



TO: Members of the Board of Directors

FROM: Bruce Steadman
Secretary & Executive Director

DATE: July 18, 2012

SUBJECT: Agenda for Board Meeting of the Authority

1. **Call to Order – James V. Gorman, Chairman**
2. **Pledge of Allegiance**
3. **Notice of Public Meeting - Roll Call – Bruce Steadman, Secretary**
4. **Approval of Previous Month's Board Meeting Minutes**
5. **Welcome – James V. Gorman, Chairman**
6. **Secretary's Report**
7. **Treasurer's Report:**
 - Summary of Status of Federal Grant and FMERA Financials
8. **Public Comment Regarding Agenda Items**
9. **Executive Director's Report:**
 - Update on Meetings with Army Representatives
 - Update on Parcel E Transaction
 - Update on Land Use Regulations
 - Update on Meeting with the Master Broker
 - Update on Former Post Library Construction
 - Update on Action Items
10. **Committee Reports**
 - Audit Committee – Michael Mahon, Acting Chairman
 - Real Estate Committee – James V. Gorman, Acting Chairman
 - Environmental Staff Advisory Committee
 - Historical Preservation Staff Advisory Committee – Robert Ades, Chairman
 - Housing Staff Advisory Committee – Charles Richman, Chairman
 - Veterans Staff Advisory Committee – Lillian Burry, Chairwoman

11. **Board Actions**

- Consideration of Approval of Lease of the Former Post Library Building from the U.S. Army to FMERA

12. **Other Items**

13. **Public Comment**

14. **Adjournment**

Fort Monmouth Economic Revitalization Authority
Board Meeting
June 20, 2012
Tinton Falls Municipal Building, Tinton Falls, 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
- Dr. Robert Lucky, Public Member – 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
- Kimberly Jungfer, Borough Administrator, Oceanport - 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)
- Mary Ellen Clark, Assistant Commissioner, NJ Department of Labor and Workforce Development (LWD)

V- Denotes Voting Member

Also present:

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

Not present:

- Charles Richman, Assistant Commissioner, NJ Department of Community Affairs (DCA)

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 May 16, 2012 meeting minutes. A motion was made to approve the minutes by Freeholder Burry, and seconded by Mayor Tarantolo.

Motion to Approve: FREEHOLDER BURRY Second: MAYOR TARANTOLO
AYes: 8

Kimberly Jungfer abstained from voting stating that she was not present at the May meeting.

II. WELCOME

Chairman James V. Gorman welcomed attendees to the Board Meeting and also welcomed Robert Ades to the Board as a public member. Mr. Ades is a Monmouth County resident with a successful business career and his appointment brings the Board to its full membership.

Mr. Gorman then stated that the Board will consider the approval of three items which will continue the progress of revitalizing the local communities. First, the interim guidelines for how the Authority will review redevelopment plans for specific properties within the Fort including a process of mandatory conceptual review, which is designed to assist the Authority in verifying that the submitted plans are in compliance with the Reuse plan. On a related matter, the Board will consider the consent to the Tinton Falls Adoption of a Redevelopment Plan for Parcel E. Mr. Gorman stated that the Board will consider the staff recommendation of the selection of a Master Broker to the Authority and the Board will review the status of the project to renovate the former Post library for office and meeting rooms to house the Authority's operations.

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, on behalf of the FMERA staff, welcomed Bob Ades to the Board. Mr. Steadman stated that Mr. Ades has had meetings and a tour with staff and he is assertively assimilating all the information that has been presented to him.

Mr. Steadman stated that the Chairman has requested that each of the Staff Advisory Committee Chairs evaluate the current memberships of the Committees prior to the September Annual Board meeting, and make any adjustments in members of the Committees to provide the best possible resources to FMERA. Memberships on the Committees expire annually, at the time of the September Annual meeting.

Mr. Steadman stated the remainder of the Secretary's report would be deferred to the 3 Action Items.

