

Fort Monmouth Economic Revitalization Authority
Board Meeting
July 18, 2012
Eatontown Municipal Building, Eatontown, New Jersey

MINUTES OF THE MEETING

I. Members of the Authority present:

- James V. Gorman, Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) - V
- Caren Franzini, CEO, New Jersey Economic Development Authority (NJEDA) - V
- Brett Tanzman, Assistant Counsel, Authorities Unit, Office of the Governor - V
- Robert Ades, Public Member – V
- Lillian Burry, Monmouth County Freeholder – V
- Gerald Tarantolo, Mayor of Eatontown - V
- Gerald Turning, Business Administrator, Tinton Falls - V
- Michael Mahon, Mayor of Oceanport - V
- Charles Richman, Assistant Commissioner, NJ Department of Community Affairs (DCA)
- Mary Ellen Clark, Assistant Commissioner, NJ Department of Labor and Workforce Development (LWD)

Members of the Authority not present:

- Dr. Robert Lucky, Public Member – V
- Ken Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)
- Jonathan Lowy, Director of Community and Constituent Relations, NJ Department of Transportation (DOT)

V- Denotes Voting Member

Also present:

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

II

The meeting was called to order by Chairman James V. Gorman at 7:02 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 June 20, 2012 meeting minutes. A motion was made to approve the minutes by Mayor Tarantolo, and seconded by Gerald Turning

Motion to Approve: MAYOR TARANTOLO Second: GERALD TURNING
AYes: 7

Mayor Mahon abstained from voting stating that he was not present at the June meeting.

III. WELCOME

Chairman James V. Gorman welcomed attendees to the Board Meeting. Mr. Gorman stated that the Board will review and discuss FMERA's near term objectives regarding the former Fort properties. The property for which the former Fort library is located and will be converted into the FMERA office is located in the Phase 2 Economic Development Conveyance (EDC). It is the hope that by moving the FMERA office to the Fort, it will provide open access to the public so that citizens can better view the work process as it develops.

Mr. Gorman further stated that with the revitalization progress FMERA has made recently, the U.S. Army has taken positive notice and is advancing the timeline on discussions regarding the Phase 2 EDC. This has been a welcome improvement as we experience the benefits of properly focused and broad based federal, state and local government efforts all aimed at economic revitalization of the local communities. This is a fine example of good government at work. Mr. Gorman expressed his personal gratitude to the U.S. Army, the New Jersey Economic Development Authority (NJEDA), and to Executive Director Bruce Steadman for their recent activities.

The Chairman went on to state that there will be two comment periods at the meeting. The first comment period is for agenda items only and the Chairman asked for the public's cooperation in keeping their comments as brief as possible. The Chairman explained that the second public comment period is towards the end of the meeting agenda and is open to the full range of FMERA business. The Chairman reiterated his request for the public's cooperation in keeping comments as brief as possible. The Chairman continued by stating that in his role as Chairman he is required to conduct an orderly meeting and complete the meeting agenda in a reasonable time period. The Chairman concluded by stating that FMERA continues to welcome the public's constructive comments and ideas.

IV. SECRETARY'S REPORT

Mr. Steadman stated that the Secretary's report would be deferred to the Action Item on the Agenda.

V. TREASURER'S REPORT

Beverlee Akerblom, Director of Finance and Administration, stated that the Authority's 15-month grant request has been approved by the Office of Economic Adjustment. In addition to funding the Authority's administrative expenses through June 30, 2013, the grant provides funding for the renovation of the former library building to the FMERA office. Ms. Akerblom concluded by stating that spending continues to be strictly monitored.

VI. PUBLIC COMMENT REGARDING AGENDA ITEMS

Phil Welch of Lincroft referred to the press release regarding SoldierOn receiving \$2.9 million in grants from the U.S. Department of Veterans Affairs to provide Veterans Services and continue the fight against veteran homelessness in New York and New Jersey.

Tom Mahedy of Wall Township stated that the former Fort library should remain a public library and not converted into office space. Mr. Mahedy stated that there is a tremendous amount of tax payer money being used the rehabilitate the library. Mr. Mahedy stated that by moving the FMERA office to the Fort, the public will be intimidated about visiting the Fort.

Mr. Mahedy stated that there was no Environmental Staff Advisory Committee meeting in July and if the Committee chairperson cannot schedule a meeting, then they should step down and allow the committee members to conduct the meeting each month.

