

Fort Monmouth Economic Revitalization Authority
Board Meeting
August 17, 2011
Eatontown Municipal Building, Eatontown, New Jersey

MINUTES OF THE MEETING

I.

Members of the Authority present:

- James Gorman, Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) - V
- Michael Pane, Jr. Esq., Vice-Chairman, FMERA - V
- Alfred Koeppe, Chairman, New Jersey Economic Development Authority (NJEDA) - V
- Dr. Robert Lucky, Public Member - V
- Lillian Burry, Monmouth County Freeholder - V
- Gerald Tarantolo, Mayor of Eatontown -V
- Michael Mahon, Mayor of Oceanport - V
- Michael Skudera, Mayor of Tinton Falls -V
- Charles Richman, Assistant Commissioner, NJ Department of Community Affairs (DCA)
- Jonathan Lowy, Director of Community and Constituent Relations, NJ Department of Transportation (DOT)
- Mary Ellen Clark, Assistant Commissioner, NJ Department of Labor and Workforce Development (LWD)
- Michele Siekerka, Assistant Commissioner, NJ Department of Environmental Protection (DEP)

V- Denotes Voting Member

Members of the Authority not present:

- Brandon Minde, Assistant Counsel, Office of the Governor, Authorities Unit -V

Also present:

- Bruce Steadman, Executive Director, FMERA
- Tim Lizura, Senior Vice President, NJEDA
- Gabriel Chacon, Deputy Attorney General (DAG)
- NJDEA Staff: Eatontown Office
- Nicole Crifo, Assistant Counsel, Office of the Governor, Authorities Unit – via telephone

II.

The meeting was called to order by Chairman Gorman at 7:03 pm who led the meeting in the Pledge of Allegiance.

In accordance with the Open Public Meetings Act, FMERA Executive Director and Secretary, Bruce Steadman announced that notice of this meeting has been sent to the Asbury Park Press and the Star Ledger at least 48 hours prior to the meeting, that a meeting notice has been duly

posted on the Secretary of State's bulletin board at the State House, and the FMERA and the NJEDA websites.

The first item of business was the approval of the July 20, 2011 meeting minutes. A motion was made to approve the minutes by Alfred Koeppel, seconded by Gerald Tarantolo and unanimously approved by all voting members present.

III.

WELCOME

Chairman Gorman thanked everyone for attending the meeting. Chairman Gorman thanked Vice-Chairman Michael Pane for conducting the July 20th Meeting of the Authority in his absence.

Chairman Gorman expressed the Board's deep disappointment and concern regarding the Department of Defense's (DOD) decision to close the Fort Monmouth Commissary on September 13, 2011 and to not keep it open for a transitional 2-year period. The Chairman further stated that the DOD made their decision to close the Commissary despite receiving support to keep it open from the Governor, members of the Congressional Delegation, and the Army. The Chairman commented that the Board is concerned about the impact on the local retirees and veterans.

Chairman Gorman then explained how public comment would proceed at the meeting, with the first public comment period being for agenda items only and the second public comment period being for general comments and questions.

IV.

PUBLIC COMMENT REGARDING AGENDA ITEMS

Tom Mahedy of Wall Township asked if the Board would be taking action on the two items under number 11 on the Agenda - Board Actions. Mr. Mahedy asked why the public does not have access in advance to what is being considered for board action. It was explained by the DAG that there is no obligation to share the materials that are being voted on by the Authority in advance because prior to the Board's action all documents are protected by the deliberative privilege. The Authority does post a meeting agenda on their website at least 48 hours in advance of each board meeting. Mr. Mahedy then asked if the public can have access to the Real Estate and Audit Committee meeting notes. It was explained by the DAG that there is no obligation to maintain or distribute meeting notes of committees, but that there is a report given by each committee chair at each meeting of the Authority. Mr. Mahedy then asked why all of the comments at the Environmental Committee Meetings are not captured in the meeting notes. Michele Siekerka, Chairwoman of the Environmental Staff Advisory Committee, noted that the Committee's meeting notes are sent to the Committee Members and Committee Members can request revisions to the meeting notes. Mr. Mahedy is a member of the Environmental Staff Advisory Committee.

V.

TREASURER'S REPORT

Beverlee Akerblom, Senior Finance Officer for FMERA, noted that the Authority's grant amendment request for additional funds for the grant ending March 31, 2012 is under review by the Office of Economic Adjustment. Additionally, the independent auditors are completing their audit of the Authority's financial statements ending December 31, 2010. The next Audit Committee Meeting is scheduled for Tuesday, August 30, 2011 at which the independent auditors will discuss their findings with the Audit Committee.