V. TREASURER'S REPORT

Beverlee Akerblom, Director of Finance and Administration, stated that the 2011 Comprehensive Annual Report of the Authority, approved by the FMERA Board at the May 2012 Board meeting, has been issued and distributed to the members of the Board and the Governor's Authorities Unit, and posted on the Authority's website. The Authority's 2011 financial data has been submitted to the Federal Audit Clearinghouse in compliance with OMB Circular A-133 requirements. Ms. Akerblom concluded by stating that spending continues to be strictly monitored.

Chairman Gorman extended his personal thanks to the staff for their work on the annual report.

VI. PUBLIC COMMENT REGARDING AGENDA ITEMS

There was no public comment.

VII. EXECUTIVE DIRECTOR'S REPORT

Rick Harrison, Director of Facilities Planning stated that after fifteen months of discussion and negotiation, and the FMERA Board's approval of the Memorandum of Agreement (MOA) at the April 24, 2012 meeting of the Authority, FMERA and the Army executed the long-awaited MOA on May 17, 2012 at Gibbs Hall. Mr. Harrison also gave thanks to the Monmouth Regional Jazz Band for providing great music which lent some pomp and circumstance to the event. This is a great milestone for FMERA, and paves the way for the first transfers of property to begin.

Mr. Harrison stated that the MOA covers the Phase 1 property: Charles Wood, plus three parcels on the Main Post. FMERA anticipates taking title to the first parcel on Charles Wood by the end of the month, and the last of the Phase 1 parcels by the end of June 2013. FMERA and the Army have begun preliminary discussions on the future transfer of the balance of the Main Post, under the Phase 2 MOA. In addition, the Economic Development Conveyance (EDC) application is expected to be approved by the Department of Defense this month.

Mr. Harrison further stated that the Army Caretaker, responding to some concerns, did dispatch a crew to Howard Commons to perform some needed clean-up. FMERA continues to monitor and work with the Army caretaker to ensure the property is kept in as good a condition as is possible, given budget limitations.

Mr. Harrison stated that FMERA had a joint event with the Army and State Police on Flag Day – June 14th, also the 237th Birthday of the Army. This day has been celebrated at Fort Monmouth for 94 years and it was thought appropriate to not break the cycle this year. Mr. Harrison further stated that at 8:30a.m., members of the Army Caretaker staff, FMERA, the press and members of the public convened at Cowan Park in front of the main post flag pole. After some brief remarks by Sgt. Sansone of the NJSP, Rick Harrison and the Army site manager, John Occhipinti, the flag was once again raised at Fort Monmouth where it flew proudly in the breeze during the day. There was some very nice coverage in the press along with some nice photos. Mr. Harrison thanked all those who participated and attended.

Mr. Harrison stated that the Army expects to convey Parcel E, a 55 acre tract in the Tinton Falls section of the former Fort Monmouth Property, to FMERA in the next several days. FMERA then anticipates closing on Parcel E with CommVault in the fall of 2012. It is expected that the purchase-sale agreement which was approved by the FMERA Board in April, will be executed by CommVault and FMERA this month.

Mr. Harrison stated that the CommVault project is anticipated to be completed in three phases over 20 years, and consists of 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 over the next few years, and at full build out, the new corporate headquarters could house up to 2,500 employees after all three phases are completed.

Mr. Steadman stated that it was very nice to see the flag flying at the Fort and thanked the Caretaker staff for doing a wonderful job in preparing the grounds. Mr. Steadman stated that he hopes to have other events on the former Fort property in the coming months where the public may attend.

Mr. Steadman 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 will go before the Board of Directors for consideration and approval at the meeting tonight, and completed land use regulations are expected to go before the Board of Directors in July. The regulations will serve as the zoning document that implements the Reuse Plan for the Fort, and will be used by the planning boards of the three Host Municipalities, and by the Authority, in evaluating proposed development projects.

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 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) and Howard Commons (housing) as soon as the Master Broker/Real Estate Consultant has been selected and started their work
- 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
- Continued work on a University Park Concept
- FMERA anticipates issuing a Request for Qualifications (RFQ) for appraisal services

Mayor Tarantolo stated that he appreciated the responsiveness of the caretaker services for Howard Commons.

