board for approval. Approval by the FMERA Board will also be sought for any revisions affecting only NJEDA delegated operating authority.

3. NJEDA's Role and Responsibilities; Support Services

NJEDA will make available on an as-needed basis NJEDA staff who will provide administrative and support services (Support Services) to the Fort Monmouth Office Personnel and who will utilize a portion of their time to provide administrative and support services to meet the needs of Fort Monmouth Office Personnel, including but not limited to:

- a) Administer salary and benefits for Fort Monmouth Office Personnel in accordance with those customarily provided by NJEDA which may include, but are not limited to, health insurance, dental insurance, pension and retirement savings plans, and life insurance;
- b) Provide human resources support services for Fort Monmouth Office Personnel such as recruiting and staffing, orientation, benefits administration, employee relations, staff development and talent management, training, compensation guidance, performance management, organizational development, recognition programs, and human resources policy;
- c) Provide payroll administration and direct service billing to FMERA;
- d) Provide compliance support services such as technical guidance regarding such matters as prevailing wage, affirmative action, and procurement related compliance requirements;
- e) Provide information technology support services such as initial assessment and stabilization to coordinate Fort Monmouth Office systems with NJEDA systems, initial support, technical guidance on software, hardware and electronic office equipment, and assistance procuring and managing contract for outsourced support; and
- f) Provide corporate governance and public information support services such as Board formation, by-laws writing, Board committee formation, FMERA Board meeting support, liaison with Governor's Office and Authority's Unit, new resource implementation, liaison with records custodian and assistance with Open Public Records Act information requests, guidance on ethics matters and liaison with State Ethics Commission, media outreach and management, legislative support, legal support from NJEDA-assigned Deputy Attorneys General, and technical guidance.

4. Executive Director of the Fort Monmouth Office

a) NJEDA agrees that it will not hire an Executive Director of the Fort Monmouth Office without the review and approval of a subcommittee of FMERA appointed and convened at the direction of the Chairperson as directed in Section 6.a. of the Act.

b) NJEDA will supervise the work, performance and terms of employment, including termination, of the Executive Director of the Fort Monmouth Office. FMERA, through its Chairman, will from time to time give direction to the Executive Director of the Fort Monmouth Office regarding which matters are being attended to properly, which matters should receive more immediate attention and which matters require less immediate attention. FMERA's direction to the Executive Director will be reviewed by NJEDA's Chief Executive Officer.

5. FMERA's Role and Responsibilities; Payment.

a) FMERA will reimburse NJEDA for the full cost, including but not limited to, salary and fringe benefits of providing Fort Monmouth Office Personnel. Throughout the Term of this MOU, pursuant to the Fiscal Planning Cycle and process adopted by FMERA's Audit Committee, the Fort Monmouth Office will prepare a proposed Fort Monmouth Office budget for the next fiscal year. Reimbursement for Fort Monmouth Office Personnel during the Term of this MOU will accrue and be payable on a quarterly basis no later than the last day of the month following the quarter. NJEDA acknowledges that, throughout the Term of this MOU, FMERA expects to receive ninety (90%) percent of the funding for Fort Monmouth Office Personnel through a grant from the federal government and the remaining ten (10%) percent through appropriations from the New Jersey Appropriations Act. In the event there is a timing delay in receipt of funds to pay for Fort Monmouth Office Personnel, on an annual basis, NJEDA may agree to accept a deferred payment from FMERA in the amount of unpaid costs for Fort Monmouth Office Personnel with interest accruing at three (3%) percent per annum and FMERA agreeing to pay such deferred payments as and when income from federal or State appropriations, fees, redevelopment activities and other sources become available to FMERA to do so.

b) FMERA will reimburse NJEDA for providing Support Services during the Term of this MOU. Throughout the term of the MOU, pursuant to the Fiscal Planning Cycle and process adopted by FMERA's Audit Committee, the Fort Monmouth Office will include in the proposed Fort Monmouth Office budget for the next fiscal year the anticipated costs of Support Services. Reimbursement for Support Services rendered during the Term of this MOU will accrue on a quarterly basis on the first day of each quarter. In the event

there is a timing delay in receipt of funds to pay for Support Services rendered during the Term of this MOU, NJEDA may agree to defer payments from FMERA in the amount of the unpaid reimbursement with interest accruing at three (3%) percent per annum. FMERA agrees to pay such deferred payments as and when income from State appropriations, fees, redevelopment activities and other sources becomes available. Payments received by NJEDA will be applied first to accrued, unpaid interest and the balance, if any, to principal.

c) Any deferred payments made under this MOU are exclusive of costs that are beyond the scope of providing Fort Monmouth Office Personnel and Support Services, such as costs and expenses associated with providing care or services to the Fort Monmouth facilities or grounds, or unexpected, unusual costs and expenses that the NJEDA may incur as a result of the administration of duties as prescribed by the Act. Deferred payments are subject to the approval of the FMERA and NJEDA Boards.

d) FMERA will provide full and complete payment to NJEDA for unexpected and unusual costs and expenses incurred by NJEDA that would otherwise be within the scope of Fort Monmouth Office Personnel and Support Services costs and expenses and were incurred as a result of the administration of duties as prescribed by the Act. NJEDA shall notify FMERA of any such incurred unexpected and unusual costs as soon as possible.