VI.

SECRETARY'S REPORT

Bruce Steadman stated that the Secretary's Report will be discussed under Agenda Item 11 – Board Actions on the Meeting Agenda.

Jonathan Lowy arrived at 7:07 pm.

Mayor Skudera arrived at 7:12 pm.

VII.

EXECUTIVE DIRECTOR'S REPORT

Bruce Steadman stated that on behalf of the FMERA Staff, he would like to express their extreme disappointment regarding to the DOD's decision to close the Commissary. Mr. Steadman further stated that the Staff, members of the Board, elected officials and a large group of stakeholders weighed in with the Army and the DOD regarding keeping the Commissary open for a transitional two-year period.

Mayor Gerald Tarantolo commented that the Board should forward a resolution to the DOD stating that the Board objects to their decision to close the Commissary. A motion was made to do a resolution stating the Board's unanimous disapproval of the DOD's decision to close the Fort Monmouth Commissary by Mayor Tarantolo and seconded by Mayor Mahon and unanimously approved by all voting members present.

Freeholder Lillian Burry commented on the number of calls and concerns received at her office regarding the closing of the Commissary. Mrs. Burry stated that she does not believe that the DOD put a human element on the effect that the closing would have on the Community.

Bruce Steadman stated that FMERA continues to hold conference calls on a weekly basis with the Matrix Design Group on the environmental data for the phase 1 parcels, the draft Business Plan, draft Memorandum of Agreement (MOA) with the Army and the draft Economic

Development Conveyance (EDC) Application. Matrix continues to provide assistance on the pro forma which is part of the EDC Application.

Chairman Gorman asked if Matrix has produced the Business Plan. Bruce Steadman explained that it is currently in draft form, but that it will hopefully be presented to the Board, along with the MOA and the EDC Application, for their consideration at the September meeting of the Authority.

Frank Cosentino, FMERA's Director of Plans and Programs, gave an update on the Authority Staff's continued weekly conference calls with Army Representatives, as well as the Staff's meeting with the Army in New Jersey on August 9 and 10. The FMERA and the Army met on August 9 and 10 regarding property disposition and the Business Plan.

Mr. Cosentino also stated that there is continued discussion with the New Jersey State Police (NJSP) and the New Jersey Office of Homeland Security and Preparedness (OHSP) regarding fort security.

Mayor Michael Mahon stated that there was no mention of the term of the NJSP presence at the Fort. Mayor Mahon also commented that there should be a meeting with the NJSP and the local law enforcement officials regarding fort security and municipal involvement. Bruce Steadman stated that FMERA has daily discussions with the NJSP on fort security and within the next two weeks there will be discussions between the NJSP and the local municipalities. Mayor Mahon also asked if mutual aid agreements will be in effect. Bruce Steadman explained that FMERA will be meeting with the three municipalities to discuss emergency services issues. Mr. Steadman further explained that FMERA will have a Memorandum of Understanding (MOU) with each municipality and emergency services will be addressed in the MOU.

Mayor Tarantolo asked how the NJSP will be paid to secure the Fort. Mr. Steadman explained that according to the agreement with the Army, the FMERA Staff will hold proceeds from leases and sales to fund the NJSP for the next 3-5 years. Mr. Steadman continued by stating that the payment of the NJSP is under discussion and that the NJSP is taking into consideration that forthcoming funding is dependent on leases and sales.

Mayor Michael Skudera asked if the NJSP will be present and set up on the Fort by September 15th. Bruce Steadman stated that the NJSP will be on the Fort before September 15th.

Odis Jones, FMERA Director of Real Estate, provided an update on the progress of Phillips Preiss Grygiel LLC (PPG), FMERA's planning consultant who is preparing land use regulations and design guidelines for the Fort property.

Mr. Jones also stated that FMERA Staff is routinely meeting with Matrix regarding the EDC Application and the pro forma. Mr. Jones went on to state that there are continued meetings with prospective purchasers, tenants and stakeholders.

The Executive Director's Report concluded with Mr. Jones providing an overview of FMERA action items for the next month.

VIII.