Jonathan Lowy arrived at 7:12p.m.

COMMITTEE REPORTS

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

Kimberly Jungfer provided the Audit Committee Report on Mayor Mahon's behalf. Ms. Jungfer 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 June 12th at the FMERA office. The Committee reviewed the staff's process in selecting the Master Broker and secondary broker in response to the RFP that FMERA issued. The Committee concluded that the committee conducted a robust evaluation process. The Committee reviewed the staff's methods and practices including the local presence of broker staff, potential conflicts of interest, and the recommended selections were equally proficient in residential as well as commercial property marketing. The Committee endorsed the staff's recommendation of Cushman and Wakefield as the master broker and Jones Lang LaSalle as the secondary broker and recommended the Board approve the same.

Mr. Gorman stated that the Committee reviewed the progress and issues of the rehabilitation of the former post library into FMERA headquarters. The staff recommended approving their request to ask for approximately \$202,000 from the NJEDA and/or the Office of Economic Adjustment for the second phase of the former post library renovation.

The Committee concluded that the funding is warranted and recommends approval by the Board. The Committee received a progress report on the Request for Concept Plans (RFCP) for the Applied Science University from the NJEDA who are leading the efforts on the project, and will potentially be sited on the Fort Monmouth property. The Committee was provided a draft of a concept plan of the project and the Committee enthusiastically endorses the project.

Mr. Gorman stated that the Committee reviewed the activity on Building 2525 which is under consideration by the General Services Administration (GSA) as a potential site for a Government Agency's offices.

The Committee asked FMERA to designate a staff person to be a small business facilitator. This person would assist members of the small business community, who are interested in locating on the former Fort Monmouth property, with navigating government departments and agencies in coordination with the State's Business Action Center.

Mr. Gorman stated that the Committee discussed the prioritization of current, and near term development efforts. In Executive Session with outside counsel, the Committee reviewed the staff's interim land use guidelines with specific reference to the Parcel E property. The Committee then reached a consensus and agreed to recommend to the Board approval of interim guidelines and consent to Tinton Falls' adoption of the Redevelopment Plan for Parcel E.

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

Ken Kloo noted that the Committee met on June 5th at the FMERA office. Mr. Kloo stated that the Committee discussed the environmental issues associated with the Clinic Parcel, Parcel E, and the former post library and the coordination meeting between the U.S. Army and the DEP. Mr. Kloo stated that the only issue on the clinic parcel was a former incinerator and the structure is no longer present, and received an unrestricted No Further Action (NFA) designation from the DEP in the 1990s. The Committee discussed a letter from CALIBRE, the Army's consultant to the DEP, regarding the re-categorization of Parcel 14, which is part of Parcel E. Further evaluation of previously performed investigative and sampling activities revealed that no petroleum releases were identified in the soil or groundwater and, therefore, Parcel 14 could be categorized as a category 1 (free of releases of hazardous substances or petroleum products) like the rest of Parcel E. The DEP was satisfied with the Army's sampling and concurred with their findings. Due to the re-classification, the FOST for Parcel E would be modified. Mr. Kloo further stated that the only environmental issue on the former post library property was a tank on the property, but it was removed and the building received a NFA designation in 2000.

Mr. Kloo updated the Committee on the Coordination Meeting between the DEP and the Army. Mr. Kloo stated that the Army provided a schedule of transfer for Parcel E, Clinic Parcel, Golf Course, Parcel C, C1, Howard Commons and Marina. Mr. Kloo stated that the Army provided a Baseline Ecological Evaluation (BEE) and based on the information provided, the DEP did not concur with the Army's conclusion that no further ecological evaluation is necessary. The DEP is awaiting a revised report.

Mr. Kloo noted that the DEP's technical team would be meeting soon to review past data on Wampum Lake's condition. Mr. Kloo noted that there were concerns by members regarding dredging of Oceanport Creek in the vicinity of the Marina and stated that the DEP will look into the matter and report back to the Committee.