6. FMERA's Role and Responsibilities; Facilities, Equipment and Furniture

a) Through an annual budget approved by FMERA, office space, office equipment and office furniture needed for Fort Monmouth Office Personnel to work on FMERA matters will be fully paid for by FMERA. Initially, the office space provided by FMERA for Fort Monmouth Office Personnel will be located at 2-12 Corbett Way, Eatontown, NJ 07724. To the extent that additional office space is needed, NJEDA may provide offices for Fort Monmouth Office Personnel at NJEDA's main or satellite office locations.

b) NJEDA will provide office space, office equipment and office furniture needed to provide Support Service for FMERA matters. The office space for Support Services will be provided at (and Support Services will be conducted from) NJEDA's main or satellite offices or work stations utilized by NJEDA personnel. The cost for providing office space, office equipment and office furniture is included in the reimbursement rates for Support Services set forth in Section 5.

7. Additional Provisions.

a) Environmental Liability. It is expressly understood that this MOU will not obligate NJEDA to incur any liability for any known or unknown environmental conditions that

exists or existed at or on Fort Monmouth property. Subject to the limitations of the New Jersey Tort Claims Act (N.J.S.A. 59:1-1 et seq.), FMERA will hold NJEDA harmless for any and all environmental condition that exists or existed at or on the Fort Monmouth property.

b) Sufficient Funds. This MOU shall not obligate or require NJEDA to expend personnel time or other support services costs or to accrue costs and accept deferred payments from FMERA unless sufficient funds are readily available to pay NJEDA for such expenses and costs. NJEDA shall at all times have the right to terminate or discontinue any work in connection with this MOU if NJEDA determines that sufficient funds are not readily available to pay NJEDA for such work.

c) Right of Entry and License. FMERA agrees to make good faith efforts to assist NJEDA, its employees, officers, agents, consultants and contractors in gaining access to portions of the Fort Monmouth property in order to carry out this MOU as and when the need arises.

d) Commencement and Duration. This MOU will commence immediately upon execution by the Parties. Unless terminated earlier, this MOU shall remain in effect for five (5) years from the date and year first written above, and may be extended by a writing executed by the Parties.

e) Amendments. This MOU may be amended in writing executed by the Parties.

f) Termination. Any Party shall have the right to terminate this MOU upon written notice to the other party. Upon termination, NJEDA shall make reasonable efforts not to expend any additional time, expense or administrative cost in connection with this MOU. Notwithstanding any such termination of this MOU, FMERA shall continue to be responsible to pay NJEDA for all time, expenses and support services costs actually incurred by NJEDA in connection with this MOU.

g) Notices. All notices required to be served or given hereunder shall be in writing and will be deemed given when received by personal delivery, by an overnight delivery service which issues a receipt from delivery, or three business days after having been mailed by certified mail, return receipt requested, and addressed as follows:

If to NJEDA: New Jersey Economic Development Authority
 36 West State Street
 P.O. Box 990
 Trenton, New Jersey 08625-0990
 Attention: Caren S. Franzini, Chief Executive Officer

If to FMERA: Fort Monmouth Economic Revitalization Authority
2-12 Corbett Way
Eatontown, NJ 07724
Attention: Chairperson

h) Reasonable Diligence. Each of the Parties will act with reasonable diligence for the purpose of satisfying the conditions set forth herein.

i) Titles and Headings. Titles and headings are included for convenience only and shall not be used to interpret the MOU.

The foregoing correctly reflects the Parties' understanding and intent.

IN WITNESS WHEREOF, the Parties have caused this Memorandum of Understanding to be duly executed and delivered as of the date and year first above written and by so executing, represent and warrant they have the authority to do so.

