

Fort Monmouth Economic Revitalization Authority  
Board Meeting  
March 26, 2013  
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**
- Tim Lizura, President and COO, New Jersey Economic Development Authority (NJEDA) - **V**
- Amy Herbold, Assistant Counsel, Authorities Unit, Office of the Governor – **V**
- Lillian Burry, Monmouth County Freeholder – **V**
- Dr. Robert Lucky, Public Member – **V**
- Gerald Tarantolo, Mayor of Eatontown - **V**
- Michael Skudera, Mayor of Tinton Falls - **V**
- Joseph Irace, Council President of Oceanport – **V**
- Charles Richman, Deputy Commissioner, NJ Department of Community Affairs (DCA)
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)
- Mary Ellen Clark, Assistant Commissioner, NJ Department of Labor & Workforce Development

**V- Denotes Voting Member**

**Members Not Present**

- Robert Ades, Vice Chairman, Public Member – **V**
- Jonathan Lowy, Regional Manager, Government and Community Relations, NJTransit (NJT)

**Also present:**

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

**II.**

The meeting was called to order by Chairman James V. Gorman at 7:01 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 February 20<sup>th</sup> meeting minutes. A motion was made to approve the minutes by Lillian Burry and seconded by Mayor Tarantolo.

Motion to Approve: LILLIAN BURRY      Second: MAYOR TARANTOLO  
AYes 7

Joseph Irace abstained from the vote stating that he was not present at the February meeting.

### III. WELCOME

Chairman James V. Gorman welcomed attendees to the Board Meeting. Mr. Gorman stated that Gil Medina, Executive Managing Director of Cushman & Wakefield would be giving a progress report on the marketing efforts of the Fort.

Mr. Gorman stated that the Board would consider approval of one Board action, which is for FMERA to make Building 2705 in the Charles Wood Area of the former Fort Monmouth available through the Offer to Purchase Process. Mr. Gorman stated that Board approval will allow FMERA to consider Requests for Offers to Purchase (RFOTPs) in accordance with the Reuse and Redevelopment Plan.

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 due to the full agenda. 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

Bruce Steadman stated that it is expected that FMERA will be occupying their new offices, at the former Post library, by mid-May and anticipates holding the first board meeting there in July. Mr. Steadman stated that a public access plan is being completed by FMERA, the Army and the New Jersey State Police (NJSP). Information regarding the meeting schedule will be posted on the FMERA website.

Mayor Skudera arrived at 7:05.

### V. TREASURER'S REPORT

Beverlee Akerblom, Director of Finance and Administration, stated that the Authority's grant amendment requests for funds in support of the Authority's operations have been prepared and are under consideration by the Office of Economic Adjustment (OEA). The funds requested from the Office of Economic Adjustment are consistent with amounts approved by the Authority's Board. Ms. Akerblom stated that FMERA's Base Realignment and Closure (BRAC) counsel and the Authority's representatives from the Office of the Attorney General are in the process of evaluating best practices for setting-up the Restricted Homeless Accommodation Fund.

Ms. Akerblom stated that the Authority's independent auditor has completed the field work on the 2012 audit of the Authority, and will report their findings to the Audit Committee at the Committee's

April meeting. Subject to the Audit Committee's recommendation, the 2012 Comprehensive Annual Report will be forwarded to the Authority's Board for their review at the May board meeting.

Ms. Akerblom concluded her report by stating that spending continues to be strictly monitored.

## VI. PUBLIC COMMENT REGARDING AGENDA ITEMS

Tom Mahedy of Wall Township stated that the RFOTP process for real estate is not confidential and there should only be sealed bids accepted. Mr. Mahedy stated that Cushman & Wakefield did not receive the highest scores on FMERA's Request for Proposals (RFP) for Master Broker proposal but was awarded the contract.

Mr. Steadman stated that during the RFOTP process, FMERA follows the published Sale and Lease Rules which allows for several criteria that are evaluated and scored by the evaluation team. Mr. Steadman stated that Mr. Mahedy's statements regarding Cushman & Wakefield and the Master Broker RFP process are incorrect and the information regarding the scoring is available on the FMERA website.

Mr. Mahedy stated that the Fort was flooded during Hurricane Sandy and the pollution from the dumps was moved inland. Mr. Steadman stated that Mr. Mahedy's comment was inaccurate as only a small portion of the Fort was flooded during the storm. Mr. Steadman also stated the comment regarding the pollution from the dumps is unfounded, and that the Army has completed the first phase of their study regarding the dumps and there was no indication of any pollution resulting from the flood. Further, the Army has indicated a full report is forthcoming.