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

Bruce Steadman noted that the Committee did not meet this month. Mr. Steadman stated that Mr. Ades has volunteered to be the Committee Chairman going forward.

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

Bruce Steadman provided the Committee Report on Charles Richman's behalf. Mr. Steadman stated the Committee did not meet this month, but that the Committee is expected to meet in the coming weeks to discuss the draft of the Land Use Regulations.

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

Lillian Burry stated that the Committee met on June 19th at the FMERA office. Ms. Burry stated that the Committee received a presentation from a homeless Veterans group. Ms. Burry stated that Michael

Ruane from Monmouth County's Office of Aging attended the meeting to advise the Committee that his office could partner with some of the veterans agencies.

Ms. Burry stated that Kathy Lodato, Monmouth County Director of Transportation revealed a number of projects that the County is working on for transportation for Veterans. Ms. Burry also stated that Gary Baldwin advised the Committee that Bill S-588, a bill that extends eligibility for veterans' property tax deduction to residents of continuing care communities, passed out of Community and Urban Affairs Committee. Ms. Burry further stated that Captain Fuzz Harrison is working out arrangements for a commissary at Naval Weapons Station Earle.

VIII. Board Actions

The next item before the Board was the consideration of approval of interim guidelines for review of redevelopment plans, interim guidelines for the Authority's mandatory conceptual review and the consent to Tinton Falls' adoption of a redevelopment plan for Parcel E.

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 Dr. Robert Lucky.

Mayor Tarantolo asked if the review by the host municipality planning board of the submitted application was a courtesy review. DAG Gabriel Chacon explained that it is not a courtesy review and the municipality's planning board reviews the development application and makes the final approval. Mayor Tarantolo asked what happens if the municipality rejects the project. Gabriel Chacon stated that the developer needs the planning board's approval and if they do not receive it, the developer would determine their recourse. Mr. Chacon further stated that the process will also follow the Purchase-Sale Agreement.

Bruce Steadman stated that FMERA, the developer and the municipality will have worked out a redevelopment agreement that will incorporate requirements and responsibilities of all 3 parties.

Caren Franzini stated the redevelopment agreement is not for every project and if the project does not require the redevelopment agreement, it will be completed in accordance with the Land Use Regulations.

Bruce Steadman conducted a Roll Call Vote:

NAME	YES	NO
James V. Gorman	X	
Caren Franzini	X	
Brett Tanzman	X	
Dr. Robert Lucky	X	
Robert Ades	X	
Lillian Burry	X	
Gerald Tarantolo	X	
Gerald Turning	X	
Kimberly Jungfer	X	

Motion to Approve: MAYOR TARANTOLO Second: DR. ROBERT LUCKY
AYes: 9

The next item before the Board was the consideration of approval of award of Master Broker Request for Proposals (RFP).

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 2.

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.

Caren Franzini stated that this allows FMERA to move forward with the Fort's redevelopment and will bring national attention to the Fort.

Chairman Gorman stated that the consideration of the Master Broker focused on their ability to market residential as well as commercial properties and addressed concerns from the public which were brought to the Board's attention.

Bruce Steadman stated that the evaluation team was very impressed with the professionalism and the capability of the proposers. Mr. Steadman further stated that the proposers brought an abundance of energy and passion and that he would like to bottle it and bring it on every sales call.

Mayor Tarantolo stated that Cushman and Wakefield was a great choice and that they should interact with local realtors. Mr. Gorman stated that the Real Estate Committee was advised that representatives of both Cushman and Wakefield and Jones Lang LaSalle live locally.

Bruce Steadman conducted a Roll Call Vote:

NAME	YES	NO
James V. Gorman	X	
Caren Franzini	X	
Brett Tanzman	X	
Dr. Robert Lucky	X	
Robert Ades	X	
Lillian Burry	X	
Gerald Tarantolo	X	
Gerald Turning	X	
Kimberly Jungfer	X	

Motion to Approve: MAYOR TARANTOLO Second: LILLIAN BURRY
AYes: 9

The next item before the Board was the consideration of approval of request to apply for funds to support Phase 2 of the former post library renovation.