FORT MONMOUTH ECONOMIC
REVITALIZATION AUTHORITY

By: _____

Attest

NEW JERSEY ECONOMIC
DEVELOPMENT AUTHORITY

By: _____
Caren S. Franzini
Chief Executive Officer

Attest

EXHIBIT A

ADMINISTRATIVE OPERATING AUTHORITY

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
ADMINISTRATIVE OPERATING AUTHORITY BY LEVEL**

Staff level authority necessary to execute business transactions that support personnel and the various office facilities, not program initiatives or specific projects

<p>Operating Scope:</p> <p>(applicable to the extent Operating Scope and execution of authority conforms to the Enabling Act, By-laws, EO's, defined policy and procedure, and any other authoritative compliance mandate)</p>				
<p>Cash Management Functions:</p>				
<p>Account Establishment:</p> <p>authority to establish in any and all applicable financial institutions accounts necessary to fulfill the cash management functions of EDA, to include Agency (e.g. FMERA) Administration. Example accounts follow: checking, deposit, lock-box, investment, asset management, custody, trust, etc.</p>	<p>Position</p> <p>Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Dir Acct'g & Financial Rpt'g FM Office Executive Director FM Office Operations Director FM Office Accountant</p>	<p>Level of Authority</p> <p>Any one individual has authority to establish accounts as necessary</p>		<p>Controls in Place</p> <p>Segregation of Duties: account establishment, deposits, account reconciliation, journal entries, etc. performed by various individuals. Controls tested by independent and State auditor.</p>
<p>Check Signatory</p> <p>authority to sign checks subject to prior approval by the Board or pursuant to delegated authority as approved by the Board</p>	<p>Position</p> <p>Chief Executive Officer Chief Operating Officer Chief Financial Officer FM Office Executive Director Dir Acct'g & Financial Rpt'g FM Office Operations Director Ass't Dir Acct'g & Financial Rpt'g FM Office Accountant Dir Internal Process Management FM Office - any unit Director Dir Closing Services FM Office - any unit Director Dir Program Services Dir Portfolio Services</p> <p>VP Business Assistance Commerce, Real Estate Asset Manager, FM Office Asset Officer, and Business Assistance Operations Mgr</p>	<p>Disbursement Type</p> <p>Any check Any check Any check Any check Any check Any check Any check Any check Any administrative check Any administrative check checks for project financings checks for project financings checks for project financings</p> <p>checks for project financings and Program Costs</p>	<p>Any one individual authorized to sign for the following amounts:</p> <p>Unlimited Unlimited Unlimited Unlimited \$1,500,000 \$1,500,000 \$1,000,000 \$1,000,000 \$500,000 \$500,000 \$250,000 \$250,000 \$250,000 \$250,000</p> <p>\$250,000</p>	<p>Controls in Place</p> <p>blank checks secured check sequence maintained segregation of duties</p> <p>check requests verified for proper authority level conformance with policy and procedures supporting documentation</p>
<p>Outgoing Wire Transfers</p> <p>authority to initiate or confirm transfer of funds whereby monies leave control of Authority and are transferred to a 3rd party beneficiary account</p> <p>Note: the initiator of a wire transfer is not authorized to confirm that wire transfer</p>	<p>Position</p> <p>Chief Executive Officer Chief Operating Officer Chief Financial Officer FM Office Executive Director Dir Acct'g & Financial Rpt'g FM Office Operations Director Ass't Dir Acct'g & Financial Rpt'g FM Office Accountant Dir Closing Services Dir Program Services Dir Portfolio Services Dir Real Estate Development Dir Internal Process Management FM Office - any unit Director Real Estate Asset Manager FM Office Asset Officer</p>	<p>Disbursement Type</p> <p>any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction any transaction</p>	<p>Any one individual may:</p> <p>initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm</p>	<p>Controls in Place</p> <p>segregation of duties</p> <p>all wires must be confirmed by someone else other than the initiator</p> <p>confirmer is randomly selected by wire room personnel</p> <p>initiator and confirmer is provided supporting documentation for the transfer request</p>
<p>Internal Wire Transfers</p> <p>authority to transfer funds whereby monies do not leave control of Authority; funds are transferred between and among various Authority controlled accounts.</p> <p>Note: the initiator of a non-repetitive wire transfer is not authorized to confirm that same wire transfer</p>	<p>Position</p> <p>Chief Executive Officer Chief Operating Officer Chief Financial Officer FM Office Executive Director Dir Acct'g & Financial Rpt'g FM Office Operations Director Ass't Dir Acct'g & Financial Rpt'g FM Office Accountant Accountants FM Office - any unit Director</p>	<p>Disbursement Type</p> <p>any transaction any transaction</p>	<p>Any one individual may:</p> <p>initiate, or confirm if necessary initiate, or confirm if necessary</p>	<p>Controls in Place</p> <p>segregation of duties</p> <p>repetitive code is established with wire room, Authority deposit account is predetermined and fixed</p> <p>all wires without a repetitive code must be confirmed by someone else other than the initiator</p>
<p>Establishment of Investment Policy and Practice</p> <p>pursuant to established Asset Allocation Guidelines and Practice, authority to make or implement investment decisions independently or in concurrence with appointed investment manager as to management of "idle" funds; not specific financing initiatives or project financings</p>	<p>Position</p> <p>Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Dir Acct'g & Financial Rpt'g FM Office Executive Director FM Office Operations Director FM Office Accountant</p>	<p>Level of Authority</p> <p>Any one individual authorized to initiate investment instructions pursuant to guidelines or established policy or practice. When policy and guidelines do not exist, authority to place funds with the NJCEMF. For any transfer between financial institutions greater than \$10,000,000, the initiator must notify one other authorized individual.</p>		<p>Controls in Place</p> <p>segregation of duties, guidelines provided and adhered to by portfolio asset manager, CMF is State administered fund within Treasury</p>