Mr. Mahedy asked if the Board packets could be posted online prior to the meeting. The Chairman answered that FMERA would consider it, but that packet changes regularly occur on the day of the Board meeting.

## VII. EXECUTIVE DIRECTOR'S REPORT

Dave Nuse, Director of Real Estate Development, stated that FMERA and the Army continue to negotiate a Phase 2 Economic Development Conveyance (EDC) agreement. This agreement will cover the majority of the Main Post properties in Eatontown and Oceanport. FMERA plans to meet with the Army in May to finalize deal points and anticipates having final terms to present to the Board for approval at a future meeting.

Dave Nuse stated that at the January meeting of the Authority, the Board approved revised business terms for the sale of the former Patterson Army Health Clinic to AcuteCare of Lakewood, NJ. AcuteCare plans to renovate the Clinic parcel and make a minimum \$5 million dollar investment. The company will also create a minimum of 50 jobs in its first 3 years. FMERA and AcuteCare have executed a Purchase & Sale Agreement (PSA). The effective date of the PSA is March 14, 2013 and the date begins AcuteCare's 90 day due diligence period. FMERA expects to take title to the property from the Army this spring and deed it to AcuteCare this summer, after our Land Use Rules go into effect, and AcuteCare has completed its due diligence investigations and contract contingencies.

Dave Nuse stated that over the past month, marketing activity at the Fort has been brisk. Not counting site visits by real estate developers in connection with the open RFOTPs, FMERA has had 15 meetings, tours and inquiries since the February board meeting. Cushman & Wakefield is conducting

outreach in support of our RFOTPs, and is also implementing an “occupier strategy” to target potential tenants and users. Cushman & Wakefield is also helping FMERA’s small business facilitator, Katie Hodes, plan and implement a small business attraction strategy for the Fort. FMERA will provide more details on that initiative this spring.

Rick Harrison, Director of Facilities Planning, gave the following summary of the status of the current RFOTPs that FMERA has issued and intends to issue:

#### Howard Commons

FMERA staff issued a RFOTP for the Howard Commons Area/Pinebrook Housing on December 14, 2012. The approximately 64-acre parcel is intended to be developed as 275 residential units and up to 15,000 sf of retail as shown in the Reuse Plan. On January 28, 2013 six firms submitted proposals, with some firms submitting multiple scenarios for redevelopment. In accordance with the RFOTP, and our sales rules, the evaluation of the proposals has begun. FMERA expects to have a recommendation for the Board of Directors’ consideration at the June or July meeting of the Authority.

#### Officers Housing

FMERA issued an RFOTP for the Officers Housing in the Historic District on January 16, 2013. The Officers Housing is intended for residential reuse consistent with the Reuse Plan. Proposals for the Officers Housing are due by 12:00 pm on April 1, 2013. Please note that the final addendum containing answers to questions received from potential purchasers was posted to the FMERA website on March 26th.

#### Other RFOTPs

FMERA issued three RFOTPs on March 26<sup>th</sup> for Parcels B, C, and C1. In accordance with the Reuse Plan and plan amendment #1, Parcel B calls for 302 residential units and 150,000 sf of retail/mixed-use, Parcel C is planned to be a mixed use town center with 239 residential units and 107,000 sf of mixed-use retail and Parcel C1 calls for 49 residential units. Responses to these RFOTP’s are due on June 10, 2013. Please refer to our website for updates.

Rick Harrison stated that at the January Meeting of the Authority the Board of Directors approved the Proposed Land Use Rules for publication in the New Jersey Register. The Proposed Rules were published in the February 19, 2013 Register, with the 60-day public comment period ending on April 20, 2013. However, due to delays in the delivery of the February 19, 2013 New Jersey Register, FMERA extended the public comment period for the proposed new land use rules from April 20, 2013 to April 30, 2013.

In addition, FMERA has a new address for public comments that differs from the address published in the proposed rules. Comments regarding the proposed land use rules should be submitted to P.O. Box 267, Oceanport, New Jersey 07757. Written comments may be hand delivered by dropping them off at the Guard Post at the East Gate of Fort Monmouth on Oceanport Avenue, Oceanport.