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 3.

Bruce Steadman stated that the Board Memo mirrored the resolution.

A motion was made to approve by Mayor Tarantolo, and was seconded by Dr. Robert Lucky

Bruce Steadman conducted a Roll Call Vote:

NAME	YES	NO
James V. Gorman	X	
Caren Franzini	X	
Brett Tanzman	X	
Dr. Robert Lucky	X	
Robert Ades	X	
Lillian Burry	X	
Gerald Tarantolo	X	
Gerald Turning	X	
Kimberly Jungfer	X	

Motion to Approve: MAYOR TARANTOLO Second: DR. ROBERT LUCKY
AYes: 9

IX. Other Items

There were no other items for discussion.

X. Public Comment

Linda Zucaro of Tinton Falls and the Monmouth A Team stated that she attended a Housing and Economic Development meeting in which the Secretary of the U.S. Department of Housing and Urban Development, Shaun Donovan, was the keynote speaker. Ms. Zucaro quoted Mr. Donovan in saying, if someone wants to create a project that provides a good life, jobs will follow.

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 8:06 p.m.

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



Bruce Steadman – Secretary

ADOPTED
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

ADOPTED
June 20, 2012

Resolution Regarding the
Selection of Master Broker
Request for Proposals (RFP)

WHEREAS, the Legislature enacted the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51, to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”); and

WHEREAS, section 9 of the Act authorizes the Authority to issue Requests for Proposals and to retain consultants; and

WHEREAS, on April 16, 2012, the Authority issued a publically advertised Request for Proposals (“the RFP”) for master broker services to market, sell and lease the former Fort Monmouth property in coordination with the Authority; and

WHEREAS, bid submissions were due on May 11, 2012 and 6 proposals were received and 1 proposal was deemed to be unresponsive; and

WHEREAS, on May 24, 2012 an Evaluation Committee met and ranked the proposals; and

WHEREAS, on May 30 and 31, 2012, the Evaluation Committee conducted interviews with the three highest ranked firms; and

WHEREAS, following the interviews, the Evaluation Committee re-scored the interviewed firms due to the fact that new knowledge was gained through the interview process; and

WHEREAS, Cushman Wakefield/Continental Realty was the top re-scored proposal and Jones Lang LaSalle was the second highest re-scored proposal; and

WHEREAS, pursuant to the RFP a primary broker will be selected as well as an alternate in the event that the primary has a conflict of interest for a specific transaction; and

WHEREAS, the Evaluation Committee recommends Cushman Wakefield/Continental Realty as primary broker and Jones Lang LaSalle as alternate broker; and

WHEREAS, the brokers will be compensated through a not to exceed 6% commission on sales and gross rent as specified in the RFP; and

WHEREAS, the members of the Real Estate Committee reviewed the Evaluation Committee’s process and recommendations; and

WHEREAS, the Members of the Board wish to award the master broker contract to Cushman & Wakefield/Continental Realty as primary broker and Jones Lang LaSalle as alternate broker pursuant to the RFP.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached Board memorandum, the Authority approves entering into a contract with Cushman & Wakefield/Continental Realty as primary broker and Jones Lang LaSalle as alternate broker in accordance with the terms and conditions set forth in this Resolution, the RFP, and Cushman & Wakefield/Continental Realty's proposal and Jones Lang LaSalle's proposal and subject to the approval of the Attorney General's Office and the Executive Director.

2. The Authority authorizes the Executive Director to take all necessary actions to effectuate the selection of Cushman & Wakefield/Continental Realty as primary broker and Jones Lang LaSalle as alternate broker.