Bob English of Eatontown asked for the timeline of the rehabilitation of the Library. Mr. Steadman stated that if the lease is finalized at the Board meeting, then the contract with Patock Construction Co. can be executed following the 10-day gubernatorial veto period. As soon as the contract is executed construction can begin.

Mr. English asked if the public will have access to the new office space on the Fort. Mr. Gorman stated that the plan for public access is still being worked on, but the FMERA office will be accessible to the public, and when there is a firm and final plan related to access it will be made available to the public.

Bill Robinson of Eatontown stated that the public access issue should have been completed before FMERA's approval to move to the Fort was decided.

VII. EXECUTIVE DIRECTOR'S REPORT

Rick Harrison, Director of Facilities Planning stated that the Economic Development Conveyance (EDC) agreement between the U.S. Army and FMERA was approved on June 25, 2012. With this great milestone achieved, FMERA is ready to begin the redevelopment of the former Fort Monmouth property in earnest. The executed Memorandum of Agreement (MOA) and the EDC application for Phase 1 can be found on the FMERA website.

Mr. Harrison further stated that FMERA and the Army have begun preliminary discussions on the future transfer of the balance of the Main Post, under the Phase 2 MOA. Meetings and communications with the U.S. Army continue to occur regularly and further a positive working relationship that will result in a revitalized Fort Monmouth.

Mr. Harrison stated that the Authority staff has been working with the New Jersey Attorney General's Office, the Authority's Outside Counsel, and Phillips Preiss Grygiel (PPG), the Authority's Planning Consultant to draft the land use regulations for the former Fort Monmouth property. PPG is finalizing the land use regulations, with input from these parties, and drafts continue to be circulated. Interim guidelines for review of redevelopment plans and interim guidelines for the Authority's mandatory conceptual review were approved by the Board of Directors at the June 20, 2012 meeting, and completed land use regulations are expected to go before the Board of Directors in August or

September. The regulations will serve as the zoning ordinance for the Fort property that governs redevelopment under the Reuse Plan, and will be used by the planning boards of the three host municipalities, and by the Authority, in evaluating proposed development projects.

Mayor Tarantolo asked if the land use regulations should be incorporated into each of the municipality's master plan. DAG Gabriel Chacon explained that it is up to the municipalities. Bruce Steadman stated he defers to the municipal planners.

Mayor Mahon stated that he would be reluctant to amend Oceanport's master plan.

Gerald Turning stated that the process worked well between Tinton Falls, FMERA, and CommVault. Mr. Turning invited Eatontown and Oceanport to come and meet with Tinton Falls' planners and discuss the process.

David Nuse, Director of Real Estate Development stated that the Army conveyed Parcel E, a 55 acre tract in the Tinton Falls section of the former Fort Monmouth property, to FMERA on June 27, 2012. FMERA anticipates closing on Parcel E with CommVault in the fall of 2012. The purchase-sale agreement which was approved by the FMERA Board in April has been executed.

Mr. Nuse further stated that the CommVault project is anticipated to be completed in three phases over 20 years, and consist of 250,000 up to 650,000 square feet of new high-tech office/research space in one or more buildings on the 55 acre property. The company also expects to create 250 new jobs in the first 3 years, and at full build out, the new corporate headquarters could house up to 2,500 employees after all three phases are completed.

David Nuse stated that FMERA staff held a kick-off meeting with Cushman and Wakefield/Continental Realty. The day-long meeting was productive and informative and included a tour of the former Fort Monmouth property and some of its facilities. The FMERA Board of Directors approved the selection of Cushman and Wakefield/Continental Realty as Master Broker at the June meeting of the Authority. The FMERA staff also met with Jones Lang LaSalle who was selected by the Board of Directors in June as the alternate broker. Both meetings laid the foundation for a good working relationship moving forward.

Bruce Steadman stated that the FMERA Board of Directors approved the selection of Patock Construction Co. for design-build services to retrofit and convert the Library (Building #502) to professional administrative space on the Fort Monmouth property at the May meeting of the Authority. Construction has not yet begun on the Library, as there was a delay in receiving a lease agreement from the U.S. Army. The lease agreement between the U.S. Army and FMERA has been received and is being presented to the Board of Directors at tonight's meeting for consideration.

Should the Board of Directors approve the lease, FMERA staff is hopeful that the construction will begin in August, following the 10-day gubernatorial veto period. FMERA staff anticipates occupying the Library Building in the winter of 2013.