Bruce Steadman stated that FMERA issued a Request for Proposals (RFP) for the professional management and maintenance of Suneagles Golf Course and associated banquet and restaurant facilities on Friday, January 11, 2013. A mandatory pre-proposal conference was held on Friday, January 18, 2013 at Gibbs Hall. Two proposals were received on February 11, 2013, and the Board of Directors approved the selection of Atlantic Golf Management (AGM) at the February 20, 2013 Meeting of the Authority.

Bruce Steadman stated that the second bidder, Meticulous Golf Management, is challenging the award to AGM. FMERA received the official challenge paperwork on March 15, 2013. Meticulous has also filed three Open Public Records Act (OPRA) requests. FMERA expects that we will be ready for the Board of Directors' consideration of, and a formal decision on, the challenge at the May Meeting of the Authority. Meanwhile, AGM continues to operate the facility under our original contract on a month-to-month basis. While they are continuing to make some upgrades and improvements to the course and the banquet facilities in preparation of the 2013 season, we expect that some of the additional requirements called for in the latest RFP scope will be put on hold pending resolution of the challenge.

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 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
- FMERA has collaborated with several Federal, State and Local agencies regarding storm response initiatives.
- Scheduling of the 2<sup>nd</sup> Community Bus Tour in May

Gil Medina, Executive Managing Director of Cushman & Wakefield gave a marketing update presentation. The following updates were highlighted:

- Developer Marketing Strategy
  - Marketing website
  - Costar
  - Pre-marketing email blast
  - Presentations and Tours
  - Strategic Service Providers
- Data Center Marketing Strategy
- Occupier Marketing Strategy
  - Electronic Brochure
  - Costar
  - Marketing website
  - Small Business Initiatives
- 2013 Initiatives
  - Marketing Video

Mayor Tarantolo stated that Cushman & Wakefield should contact the Association of Defense Communities (ADC) which is involved with BRAC. Mr. Medina stated that he would reach out to the ADC for marketing purposes. Mayor Tarantolo stated that the marketing information for Malette Hall should include the geothermal well field in order to attract more businesses.

Mr. Gorman asked Mr. Medina what Cushman & Wakefield is doing to expand their marketing to include the West Coast and other areas of the nation. Mr. Medina stated that as a part of their occupiers outreach strategy, perspective occupiers who are interested in the property will contact local

brokers within the region or Cushman & Wakefield directly, and that Cushman & Wakefield will contact their national offices and affiliates directly with Fort Monmouth information.

#### VIII. COMMITTEE REPORTS

a) AUDIT COMMITTEE (ROBERT ADES, CHAIRMAN):

Bruce Steadman, on behalf of Robert Ades, stated that the Committee did not meet this month, but will meet on April 30th.

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

Chairman Gorman stated that the Committee met on March 13<sup>th</sup> at the FMERA offices and discussed the following:

- Overview of the proposed FMERA real estate delegated operating authority. This will increase FMERA's flexibility in completing transactions.
- Discussion regarding making Building 2705 in Fort Monmouth's Charles Wood Area available through the RFOTP process. The Committee agreed to recommend to the full Board of Directors for approval.
- Presentation of the proposed Small Business Demonstration Project which is aimed at attracting small businesses to the Fort property.
- Update of the proposed homeless veterans project. Progress has been made by FMERA in identifying a parcel for the project.
- Update on the Golf Course Professional Management RFP
- Update on the Land Use Rules
- Update on the Restricted Homeless Accommodation Fund
- Update on AcuteCare
- Update on Broker Marketing Effort
- Update on Permanent Housing: Howard Commons and Officers Housing
- Update on the RFOTP's for Parcel B, C, C1 and the Marina
- Update on the public access plan for the FMERA offices

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

Kenneth J. Kloo stated that the Committee met on March 4<sup>th</sup> and discussed the following:

- Overview of the Committee's role as the Environmental Commission as outlined in FMERA's proposed Land Use Rules. The Authority's Planning Consultant, Phillips Preiss Grygiel LLC (PPG), will participate in the next meeting to discuss the Committee's role as environmental commission and the Natural Resources Inventory (NRI).
- Overview of historically applied pesticides as they relate to the former Fort's redevelopment. FMERA explained that the former Fort property is sold in an as-is, where-is condition, and is subject to CERCLA and other federal laws. In accordance with the Authority's sales rules, the purchaser is able to conduct a Phase 1/Phase 2 environmental site assessment during their due diligence period and FMERA is able to negotiate the purchase price with the selected purchaser depending on the findings of the assessment. Due to past activity it is likely that residue from

historically applied pesticides will be found on the former Fort property. Federal testing for pesticides is not required unless a discharge or spill involving pesticides is suspected. The NJDEP rules do not specifically require the investigation of historically applied pesticides as an area of concern (AOC). NJDEP also allows for alternative clean-up approaches for historic pesticides, such as soil blending, that it will not allow for other contaminants.