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

Dated: June 20, 2012
ATTACHMENT

EXHIBIT 2

**ADOPTED
June 20, 2012**

Resolution Regarding the
**Approval to Request Funds
for Phase 2 of the
Former Post Library Renovation**

WHEREAS, the Legislature enacted the Fort Monmouth Economic Revitalization Authority Act ("Act"), P.L. 2010, c. 51, to create the Fort Monmouth Economic Revitalization Authority ("FMERA" or "Authority"); and

WHEREAS, on May 16, 2012, the Authority approved, subject to certain conditions, the selection of Patock Construction Company (Patock) for design-build services to retrofit and convert the Library (Building #502) to professional administrative space on the Fort Monmouth property; and

WHEREAS, on May 16, 2012 the Authority approved a budget of \$514,434 to complete the design-build services; and

WHEREAS, on May 16, 2012, the Authority approved a loan from the New Jersey Economic Development Authority (NJEDA) that included \$300,000 for the renovation of the former Library (Building #502); and

WHEREAS, Patock's original proposal was for \$807,700; and

WHEREAS, the FMERA staff through value engineering and scope decrease lowered the total construction amount to \$690,700; and

WHEREAS, in an effort to not delay the project, the FMERA staff has phased the construction work, with the first phase total being \$508,100 and thus within the Authority's May 16, 2012 approval, and the second phase total being \$182,600; and

WHEREAS, the staff would like to apply to the NJEDA and/or the Office of Economic Adjustment (OEA) for \$182,600 plus a contingency amount of \$20,000 (for a sum of \$202,600) to complete Phase 2 of the former Post Library Renovation; and

WHEREAS, the amount of \$202,600 for Phase 2 would bring the project to \$69/square foot; and

WHEREAS, the FMERA staff believes this is the lowest total construction amount that will offer the FMERA staff a functional, efficient, and adaptable work environment, and allow for all marketing, construction, committee, and Board Meetings to be held under one roof; and

WHEREAS, the members of the Real Estate Committee reviewed the staff's

process and recommendation; and

WHEREAS, the Members of the Board wish to request funds in the amount of \$202,600 from the NJEDA and/or OEA to complete Phase 2 of the former Post Library renovation.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached Board memorandum, the Members of the Board authorize the Executive Director and staff to request funds in the amount of \$202,600 from the NJEDA and/or OEA to complete Phase 2 of the former Post Library renovation.

2. The Authority authorizes the Executive Director to take all necessary actions to effectuate the request for additional funds from the NJEDA and/or OEA.

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

Dated: June 20, 2012
ATTACHMENT

EXHIBIT 3



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

DATE: July 18, 2012

SUBJECT: Monthly Status Report

Summary

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include an Update on the Status of the Federal Grant and FMERA Financials; Update on Meetings with Army Representatives; Update on Parcel E Transaction; Update on Land Use Regulations; Update on Meeting with the Master Broker, Update on Former Post Library Construction and Action Items for Next Month.

Treasurer's Report.

Federal Grant Status

1. Grant Request.
The Authority's grant request for funds in support of the Authority's operations has been approved by the Office of Economic Adjustment (OEA). In addition to funding the Authority's administrative expenses, the grant provides partial funding for the renovation of the former Post library building for FMERA offices.
2. Budget.
Spending continues to be strictly monitored.

Executive Director's Report.

1. Update on Meetings with Army Representatives.
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.

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.

2. Update on Parcel E Transaction.

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.

The CommVault project is anticipated to be completed in three phases over 20 years, and consist of 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 over the next few years, and at full build out, the new corporate headquarters could house up to new 2,500 employees after all three phases are completed.

3. Update on Land Use Regulations.

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 document that implements the Reuse Plan for the Fort, and will be used by the planning boards of the three Host Municipalities, and by the Authority, in evaluating proposed development projects.

4. Update on Meeting with the Master Broker.

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.

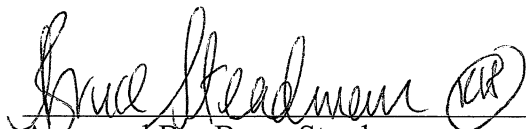
5. Update on Former Post Library Construction.

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 the July 18, 2012 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.