Mr. Steadman further stated that the library and its operations were closed by the Army as the Army determined that the building has a potentially high market value through creating office space. The books and shelving were removed by the Army. Mr. Steadman stated that the public access issue to the FMERA offices would be resolved and conducting the public meetings at the new FMERA office

would be beneficial and more convenient for members of the public. Mr. Steadman also stated that there is no state taxpayer money to be used to renovate the library, and that any EDA funds will be borrowed, and EDA will be paid back out of the revenue from sales and leases on the Fort property.

Mr. Steadman concluded by stating FMERA's action items for the coming months:

- Continued work with Matrix Design Group and the N.J. Department of Environmental Protection to identify and resolve environmental issues of concern
- Continued work on the Notice of Interest (NOI) evaluation process
- FMERA anticipates issuing Requests for Offer to Purchase (RFOTP) for Parcel C (mixed use), C-1 (housing), Golf Course (golf course and related uses), Howard Commons (housing) and Parcel B (retail and housing)
- Continued meetings and tours with interested prospective employers and investors
- Continued outreach to our stakeholders
- Continued collaboration with our Trenton office on marketing and business development opportunities
- Publication of the FMERA newsletter which will be available on the FMERA website and via email.

Lillian Burry asked for an update regarding the leases for Monmouth County for the Motor Pool, Swimming Pool and Teen Center. Bruce Steadman stated that FMERA is actively working with the Army on short term leases for the properties and the leases will be brought to the Board for approval at the August meeting.

Mayor Tarantolo asked who would be approving the permits for the library. Rick Harrison stated that the Department of Community Affairs (DCA) will handle the permits due to the fact that FMERA is a state facility.

COMMITTEE REPORTS

a) AUDIT COMMITTEE (MICHAEL MAHON, ACTING CHAIRMAN):

Mayor Mahon stated that the Committee did not meet this month and the Committee will most likely meet in August when quarterly information becomes available.

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

Chairman Gorman noted that the Committee met on July 12th at the FMERA office.

Mr. Gorman stated that Freeholder Burry was not present at the meeting but provided her comments to Mr. Steadman prior to the meeting.

Mr. Gorman stated that the Committee was provided with an update on the lease of the former library from the U.S. Army to FMERA. The Authority currently occupies leased offices at 2-12 Corbett Way in Eatontown and the lease has expired and the tenancy is on a month-to-month basis. In order to accommodate a large prospective tenant, the landlord has requested that FMERA vacate the current location on or about October 1, 2012.

Mr. Gorman stated that the Committee discussed the leases for Monmouth County for the Motor Pool, Swimming Pool and Teen Center and was given an update on the lease with Tinton Falls for the Early Childhood Education Center. The Committee was advised that the facility may be operating in the fall of 2013. In addition, that draft leases for the motor pool, swimming pool and teen center would likely be shared with the Committee in August.

Mr. Gorman stated that the Committee discussed the proposed land use regulations and it is expected the final draft of the land use regulations will be provided by McManimon Scotland within the next two weeks, for review by the Committee at its August meeting.

c) ENVIRONMENTAL STAFF ADVISORY COMMITTEE (KEN KLOO, NJDEP):

Bruce Steadman provided the Committee Report on Ken Kloo's behalf. Mr. Steadman stated that the Committee did not meet this month.

d) HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (ROBERT ADES):

Mr. Ades noted that the Committee did not meet this month and will be scheduling an August meeting.

e) HOUSING STAFF ADVISORY COMMITTEE (CHARLES RICHMAN, DCA):

Mr. Richman stated the Committee did not meet this month, but that the Committee is expected to meet prior to the August Board meeting to discuss the draft of the Land Use Regulations.

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

Lillian Burry stated that the Committee did not meet this month. Ms. Burry stated that SoldierOn was awarded two separate grants of \$1 million each to serve veterans in four central New Jersey counties and 18 counties in upstate New York by the U.S. Department of Veterans Affairs. Ms. Burry also stated that Monmouth County Transportation Department responded to veterans needs for transportation.

VIII. Board Actions

The next item before the Board was the consideration of approval of lease of the former post library building from the U.S. Army to FMERA.

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 1.

Bruce Steadman stated that the Board Memo mirrored the resolution.

A motion was made to approve by Mayor Tarantolo, and was seconded by Lillian Burry.

Mayor Tarantolo asked for clarification regarding the taxes paid on the library building that are stated in the lease. DAG Gabriel Chacon explained that the burden is on the lessee, however, there are no taxes imposed on FMERA or the U.S. Army as they are both government agencies.