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
ADMINISTRATIVE OPERATING AUTHORITY BY LEVEL**

Staff level authority necessary to execute business transactions that support personnel and the various office facilities, not program initiatives or specific projects

Operating Scope:				
(applicable to the extent Operating Scope and execution of authority conforms to the Enabling Act, By-laws, EO's, defined policy and procedure, and any other authoritative compliance mandate)				
Procurement of Goods & Services: (e.g. administrative expenses & program costs)				
Non-Contracted Expenditures	Position	Commitment Level		Controls in Place
authority to initiate non-contracted procurement which generally applies to the purchase of specific "goods" rather than defined services; refer to the Procurement Policy and Procedure Manual for examples and additional information and guidance	Chief Executive Officer Chief Operating Officer Chief Financial Officer Chief Information Officer Senior Vice President FM Office Executive Director Vice President Director FM Office Operations Director Assistant Director FM Office Accountant Manager FM Office Asset Officer	\$100,000 and under in aggregate \$100,000 and under in aggregate \$50,000 and under in aggregate \$50,000 and under in aggregate \$50,000 and under in aggregate \$10,000 and under in aggregate \$10,000 and under in aggregate \$10,000 and under in aggregate \$10,000 and under in aggregate \$10,000 and under in aggregate \$10,000 and under in aggregate \$10,000 and under in aggregate	Note: a single cost commitment for direct program/project based (non-administrative) expenditures aggregating to \$150,000 and above requires Finance Committee approval before the commitment is made, with the exception of emergency or exigency	check requests reviewed for adherence to procurement policy and procedures, proper authorization, and support documentation expenditure commitments exceeding \$100,000 must have Board approval
Contracted Expenditures	Position	Commitment Level		Controls in Place
authority to initiate and execute contracted expenditures which are substantiated by legally binding written agreements (to include a lease) with a vendor or a contractor and are applicable to both goods and services; refer to the Procurement Policy and Procedure Manual for examples and additional information and guidance	Chief Executive Officer Chief Operating Officer Chief Financial Officer Chief Information Officer Senior Vice President FM Office Executive Director Vice President Director FM Office Operations Director Assistant Director FM Office Accountant Manager FM Office Asset Officer	\$250,000 and under in aggregate \$250,000 and under in aggregate \$150,000 and under in aggregate \$150,000 and under in aggregate \$150,000 and under in aggregate \$150,000 and under in aggregate \$50,000 and under in aggregate \$50,000 and under in aggregate \$50,000 and under in aggregate \$25,000 and under in aggregate \$25,000 and under in aggregate \$25,000 and under in aggregate \$25,000 and under in aggregate	Note: a single cost commitment for direct program/project based (non-administrative) expenditures aggregating to \$150,000 and above requires Finance Committee approval before the commitment is made, with the exception of emergency or exigency	check requests reviewed for adherence to procurement policy and procedures, proper authorization, and support documentation. a single direct cost commitment aggregating to \$150,000 and above requires Finance Committee approval before the commitment is made, with the exception of emergency or exigency expenditure commitments exceeding \$250,000 must have Board approval
Physical Assets				
Disposition of Administrative Assets	Position	Level of Authority		Controls in Place
authority to sell, dispose (to include write-off), and donate office furniture, fixtures, and equipment (to include automobiles) used in the administration of the Authority's offices	Any one of the following: Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, or FM Office Executive Director	Singular asset or aggregate asset group with the lower of fair market or book value not exceeding \$100,000		segregation of duties, facility manager oversight and values exceeding \$100,000 must have Board approval to dispose
Debt/Credit Management				
Prepayment of Debt	Position	Level of Authority		
authority to prepay commercial credit balance or obligation to a leasing facility on debt/credit incurred to purchase or lease administrative assets (to include office facility, auto, etc.)	Any one of the following: Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, or FM Office Executive Director	Any amount		



Fort Monmouth Economic Revitalization Authority

2-12 Corbett Way • Eatontown, NJ 07724-4251 • Tel: 732.935.5966 • Fax: 732.935.7440

MEMORANDUM

TO: Members of the Authority

FROM: Timothy Lizura
Interim Executive Director

RE: 2010 Fiscal Plan and Office of Economic Adjustment Grant Amendment Request

DATE: September 28, 2010

Summary

The Members are requested to approve the Authority's proposed 2010 Three-Month Budget (Fiscal Plan).