6. Action Items for Next Month.

- 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


Approved By: Bruce Steadman

Prepared by: Katie Hodes

Resolution Regarding the
**Agreement of Lease with the Department of the Army for the
Former Post Library Building (Building #502)**

WHEREAS, Governor Christie signed the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51 to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”); and

WHEREAS, section 9(b) of the Act authorizes the Authority, “[a]s designated and empowered as the ‘local redevelopment authority’ for Fort Monmouth . . . to enter into agreements with the federal government . . .”; section 9(f) “[t]o lease as lessee . . .”; and section 9(s) “[t]o maintain an office at a place or places within the State as it may designate”; and

WHEREAS, the Authority’s current office lease has expired, our tenancy is on a month-to-month basis and, in order to accommodate a large prospective tenant, our landlord has requested that we vacate our current location on or about October 1, 2012; and

WHEREAS, the Office of Economic Adjustment, which supports the Authority’s administrative budget, has also recommended that the Authority move to the Fort to minimize expenses because, as the Local Redevelopment Authority for Fort Monmouth, FMERA has the opportunity to obtain use of office space on Fort Monmouth at less than fair market value; and

WHEREAS, the Authority has selected Building 502, the former Post Library, as the most suitable location on the Fort for our permanent offices; in order to accommodate the Authority’s offices, this 10,650 sf building must be converted from its former use as a library to administrative space and many of the building systems will require updating and/or replacement; and

WHEREAS, the former Post Library is located outside of the area covered by the Phase 1 Economic Development Conveyance (EDC) agreement executed earlier this year by the Army and FMERA; consequently, in spring 2012 Authority staff requested that the Army enter into negotiations for a lease of the Library building with provisions that would protect FMERA’s investment in the building should it ultimately be sold to a third party; and

WHEREAS, the Army Corps of Engineers has now determined that the transaction will need to be structured initially as a short-term lease (with renewal options); and

WHEREAS, upon approval of FMERA’s economic development conveyance application for Phase 2 of the project, and execution of an EDC agreement covering Phase 2 and including the Library, the Authority will be in position to acquire title to the building or amend the lease to provide for a purchase option; and

WHEREAS, based on negotiations between FMERA and the Army, the Authority's proposed lease of the building will run for a term of one (1) year, with four (4) one-year options exercisable at the Army's discretion, or until the Army conveys ownership of the property; and

WHEREAS, the Real Estate Committee reviewed this matter at their July 12, 2012 meeting and recommends the lease to the full Board of Directors for approval.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons described in the attached memorandum, the Authority approves the Department of the Army Lease attached to the memorandum for the former Post Library, Building #502, for a term of one (1) year, with four (4) one-year options exercisable at the Army's discretion, or until the Army conveys ownership of the property, upon final terms consistent with the attached lease and acceptable to the Executive Director and the Attorney General's Office.

2. The Authority authorizes the Executive Director to execute and effectuate the lease and any related documents, as generally outlined in the attached board memorandum, with the Department of the Army for Building 502, the former Post Library, to be used as administrative space for the Authority.

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

ATTACHMENT

EXHIBIT 1
July 18, 2012



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

RE: Approval of Lease of the Former Post Library Building from the Army to FMERA

DATE: July 18, 2012

Request

I am requesting the Members' approval to enter into a lease with the Army for the former Post Library to allow for the retrofit and conversion of the building as administrative space for the Authority.

Background

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

The Authority currently occupies leased offices at 2-12 Corbett Way in Eatontown. Our lease has expired and our tenancy is on a month-to-month basis. In order to accommodate a large prospective tenant, our landlord has requested that we vacate our current location on or about October 1, 2012. The Office of Economic Adjustment, which supports our administrative budget, has also recommended that FMERA move to the Fort to minimize expenses. As the Local Redevelopment Authority (LRA) for Fort Monmouth, FMERA has the opportunity to obtain use of office space on Fort Monmouth at less than fair market value thus resulting in a cost savings to FMERA and the Department of Defense, Office of Economic Adjustment. The Authority offices must be available to the general public and therefore could not be located on Fort Monmouth as long as the Army had an active mission there. Now that the Fort has closed, arrangements can be made for the general public to access the Fort property. The Authority has selected Building 502, the former Post Library, as the most suitable location on the Fort for our permanent offices. In order to accommodate the Authority's offices, this 10,650 sf building must be converted from its former use as a library to administrative space. In addition, many of the building systems will require updating and/or replacement.