COMMITTEE REPORTS

- a) AUDIT COMMITTEE (BEVERLEE AKERBLOM, FMERA): Beverlee Akerblom stated that there was no meeting this month of the Audit Committee. The Audit Committee will meet on August 30, 2011.
- b) REAL ESTATE COMMITTEE (MICHAEL PANE, CHAIR): Mr. Pane noted that the Real Estate Committee is a sub-committee of the Board. The Real Estate Committee met on August 5, 2011 at the FMERA Office. He stated that the committee discussed the EDC Application and changes in the draft MOA, as well as the Proposed Rules for Sale of Real and Personal Property. Chairman Pane also addressed a question asked regarding the circulation of the Committee meeting notes. Mr. Pane explained that he will do his best to answer any question regarding the Real Estate Committee meetings at the Meetings of the Authority.
- c) ENVIRONMENTAL STAFF ADVISORY COMMITTEE (MICHELE SIEKERKA - DEP): Michele Siekerka noted that the Environmental Staff Advisory Committee met on August 10, 2011 at the FMERA Office. Ms. Siekerka stated that she gave a briefing at the Committee Meeting on DEP's Coordination Meeting with FMERA, Matrix and the Army. The meeting was organized to discuss any environmental matters on Phase 1 properties. Ms. Siekerka explained that in the Coordination Meeting the participants addressed four specific carve-out areas with regard to environmental issues that require further remediation. Ms. Siekerka gave a status update on DEP's review of the Army's Baseline Ecological Evaluation (BEE), stating that DEP has six staff members reviewing the document. DEP hopes to have an assessment of the BEE by the end of September.

Mayor Tarantolo stated that he receives many questions about environmental issues on the Fort property. The Mayor asked if some of the environmental information could be posted on FMERA's website to address citizens' questions and concerns. The DAG stated that there is no legal reason why information cannot be posted.

Chairman Gorman asked Chairwoman Siekerka if the Army is forthcoming and responsive with information regarding environmental issues. Ms. Siekerka stated that DEP has found that Army to be forthcoming and that the DEP and the Army have a good working relationship.

- d) HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (BRUCE STEADMAN, FMERA) Bruce Steadman noted that the Historical Preservation Staff Advisory Committee did not meet this month. Mr. Steadman stated that there will be a meeting in September regarding the Programmatic Agreement.

- e) HOUSING STAFF ADVISORY COMMITTEE (CHARLES RICHMAN, DCA): Mr. Richman noted that the Committee met on August 11, 2011 at the FMERA Office. Mr. Richman stated that the Committee discussed a draft paper that was prepared by a member of the public and that there was a consensus among the Committee Members to use the draft paper as a starting point for guidelines for the Committee regarding the process of residential development at the Fort. Mr. Richman noted that once the Committee has agreed to the guidelines, the guidelines would be sent to the Real Estate Committee and the FMERA Staff to take into consideration. Mr. Richman went on to state that there was a discussion at the Committee Meeting regarding the needs of the municipalities with regards to the types of housing which will be guided by the market place.
- f) VETERANS STAFF ADVISORY COMMITTEE (FREEHOLDER LILLIAN BURRY): Lillian Burry stated that the Committee met on August 16, 2011 at the FMERA Office. Mrs. Burry stated that the Committee watched a video on the project Soldier On which assists homeless veterans and provides opportunity for affordable housing, support and job training. The Committee agreed to contact the gentleman who is the head of Soldier On and ask to meet with him regarding his blueprint for Solider On. The Committee also discussed the counseling program Vet2Vet which focuses on early intervention for returning service men and women. Freeholder Burry stated that the Monmouth County Freeholder Board approved a resolution requesting that Governor Christie sign S1731, A2616 which establishes a "Veteran to Veteran" Peer Support Program in statute.

Chairman Gorman called for a motion to approve the activities highlighted in the Committee Reports. A motion was made to approve the Committee Reports by Michael Pane and was seconded by Michael Mahon and unanimously approved by all voting members present.

IX.

Board Actions

The next item before the Board was the consideration of approval of Proposed Rules for Sale of Real and Personal Property.

Bruce Steadman presented an overview of the Rules for Sale of Real and Personal Property stating that the Rules are intended to create a consistent, transparent, and competitive process for the sale of real and personal property. Mr. Steadman noted that the Rules were reviewed by FMERA's Real Estate Committee. Michael Pane added that the Rules will be used to govern the process of the sale of real and personal Property.

The DAG explained that upon Board approval the rules and the elapse of the Governor's 10-day veto period, the rules will be published and there will be a 60-day public comment period.