The Members also are requested to approve the deferment of payment to New Jersey Economic Development Authority (NJEDA) for Support Services for the first 3 months of operations of the Fort Monmouth Office from October 1, 2010 through December 31, 2010 in the amount of \$62,500. Payments will accrue quarterly and have a 3%, annual interest rate.

The Members are further requested to authorize staff to submit a grant amendment request to the Office of Economic Adjustment (OEA) to support FMERA's operations.

Background

In accordance with the Fort Monmouth Economic Revitalization Planning Authority (FMERPA) Board-approved budgetary process, a 2011 Fiscal Year budget was created and approved in the amount of \$2,152,724 for the period of July 1, 2010 through June 30, 2011. OEA has committed to fund ninety percent (90%) of this budget, prorated through December 31, 2010. Pursuant to P.L. 2010, c.51, the Fort Monmouth Economic Revitalization Authority Act (Act), FMERA assumes FMERPA's assets and liabilities at this Board meeting. Upon this assumption and certain registrations with the federal government, the balance of funds in FMERPA's remaining OEA grant will be available to FMERA.

Attached is the Fiscal Plan for FMERA. To better coordinate with the federal, calendar year funding cycle, the Fiscal Plan is based on a calendar year. It is the result of a collaborative effort by the staffs of NJEDA and FMERPA. The budget endeavors to balance fiscal responsibility with the Fort Monmouth Reuse and Redevelopment Plan's implementation effort. It reflects a concerted effort to contain costs for the redevelopment and economic revitalization of Fort Monmouth. Ninety percent (90%) of the Fiscal Plan is projected to be funded by a federal grant through the OEA and the ten percent (10%) local match is projected to be funded from funds transferred at close-out from FMERPA to FMERA.

The 2010 Three-Month Budget for FMERA totals \$1,519,039 for the period of October 1, through December 31, 2010. The projected federal reimbursement from OEA of 90% totals \$1,310,887 and the 10% local match totals \$145,652. To fund the 10% match, FMERA will utilize the remaining match, up to \$215,272. Future budgets will utilize remaining, unexpended funds and additional local match will be requested through the State appropriation process. In addition, NJEDA will defer payment of an anticipated \$62,500 for Support Services for the 3-Month 2010 Budget.

Personnel

The FMERA Fiscal Plan for 2010 calls for a staff of fourteen (14) professionals to initiate the implementation effort and manage the operations of the Fort Monmouth Office. The 2010 projected personnel and benefit expense is \$345,006 (salary and State benefits) with projected starting dates of October 1, 2010 for half of those employees, seven (7), and the other 7 of November 15, 2010.

Section 5.b) of the Memorandum of Understanding (MOU) between NJEDA and FMERA provides for the deferment of payment for Support Services, subject to approval from both organizations' Boards. Specifically, the MOU provides that, in the event FMERA does not have adequate funds to pay for Support Services, NJEDA may agree to defer payments from FMERA in the amount of the unpaid reimbursement and that the deferred payments will accrue quarterly and have a 3%, annual interest rate. FMERA agrees to reimburse NJEDA for these deferred payments as and when income from State appropriations, fees, redevelopment activities and other sources becomes available.

The MOU states that the annual budget presented to the FMERA Board will include the anticipated costs and deferred payment (if necessary) for Support Services for the coming year. NJEDA has analyzed the Support Services anticipated in the first 3 months of operation of the Fort Monmouth Office and calculated them to be \$62,500.

Contractual

The projected Contractual expenditures are \$951,612 in 2010 and consist of the following:

- Planning, Engineering, Architectural and Environmental Consulting Services: The scope of work includes a comprehensive analysis of the infrastructure and a determination of the residual value of the property and the cost to cure, rehabilitate, build or demolish facilities, and capital improvement costs. The scope also calls for the development of a GIS Database to house all resulting data, maps, and a cost modeling tool for ongoing use throughout the redevelopment period. The fixed fee for providing these services is \$865,900 projected at \$649,425 in 2010. This fee was negotiated down from \$1,044,420 and is comparable to those of other base closings. Additionally, environmental consulting services will be provided throughout the contract term on a time-and-materials basis.
- Business & Operations Planning: The amount of \$166,667 reflects the estimated costs to hire a consultant to prepare an Operations Plan and a Business Plan for the entire Fort Monmouth property. The Request for Proposal for this consultant was recently issued.

- BRAC Counsel: The amount of \$55,000 is a projection received from the Attorney General's Office for the BRAC legal counsel services they will require in support of the Authority for the balance of 2010.
- IT Contractor: This item is a provision for consulting services required when NJEDA's IT Department completes installation of the Authority's computer network. The projected cost is \$1,200.
- Auditors: The provision for auditing services of \$19,320 is for the FMERPA 2010 Fiscal Year audit and 2011's shortened Fiscal Year.