Following a publicly advertised RFP process, at the May 2012 meeting the Members awarded a design-build services contract to Patock Construction Co. for the Library building renovation. The award was made subject to staff successfully negotiating a contract with Patock based on

initially available funds of \$514,434. This amount was based on a preliminary staff estimate, to be funded by a \$214,434 OEA grant and a \$300,000 loan from the New Jersey Economic Development Authority (NJEDA). The Members approved the \$300,000 NJEDA loan as part of a larger \$4.5 million credit facility at the May meeting. Patock's original proposal was for a total construction amount of \$807,700. FMERA staff has worked with Patock through value engineering and scope decrease to lower the total construction cost to \$690,700. We believe this is the lowest total construction amount that will offer the Authority a functional, efficient, and adaptable work environment, and allow for all marketing, construction oversight, committee, and Board meetings to be held under one roof. Accordingly, staff recommended, and the Real Estate Committee and the Board concurred in June, that we divide the project into two phases, with the cost of the first phase of work capped at the currently available funding. It is our intention to seek an additional \$202,600 in OEA/EDA funds to complete the second phase of the upgrade project.

The Lease

The Library is located outside of the area covered by the Phase 1 Economic Development Conveyance Agreement executed earlier this year by the Army and FMERA; consequently, in spring 2012 Authority staff requested that the Army enter into negotiations for a lease of the Library building with provisions that would protect FMERA's investment in the building should it ultimately be sold to a third party. Despite indications from the Army that such an arrangement was both acceptable and feasible, the Army Corps of Engineers has now determined that the transaction will need to be structured initially as a short-term lease (with renewal options). Upon approval of FMERA's economic development conveyance application for Phase 2 of the project, and execution of an EDC agreement covering Phase 2 and including the Library, the Authority will be in position to acquire title to the building or amend the lease to provide for a purchase option. Under either scenario, the Authority would seek a credit against the purchase price for our improvements to the building. Under Article 16 of the June 25, 2012 Phase 1 EDC Agreement, the Army expressed its intent to pursue approval to convey the balance of the Fort to FMERA through a similar economic development conveyance mechanism for the purposes of returning best value to the Army, promoting job creation and redeveloping the property. The Authority staff requested that the Army reaffirm this commitment. This reaffirmation was received today, July 18, 2012.

Based on negotiations between FMERA and the Army, the Authority's proposed lease of the building will run for a term of one (1) year, with four (4) one-year options exercisable at the Army's discretion, or until the Army conveys ownership of the property. The draft lease does not commit the Army to any renewals beyond the stated term, nor does it commit the Army to dispose of the property upon lease expiration to FMERA or any other party. The Army will lease the property to FMERA in as-is, where-is condition but subject to the Army's continuing obligations under CERCLA for pre-existing environmental conditions. Based on its age, the Army presumes that the building contains non-friable asbestos and lead-based paint; residential reuse of the building is therefore prohibited unless LBP remediation is undertaken. Note, however, that the Army has issued a Finding of Suitability to Lease, which confirms that the building is suitable for non-residential occupancy. The Authority will not be required to pay rent to the Army, but will be responsible for all costs of operation, maintenance and utilities, including any required capital repairs or upgrades.

The Real Estate Committee reviewed this matter at their July 12, 2012 meeting and recommends the lease to the full Board of Directors for approval.

Recommendation

In summary, I am requesting that the Members authorize the Executive Director to execute a lease and any related documents, as generally outlined above, with the Department of the Army for Building 502, the former Post Library, to be used as administrative space for the Authority. The attached lease agreement is in substantially final form. The final document may be subject to revision although the basic terms will remain consistent with its current form and the final terms will be acceptable to the Executive Director and the Attorney General's Office.


Bruce Steadman

ATTACHMENT: Lease Agreement

Prepared by: David Nuse



FORMER POST LIBRARY LEASE MEMO
ATTACHMENT

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