- Discussion of landfills or dump areas on the former Fort. The landfills were evaluated by the Army subsequent to Hurricane Sandy and no discharges or erosion was observed. The Army provided a brief presentation on the landfill closure process, with slides of each landfill taken post-Sandy, at the last Restoration Advisory Board (RAB) meeting. Although several trees were downed, no evidence of exposed waste or erosion was reported. The Army's consultants, Parsons, was to perform a more in-depth evaluation of each landfill to determine any effects by Hurricane Sandy.
  - Discussion of the lime pit in the Myer Center, stating that redevelopment of the site will likely take place with a 0.5 acre carve-out of the affected area for now, until the Army completes its remediation activities at this area.
- d) HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (ROBERT ADES, CHAIRMAN):

Bruce Steadman, on behalf of Robert Ades, stated that the Committee met on February 27<sup>th</sup> and toured the Historical District. The following areas were toured:

- Officers Housing
- NCO Housing
- Squire Hall
- Allison Hall
- Tour of Monuments on the Main Post
- A brief history and discussion of Programmatic Agreement and the Committee's involvement in the RFOTP process for the Officers Housing ensued.

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

Bruce Steadman, on behalf of Charles Richman, stated that the Committee met on March 11<sup>th</sup> at the FMERA offices and discussed the following:

- Discussion of the assessment of Fort Monmouth Homeless obligation which includes:
  - The reuse of two existing facilities (Buildings 270 and 501)
  - An off-site cash contribution
  - Construction of a new County emergency shelter to replace the existing shelter on the Fort
  - 40 units of permanent supportive single family housing to be built, 20 units in Eatontown and 20 units in Tinton Falls
- Discussion of the FEMA interim housing being used for other purposes when the FEMA project ends.
- Discussion on the Howard Commons RFOTP process and review of a generic site plan map and elevation from one of the proposals. Questions were compiled which will be addressed at meetings with the potential developers.
- Update on Parcels B, C, C1

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

Freeholder Burry stated that the Committee will meet on April 16<sup>th</sup> and will discuss potential sites for the Homeless Veterans project.

IX. Board Actions

The next item before the Board was the consideration of approval for FMERA to make Building 2705 in the Charles Wood Area of the former Fort Monmouth available through the Request for Offer to Purchase Process (RFOTP).

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

Bruce Steadman stated that the board memo mirrored the resolution and provided additional backup information.

A motion was made to approve by Mayor Tarantolo and was seconded by Tim Lizura.

Name	Yes	No	Abstain
James V. Gorman	X		
Tim Lizura	X		
Amy Herbold	X		
Lillian Burry	X		
Robert Lucky	X		
Gerald Tarantolo	X		
Michael Skudera	X		
Joseph Irace	X		

Motion to Approve: MAYOR TARANTOLO      Second: TIM LIZURA  
AYes 8

X. Other Items

Mayor Skudera thanked the Board for the approval of the Offer to Purchase of Building 2705 as this will create jobs in Tinton Falls.

XI. Public Comment

Bob English of Eatontown stated that the RFOTP for Parcel B refers to the Reuse Plan but reflects different uses for the housing in three different places in the document. Mr. Harrison stated that the RFOTP contains language from the Reuse Plan and from the Land Use Regulations. The Reuse Plan was intended to be conceptual and broad-based, and the Land Use Regulations are intended to be more specific. Mr. Harrison stated that the prospective developers have the opportunity during the proposal process to submit questions for clarification on the RFOTP.

Mr. English stated that the points assigned on the scoresheets are different for each of the RFOTPs. Mr. Steadman stated the scores are dependent on use requirements of the Reuse Plan and the Land Use



Regulations, and the area that the parcel is located. Mr. English asked for clarification on the reference to the future use of property on the scoresheet. Mr. Steadman stated that this relates to the proposed use being consistent with Reuse Plan, any impacts on the local area within the Fort, a particular borough's current uses outside the Fort property and other similar issues. Mr. Steadman stated that examples would include the types of community services to support, traffic impact, and noise related impact on the community.