Travel, Equipment, Supplies and Other


At \$5,182 for Travel, \$87,073 for Equipment, \$9,194 for Supplies and \$58,472 for Other, the projected expenses for these categories provide for the additional costs due to the start-up of the Authority. The travel is related to meetings with federal officials including Department of the Army and OEA, as well as the FMERA's participation in the Association of Defense Communities (ADC) Conferences, as recommended by OEA. The projected equipment cost includes the hardware and software costs associated with set-up of a computer network and purchase of 14 computers for staff. New hardware is required to replace outdated, slower computers and to reduce the technical support that is likely to be needed on the older equipment. The costs associated with the Other category include advertising for RFPs and staff, rent, utilities, telephone, internet and insurance.

Recommendation

Based upon the above, the Members are requested to approve the Authority's proposed 2010 Budget.

The Members also are requested to approve the deferment of payment for Support Services for the first 3 months of operations of the Fort Monmouth Office from October 1, 2010 through December 31, 2010 in the amount of \$62,500. Payments will accrue quarterly and have a 3% annual interest rate.

The Members are further requested to authorize staff to submit a grant amendment request to OEA to support FMERA's operations.



Timothy Lizura (GB)

Prepared by: Beverlee Akerblom

Revised Pursuant to Board Action

Fort Monmouth Economic Revitalization Authority
 2010 Budget/Grant
 For period October 1, 2010 - December 31, 2010

Expense Categories	Projected 3 Months		Projected Funding Source	
	Ending 12 31 2010	%	90% Federal	10% Local Match
Personnel	241,263	16.6%	217,137	24,126
Fringe Benefits 43.00%	103,743	7.1%	93,369	10,374
Travel				
Local	1,750			
Out-of-state	2,832			
Conf/Mtgs/Membership Costs	600			
	<u>5,182</u>	0.4%	4,664	518
Equipment				
Computer Hardware	52,546			
Computer Software	19,696			
Portable Projector Screen	1,000			
Office Equipment Copier	8,000			
Telecommunication Equipment	1,331			
Office Furniture	4,500			
	<u>87,073</u>	6.0%	78,366	8,707
Supplies	9,194	0.6%	8,275	919
Office Supplies & Stationary				
Contractual				
Business & Operations Planning	166,667			
Planning, Engineering, Architect	649,425			
Environmental Consulting Services	60,000			
Information Technology Contractor	1,200			
Legal - BRAC Counsel	55,000			
Auditor	19,320			
	<u>951,612</u>	65.3%	856,451	95,161
Other				
Advertising (RFP & Staffing)	250			
Rent	40,241			
Telephone Exp & Internet	4,950			
Cell Phone/Blackberry	2,838			
Insurance	10,193			
	<u>58,472</u>	4.0%	52,625	5,847
Proposed Grant Reimbursement Request	1,456,539	100.0%	1,310,887	145,652
Deferred Costs				
EDA Support Services	<u>62,500</u>			
Total Projected Budget	1,519,039			



Fort Monmouth Economic Revitalization Authority

2-12 Corbett Way • Eatontown, NJ 07724-4251 • Tel: 732.935.5966 • Fax: 732.935.7440

MEMORANDUM

TO: Members of the Authority

FROM: Timothy Lizura
Interim Executive Director

RE: Records Custodian and Ethics Officer

DATE: September 28, 2010

Summary

The Members are requested to approve the designation of Marcus Saldutti as the Authority's "Records Custodian," and are informed that the NJEDA Ethics Officer, Fred Cole, will serve as Ethics Officer for the Fort Monmouth Office Personnel and Board Members.

Background

1) Records Custodian

Pursuant to New Jersey's Open Public Records Act (N.J.S.A. 47:1A-1, et seq.), requests by members of the public for public documents are to be handled by a public agency's "Records Custodian" who is "designated by formal action of that agency's director or governing body."

Pursuant to the MOU between the Authority and the New Jersey Economic Development Authority (NJEDA), also being considered at this meeting, the NJEDA will provide additional staff on an as-needed basis to provide Support Services to the Fort Monmouth Office Personnel. Mr. Saldutti has served as the NJEDA's Records Custodian since 2004. Staff recommends that his duties should be expanded to include FMERA and that his appointment should be approved by the Board at this time.

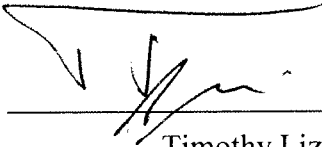
2) Ethics Officer

The role of the Ethics Officer serving each authority and agency of the State of New Jersey is to assist staff and board members in understanding and applying ethics laws, rules and Executive Orders to the conduct of business. Fred Cole has served in this role since 2008. This Ethics Officer also serves as a liaison to the State Ethics Commission. The role of NJEDA's Ethics

Officer is being expanded to include serving as the Fort Monmouth Office Personnel and Board members Ethics Officer.