Bruce Steadman conducted a Roll Call Vote:

NAME	YES	NO
James V. Gorman	X	
Caren Franzini	X	
Brett Tanzman	X	
Robert Ades	X	
Lillian Burry	X	
Gerald Tarantolo	X	
Gerald Turning	X	
Michael Mahon	X	

Motion to Approve: MAYOR TARANTOLO Second: LILLIAN BURRY

AYes: 8

IX. Other Items

Robert Ades stated that the Board continues to discuss job creation as part of the revitalization. Mr. Ades suggested that an Industrial Promotional Committee be established to market the Fort property. Mr. Gorman stated that job creation is the #1 job of the Authority and board members and the community are very anxious about the redevelopment and job creation. Mr. Gorman also stated that he would take the establishment of a Committee under advisement and discuss with Secretary Bruce Steadman.

Mayor Mahon stated that there have been several published articles regarding outside parties interested in acquiring properties at the Fort. Mayor Mahon stated that there can always be more transparency when we expose things to the public because at the very worst, it is not a great risk to take. He further stated that the public needs to be made aware that there is a process that must be followed in acquiring property and that the process is underway. Mr. Mahon stated that while it is very important to be transparent there is also a need to keep some things confidential by the Board.

Mr. Gorman thanked Mr. Mahon for his comments and stated that there is a common misconception that FMERA, not the Army, owns the property.

Mr. Steadman stated that while there have been over 100 projects brought to FMERA, no project should be made public until after the RFOTP/RFP process has been completed and the project has received Board approval in order to protect the confidentiality of the project sponsors. Mr. Steadman stated that he would discuss with the Attorney General's Office a Confidentiality Agreement between interested parties and FMERA, to avoid premature discussion of confidential matters.

Caren Franzini stated that a meeting or discussion with parties does not indicate that the parties will be receiving the property and the process needs to be followed accordingly.

Caren Franzini left the meeting at 8:30 pm.

X. Public Comment

Harry Haarup of Fair Haven stated that Suneagles Golf Course and Gibbs Hall should not be sold off and should belong to Veterans. Mr. Haarup stated that Morale, Welfare & Recreation (MWR) Unit spent \$10MM to refurbish Suneagles and if it is sold, the Department of Defense (DOD), not the MWR, would receive the proceeds. Mr. Haarup also stated that the Commissary should not have been closed as it was a valuable resource to Veterans.

Bruce Steadman stated that the Army, not FMERA, determined under Base Realignment and Closure (BRAC) law the golf course must be sold. Mr. Steadman further stated that FMERA asked the management company, Atlantic Golf Management, to be consistent with the previous Army rates at the golf course to the extent possible. Mr. Steadman stated that it was the DOD's decision to close the Commissary not Army's or FMERA's. Mr. Steadman also stated that there is a strong interest to provide Veteran's services on the Fort property from several groups.

Phil Welch of Lincroft stated that he supported Mayor Mahon's comments regarding transparency. Mr. Welch stated that there should be a better process in getting information to the public regarding functions being proposed for Fort properties. Mr. Welch suggested that FMERA could learn from the municipalities regarding public information.

Bob English of Eatontown asked when the RFOTP/RFP will be published for Howard Commons. Bruce Steadman stated that FMERA notified Cushman & Wakefield (Master Broker) that Howard Commons needs to be on the list of priorities and the process may start in November 2012 and finish in the June or July, 2013 timeframe. Mr. English asked if demolition of buildings will be part of the RFOTP/RFP process and was answered yes.

Mr. English asked if the SoldierOn grant was for the Fort property. Bruce Steadman stated that the grant is to serve veterans in four central New Jersey counties, including Monmouth County, but that there is a not a direct tie to Fort Monmouth.

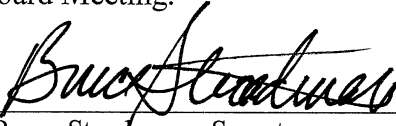
Tom Mahedy asked if the liquor license at Suneagles Golf Course was waived. DAG Chacon stated that the golf course is leased through FMERA and the process to obtain a liquor license was followed.

Mr. Mahedy stated that the Board actions should be made available to the public before the Board meetings. Mr. Mahedy stated that only major corporations are allowed access to the Fort property. Mr. Mahedy stated that there is contamination on the Fort property that has not been addressed.