Mr. English asked if the scoresheet reflects Eatontown's desire for owner occupied housing. Mr. Steadman stated that the language in the RFOTP does reflect Eatontown's desire and responses and will be evaluated in the scoring process accordingly.

Anthony Talerico of Eatontown stated that the RFOTP should reflect Eatontown's preference for owner occupied, and not for sale, as referenced. Mr. Talerico made a point of differentiating between "owner occupied" and "for-sale" units. Mr. Talerico stated that the scoring for the purchase price should reflect the impact to the host municipalities. Mr. Steadman stated that they will, and by issuing the three RFOTPs at the same time, that if one or two developers were awarded all the parcels, then it will be one source coordinating the efforts and would therefore enhance the areas so that different parcels do not compete against each other.


Nyna McKittrick of Colts Neck asked where the retail portion of Howard Commons will be located. Mr. Steadman stated that the 15,000 sf retail will be located near the corner of Hope Road and Pinebrook Road.

Tom Mahedy of Wall Township asked if he could submit his comments regarding the Land Use Rules via email and was answered yes. Mr. Mahedy stated that the geothermal well field should remain on the Fort.

Mr. Mahedy asked what was being done to test the landfills that were flooded during Hurricane Sandy. Mr. Steadman stated that the Army is responsible for any testing and Mr. Mahedy would need to contact the Army for specifics. Mr. Kloo stated that the NJDEP would review the reports when they are submitted by the Army to ensure they fully comply with New Jersey state laws and regulations. However, NJDEP cannot arbitrarily impose additional requirements for the Army to conduct additional sampling beyond what is required pursuant to existing laws and regulations.

There being no further business, on a motion by Robert Lucky seconded by Mayor Tarantolo and unanimously approved by all voting members present, the meeting was adjourned at 8:35 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**  
**March 26, 2013**

Resolution Regarding  
**Making Available through  
the Offer to Purchase Process Building 2705  
in the Charles Wood Area**

**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(j) of the Act authorizes the Authority to issue Requests for Proposals and section 9(bb) “[t]o purchase at any sale, upon such terms and at such prices as it determines to be reasonable, and take title to the property, real, personal, or mixed, so acquired and similarly sell, exchange, assign, convey or otherwise dispose of any property”; and

**WHEREAS**, in accordance Section 19:31C-2.5(a) of FMERA’s Rules for the Sale of Real and Personal Property, “[b]efore advertising a particular parcel of real property and accompanying personal property as being available for sale through the offer to purchase process, the Board shall review and approve a recommendation of the Director and FMERA [staff] to offer the property for sale through the offer to purchase process”; and

**WHEREAS**, authority staff recommends proceeding with the Request for Offer to Purchase (RFOTP) process for Building 2705 in the Charles Wood Area; and

**WHEREAS**, this recommendation is based on several factors. First, pursuant to the Reuse Plan, Building 2705 is projected for research and development or data center use. Accordingly, this property holds the potential of generating a significant number of high-wage jobs in a high-growth sector of the economy. Second, Building 2705 is envisioned to serve as a key component of an integrated office and high tech campus. Third, the Authority’s master broker and FMERA staff have shown the building to several interested parties and believe that issuance of an RFOTP at this time could facilitate the attraction or retention of one or more information and communications technology (ICT) companies; and

**WHEREAS**, given the building’s location within the Tech/Office/R&D Campus established by the Reuse Plan and the proposed Land Use Rules, its importance as a potential job generator, and the interest expressed by ICT companies, staff believes that negotiation with respondents may be necessary to ensure that the objectives of the Reuse Plan are properly met, and that the value of the property, and adjacent tracts, are maximized; and

**WHEREAS**, the Real Estate Committee has reviewed and discussed making Building 2705 available through the offer to purchase process and recommends it to the full Board of Directors for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves making Building 2705 in the Charles Wood Area of the former Fort Monmouth Property available through the offer to purchase process, as set forth in the attached memorandum.

2. The Authority authorizes the Executive Director to take all necessary actions to effectuate the issuance of the Request for Offer to Purchase and the notice of availability for sale through the offer to purchase process.

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: March 26, 2013**  
**ATTACHMENT**

**EXHIBIT 1**