Motion to Approve: MICHAEL PANE Second: GERALD TARANTOLO

AYes: 8

Resolution Attached and Marked Exhibit 1

The next item before the Board was the consideration of Award of Golf Course Operator Contract for Suneagles Golf Course and Associated Banquet Restaurant/Facilities Request for Proposals (RFP).

Bruce Steadman stated that managing the golf course is key to preserving the property's value. Mr. Steadman explained that an RFP was issued and a pre-proposal conference was held. Mr. Steadman added that the management will be for a period of 12 months. Mr. Steadman also noted that there were two proposals received and an evaluation committee composed of 4 NJEDA employees, who are assigned to the Eatontown Office, evaluated the proposals. Atlantic Golf Management received the highest technical score and highest score on the fee proposal. The DAG noted that a lease or operator license from the Army to FMERA for the Golf Course will come to the Board for approval.

Mayor Michael Mahon asked if there will be a split on the proceeds received from the operation of the Golf Course with the Army and Bruce Steadman answered no.

Mayor Gerald Tarantolo asked about the liquor license on the property. Rick Harrison, FMERA Program Officer, explained that based on the advice of counsel, it was left to each of the proposers to determine if and how they could obtain a liquor license for the Golf Course.

Dr. Lucky asked if there was anything in the RFP to grandfather the current members. Rick Harrison stated that the RFP stated that the operator will maintain current pricing and fees for 2011 and a 20% increase in fees for 2012. The course will also remain open to the public.

Motion to Approve: GERALD TARANTOLO Second: LILLIAN BURRY

AYes: 8

Resolution Attached and Marked Exhibit 2

X.

Other Items

Mayor Michael Mahon stated that there is interest by the local governing body of Oceanport to pursue an educational connection in the Fort reuse. The governing body is interested in doing something similar to the process New York City is currently engaged in.

XI.

Public Comment

Mike McMahon of Oceanport thanked the Board for their concern regarding the closing of the Commissary and agreed that the Board should send a letter of discontent immediately to the DOD.

Nancy Phalanukorn of Oceanport stated that the Fort project is of great interest and asked about the process going forward. Chairman Gorman explained that the Army continues to own the Fort

property and the MOA and EDC Application will address the process of how the Fort property will transfer from the Army to FMERA.

Tom Nycz of Eatontown asked about the current membership of the Suneagles Golf Course. Rick Harrison explained that when the gubernatorial veto period expires and Atlantic Golf Management is approved as operator, then all of the details will be finalized regarding membership and a document will be posted at Suneagles.

Bud Steiner of Eatontown asked if there is a master plan for the Fort's Redevelopment. Mr. Steiner was advised that he can go to the FMERPA website or to one of the three host municipalities' websites to review the Plan. He asked for more details on the future prospects for the Fort property, but was told those are confidential at this time.

Kevin Gonzalez of Eatontown asked if there was a timeframe for the Authority to make a decision on Notice of Interest (NOIs) for fort property. Bruce Steadman explained that there is no obligation for a timeframe, but that it is the intention of the Staff to devise a plan within the next 30 to 60 days that would allow for evaluations of the NOIs.

Tom Mahedy asked if the members of Atlantic Golf Management were present at the meeting. Mr. Mahedy was told that the Board was not certain if Atlantic Golf Management was present and he could go to Atlantic Golf Management's website for a list of staff members. Mr. Mahedy commented that the hospital should be used for Veterans and not be demolished. Tom Mahedy also stated that the Veterans Committee has not done enough to preserve the Pine Brook housing on the Fort.

Mike Ruane of West Long Branch thanked the Veterans Committee and the FMERA Staff for all their work and stated that the Pine Brook housing is not suitable for anyone to live in.

The next item on the Agenda was to adjourn the Public Session of the meeting and enter into Executive Session - OPMA Exemption N.J.S.A. 10:4-12b(5) and (7): Pending Real Estate and Contract Negotiations with the Army.

A motion was made to enter into executive session by Alfred Koepp, seconded by Gerald Tarantolo and unanimously approved by all voting members present.

There being no further business in executive session a motion was to go back into public session by Charles Richman, seconded by Alfred Koepp and unanimously approved by all voting members present.

The Board returned to public session.

There being no further business, on a motion by Charles Richman seconded by Alfred Koepp and unanimously approved by all voting members present the meeting was adjourned at 9:50 pm.