Bruce Steadman clarified that the golf course was on a list for a short term operation, but FMERA was able to extend the lease with the Army. Mr. Steadman stated that the Department of Environmental Protection (DEP) is assertive and aggressive and the Army is aware that they need to complete due diligence regarding environmental issues on all of the Fort properties. Mr. Steadman further stated that immediate public access to the Fort cannot be allowed due to Army assets that remain on the Fort as well as concerns for public safety and security, but that a public access plan will be developed.

There being no further business, on a motion by Mayor Tarantolo seconded by Lillian Burry and unanimously approved by all voting members the meeting was adjourned at 8:50 pm.

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



Bruce Steadman – Secretary

**ADOPTED
June 20, 2012**

Resolution Regarding
**Approval of Interim Guidelines for Review of Redevelopment Plans,
Interim Guidelines for the Authority's Mandatory Conceptual Review
and Consent to Tinton Falls' Adoption of a Redevelopment Plan for
Parcel E**

WHEREAS, the Fort Monmouth Economic Revitalization Authority Act (Act), in N.J.S.A. 52:27I-26c, provides that the Authority has the power "[t]o adopt development and design guidelines and land use regulations consistent with and in furtherance of the [Fort Monmouth Reuse and Redevelopment] plan [(Reuse Plan)];" and

WHEREAS, the Act, in N.J.S.A. 52:27I-34f, provides that "the host municipalities shall not . . . adopt a redevelopment plan for any property within the [Fort Monmouth] project area pursuant to the 'Local Redevelopment and Housing Law,' [LRHL] P.L.1992, c.79 (C.40A:12A-1 et al.) without the consent of the authority"; and

WHEREAS, the Act, in N.J.S.A. 52:27I-34b, provides that "[t]he authority shall by regulation provide for mandatory conceptual review by or on behalf of the authority"; and

WHEREAS, the Authority staff has been working with their planning consultant, Phillips Preiss Grygiel, LLC, outside counsel McManimon, Scotland & Baumann and Riker Danzig Scherer Hyland & Perretti LLP, and the Attorney General's Office to draft land use regulations and procedures; and

WHEREAS, due to the complexity of drafting land use regulations for the entire Fort Monmouth area, the Authority does not anticipate providing the regulations for the Board of Directors' consideration prior to the July meeting; and

WHEREAS, in order to guide the Authority in reviewing the Redevelopment Plan for Parcel E in a timely manner, the interim guidelines for LRHL redevelopment plans (the RDP Interim Guidelines) have been proposed; and

WHEREAS, the RDP Interim Guidelines provide the procedural framework for the review and consent to LRHL redevelopment plans; and

WHEREAS, the next step for the development of Parcel E is the submittal of site plan and subdivision application to FMERA and Tinton Falls and the FMERA Act requires a mandatory conceptual review to be performed by or on behalf of the Authority, interim guidelines have also been proposed for the mandatory conceptual review (MCR Interim

Guidelines), which mandatory conceptual review will be conducted by FMERA staff under a delegation of authority by the Board; and

WHEREAS, combined with the Redevelopment Plan for Parcel E, which embodies all the design guidelines and standards necessary to implement Reuse Plan Amendment #1 for Parcel E, the Authority and the Tinton Falls Planning Board will have the necessary tools to evaluate the Redevelopment Plan for Parcel E and the anticipated site plan and subdivision application; and

WHEREAS, the proposed Redevelopment Plan for Parcel E was approved by the Tinton Falls Council on May 15, 2012 in ordinance 12-1344; and

WHEREAS, the proposed Redevelopment Plan for Parcel E was reviewed by the Authority staff, with the assistance of outside counsel and the Attorney General's Office, in accordance with the RDP Interim Guidelines and the FMERA Act; and

WHEREAS, the Real Estate Committee has reviewed the interim guidelines and the proposed Redevelopment Plan for Parcel E and recommends that the Members of the Board of Directors approve the interim guidelines and consent to the adoption of the Redevelopment Plan for Parcel E.

NOW, THEREFORE, BE IT RESOLVED by the Fort Monmouth Economic Revitalization Authority as follows:

1. For the reasons expressed in the attached Board memorandum, the Authority hereby approves the RDP and MCR interim guidelines.
2. For the reasons expressed in the attached Board memorandum, the Authority consents to Tinton Falls' adoption of the Redevelopment Plan for Parcel E but such consent is conditioned upon CommVault (as the previously selected purchaser of Parcel E), Tinton Falls and the Authority entering into a mutually acceptable form of redevelopment agreement.
3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

June 20, 2012
ATTACHMENT

Exhibit 1