Recommendation

The Members are requested to approve the designation of Marcus Saldutti as the Authority's Records Custodian.



Timothy Lizura

Prepared by: Gina Behnfeldt



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MEMORANDUM

TO: Members of the Authority

FROM: Timothy Lizura
Interim Executive Director

RE: Agreement of Lease - FMERA

DATE: September 28, 2010

Summary

The Members are requested to approve an Agreement of Lease - FMERA with 2 Corbett Way, LLC, for an additional 2,804 square feet of office space at 2-12 Corbett Way, Eatontown, NJ.

Background

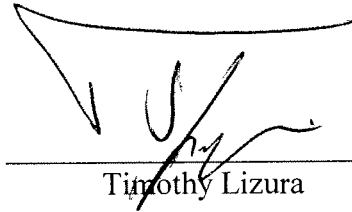
On August 22, 2007, the Fort Monmouth Economic Revitalization Planning Authority (FMERPA) entered into a five-year Lease Agreement with 2 Corbett Way, LLC, to lease 3,150 square feet of office space in Suite C at 2-12 Corbett Way, Eatontown, NJ. This space can accommodate up to eight employees. With the establishment of FMERA, additional space will be required to house the increased number of staff. An additional 2,804 square feet is available in Suite A in the same building and on the same floor as the current FMERPA office. The total square footage for both suites will be 5,954 square feet.

The terms of the new Agreement of Lease - FMERA will be the same as the FMERPA Lease, and will run coterminously. The rent will start at \$24.50 per square foot, and increase to \$25.50 per square foot, which is consistent with FMERPA's lease. While the standard minimum rental term on most leases is three to five years, the Landlord has agreed to allow a shorter term of only 23 months, so that both suites' leases will end simultaneously. The Landlord has agreed to waive the first month's rent, which equates to a \$5,724.83 credit. The Landlord has also agreed to perform cosmetic improvements on the expansion space (approximate value of \$6,000), and will provide the majority of office furniture at no charge (estimated savings of \$16,000). Electric will be billed at \$1.50 per square foot. The commencement date on the new space will be on or about October 1, 2010. The lease will expire on August 31, 2012. Even though the rent is \$24.50 psf, after taking the rent credit and furniture savings into consideration, FMERA will essentially be paying the equivalent of only \$20.98 psf. This rate is consistent with current market conditions and will be paid out of FMERA's operating budget. Furthermore, the Landlord will provide for a three-year

lease renewal consistent with the lease renewal option in the FMERPA lease. The existing FMERPA lease will be assumed by FMERA through the provision in the FMERA Act providing for assumption of all assets, liabilities and contracts.

Recommendation

The Members are requested to approve an Agreement of Lease - FMERA with 2 Corbett Way, LLC, for an additional 2,804 square feet of office space at 2-12 Corbett Way, Eatontown, NJ, on terms generally consistent with those outlined on the attached sheet. The Members also are requested to authorize any related documents required to carry out this objective, subject to the review of the Interim Executive Director and the Attorney General's Office.



Timothy Lizura

Prepared by: Diane Wong

ATTACHMENT

FMERA Lease

Premises

2-12 Corbett Way, Eatontown, NJ (2,804 square feet)

Term

2 Year Lease Term (Actual - 23 months)
(On or about 10/01/10 through 08/31/12)

Rent

Year 1 (10/01/10-08/31/11) - \$24.50/s.f. on modified gross basis, excluding tenant electric
Year 2 (09/01/11-08/31/12) - \$25.50/s.f. on modified gross basis, excluding tenant electric

- There will be one month's rent credit for the first month's rent (10/2010)

Option to Renew

One (1) at three (3) years
Renewal rental rates as follows:
Year 1 \$26.27 per square foot
Year 2 \$27.05 per square foot
Year 3 \$27.86 per square foot

Building & Tenant Improvements

Landlord responsible for following base building improvements:

- Replace carpeting in large Boardroom/Conference Room
- Touch-Up painting where necessary
- Clean all other carpeting, offices and common areas
- Clean and wax vinyl flooring
- Clean window blinds and place in working order



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MEMORANDUM

TO: Members of the Authority

FROM: Timothy Lizura
Interim Executive Director

RE: Status Report

DATE: September 28, 2010

Summary

The following are brief descriptions of items for informational purposes only. No action is required. These include the status of the closeout of Fort Monmouth Economic Revitalization Planning Authority (FMERPA) books and the annual audit; status of the Planning, Engineering, Architectural and Environmental Services Consultant engagement, and status of the Request for Proposals (RFP) for Business and Operations Planning services; and the status of the approval of the Local Redevelopment Authority Application submitted by FMERPA on September 4, 2008.

FMERPA Closeout and Audit

FMERPA received two proposals by the noon, August 25th deadline for the Independent Auditing Services RFP (originally issued on August 13, 2010). The RFP checklist of audit proposal requirements was completed for each of the timely received proposals and both were in compliance with the general and technical requirements of the RFP. The FMERPA Evaluation Committee reviewed the proposals and issued its report to the FMERPA Audit Committee which made its recommendation to the FMERPA Board. A Special FMERPA Board meeting was held on September 13, 2010 and the firm of Schneider & Company was approved. Work is anticipated to be completed on or about October 31, 2010 and the books of FMERPA are anticipated to be closed out on or about November 30, 2010.

Consultant Work

Two consulting teams need to perform analyses to prepare the Authority for negotiations with the U.S. Army for both interim site control and the eventual conveyance or transfer of the Fort Monmouth property. These actions are the key to enabling the successful redevelopment of the post.

In August 2010, the FMERPA Board selected Matrix Design Group of Colorado Springs, CO to provide Planning, Engineering, Architectural and Environmental Consulting services to

FMERPA. The scope of services includes a comprehensive analysis of the infrastructure and a determination of the residual value of the Fort Monmouth property and the cost to cure, rehabilitate, build or demolish facilities. The scope of services also calls for the development of a GIS Database to house all resulting data, maps and a cost modeling tool for ongoing use throughout the redevelopment period. Additionally, environmental consulting services will be provided throughout the contract term, as needed, on a time-and-materials basis. The initial consulting deliverables are due to be completed in January of 2011. The term of the contract is one year with an optional one-year renewal. Matrix Design Group may also be retained on a sole-source basis to provide additional services of a similar nature to advance the investigative efforts and/or infrastructure assessments contained in the contractual scope of services.

The deliverables and results of the Matrix Design Group contract will support the creation of a Business and Operations Plan, an Economic Development Conveyance Application for submission to the U.S. Army, and a Cooperative Caretaker Agreement with the U.S. Army which are the services currently being solicited in a Business and Operations Planning Consulting Services RFP. These three documents will be presented to the FMERA Board for approval at a future board meeting. Proposals in response to this RFP are anticipated to be due in September 2010, and the selection process completed in order for consideration of the selected firms at FMERA's October monthly meeting. The selected firm will work with the Matrix Design Group and complete their initial deliverable in February of 2011.

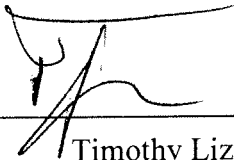
Local Redevelopment Authority Application

On September 4, 2008, FMERPA submitted its Homeless Assistance Submission (HAS), an 1,100 page document, and the Reuse and Redevelopment Plan for Fort Monmouth (Plan) (collectively, the "Local Redevelopment Authority Application" or "LRA Application") to the U.S. Department of Housing and Urban Development (HUD) and the U.S. Department of Defense. This fulfilled a federal BRAC Law requirement to address the needs of the homeless continuum in Monmouth County in conjunction with the development of the Plan. To date, final approval of the LRA Application has not been formally issued by HUD. FMERPA has been made aware informally that HUD has a favorable view of the LRA Application, and forwarded the LRA Application to the U.S. Army's General Counsel's Office several months ago. The General Counsel's Office must in turn issue what is referred to as a "Comfort Letter" back to HUD, which would reflect Department of the Army's concurrence with HUD's view of the LRA Application. Once the Comfort Letter is received by HUD, it is expected that HUD will then issue its formal approval of the LRA Application. The timetable for these events is very difficult to predict, but it is hopeful that all will be completed and an approval by HUD of the LRA Application will be issued by the end of this calendar year. No formal negotiations with the U.S. Army can take place with regard to property transfer, until HUD's approval is received.

Technology Solutions Grant

Early in the month of September, several newspapers reported that the Department of Defense awarded a \$3 million grant to the New Jersey Technology Solutions Center (NJTSC). The mission of the nonprofit is to help keep high-technology jobs in Monmouth County as operations at Fort Monmouth come to a close. According to the Atlanticville newspaper and a press release from the U.S. Department of Army Public Affairs office, "NJTSC, a 501(c)(3) nonprofit organization, was created in response to a solicitation from the New Jersey Department of Labor and Workforce Development in consultation with the U.S. Army in September 2008. NJTSC's

mission is to maintain and grow high skill, high-technology jobs in New Jersey by performing scientific and engineering tasks to serve the needs of end-users, including the U.S. government.” The grant will provide operating funds for the NJTSC office, located in Shrewsbury.



Timothy Lizura

Prepared by: Gina Behnfeltd, Rick Harrison and Beverlee Akerblom