



TO: Members of the Board of Directors

FROM: Bruce Steadman
Secretary & Executive Director

DATE: May 15, 2013

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 Fort Monmouth Economic Revitalization Authority (FMERA) Financials
8. **Public Comment Regarding Agenda Items**
9. **Executive Director’s Report:**
 - Update on Meetings with Army Representatives
 - Update on Requests for Offers to Purchase (RFOTPs)
 - Update on Community Bus Tour
 - Update on FMERA Office Move
 - Update on Action Items
10. **Committee Reports**
 - Audit Committee – Robert Ades, Chairman
 - Real Estate Committee – James V. Gorman, Chairman
 - Environmental Staff Advisory Committee – Kenneth J. Kloo, Chairman
 - 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**

1. Consideration of Approval of FMERA Delegated Real Estate Operating Authorities
2. Consideration of Lease of the Marina from the Army and Sublease to Oceanport upon the same terms as FMERA's lease with the Army
3. Consideration of Approval to Make Parcel V1 Available through the Offer to Purchase Process
4. Consideration of Approval of Lease of the third floor of Russel Hall from the Army and FMERA's Execution of a Memorandum of Understanding (MOU) with the New Jersey Economic Development Authority for use of the Property

There will be NO action at tonight's meeting on the following item:

5. Consideration of Approval of FMERA Staff's Recommendations Regarding Public Comments Submitted and Final Adoption of the Proposed Land Use Rules Containing Development and Design Guidelines

12. **Other Items**

13. **Public Comment**

An Executive Session will NOT be held at tonight's meeting.

14. **Executive Session – OPMA EXEMPTION N.J.S.A 10:4-12b(5) and (7):**
Pending Real Estate Negotiations with the Army

15. **Adjournment**

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 20th 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 26th 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 2nd 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 13th 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 4th 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 27th 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 11th 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 unites 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 16th 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



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

DATE: May 15, 2013

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 Requests for Offers to Purchase (RFOTPs); Update on Community Bus Tour; Update on the FMERA Office Move; and Action Items for Next Month.

Treasurer's Report.

1. Grant Amendment Request
The Authority's grant amendment requests for funds in support of the Authority's operations were approved by the Office of Economic Adjustment (OEA). The funds requested from the OEA are consistent with amounts approved by the Authority's Board and provide funding for expenses not previously funded under the grants including additional support for the conversion of the former Fort's Library to the FMERA offices, and reimbursement of consulting expenses incurred by the boroughs of Eatontown, Oceanport and Tinton Falls in the development of the FMERA land use rules.
2. Fort Monmouth Homeless Assistance Fund
FMERA's BRAC counsel and the Authority's representatives from the Office of the Attorney General are in the process of evaluating the best practices for setting-up the Homeless Assistance Fund. The evaluation is expected to be completed this month.
3. Budget
Spending continues to be strictly monitored.

Executive Director's Report.

1. Update on Meetings with Army Representatives.
FMERA and the Army continue to have regular discussions on the future transfer of the balance of the Main Post, under the Phase 2 Memorandum of Agreement (MOA). These

discussions are helping to further a positive working relationship that will result in a revitalized former Fort Monmouth, and job creation.

2. Update on RFOTPs.

The following is a summary of the status of the current RFOTPs that FMERA has issued:

Howard Commons

FMERA staff issued a RFOTP for the Howard Commons Area of the former Fort on December 14, 2012. The approximately 64-acre parcel is intended to be developed into housing, as shown in the Fort Monmouth Reuse and Redevelopment 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 is underway. FMERA expects to have a recommendation for the Board of Directors' consideration at the June or July meeting of the Authority.

Officers Housing

FMERA staff issued a RFOTP for the Officers Housing in the Historic District of the former Fort on January 16, 2013. The Officers Housing is intended for residential reuse consistent with the Fort Monmouth Reuse and Redevelopment Plan. Proposals for the Officers Housing were due by 12:00 pm on April 1, 2013 and two proposals were received. Staff has begun to evaluate the proposals in accordance with the Authority's Sales Rules.

Parcels B, C and C1

On March 26, 2013 FMERA publically issued RFOTPs for Parcels B, C and C1. Proposals for each of the three parcels are due by 12:00 pm on June 10, 2013.

Parcel B is a 55-acre tract located along the Fort's Route 35 frontage in the Main Post's Eatontown Reuse Area. The Reuse and Redevelopment Plan calls for Parcel B to be developed as a lifestyle center, with approximately 150,000 square feet of retail, restaurant, entertainment and other uses in a Main Street format, along with 302 mixed-income apartments.

Parcel C is in the Tinton Falls Reuse Area and is planned as a mixed-use town center. The 39-acre lot can accommodate up to 239 newly constructed residential units, along with up to 107,000 square feet of retail and other commercial development.

Parcel C1 is a 12-acre tract also located in Tinton Falls. In accordance with the Reuse and Redevelopment Plan, the property can accommodate up to 49 newly constructed residential units.

Building 2705

On May 6, 2013 FMERA publically issued a Request for Offers to Purchase (RFOTP) for Building 2705 in the Tinton Falls section of the former Fort. FMERA staff has determined that Building 2705 and its two outbuildings would require a parcel measuring approximately 5.5 acres. The parcel size would increase to about 7.25 acres if the

geothermal well field located south of the building were included. Proposals are due by 12:00 pm on June 6, 2013.

Please refer to our website, www.fortmonmouthredevelopment.com, for more information.

3. Update on Community Bus Tour.

FMERA has scheduled its second Community Bus Tour for Thursday, May 23, 2013. The Bus Tour will allow members of the public to tour the former Fort and speak to members of the FMERA staff about the redevelopment effort.


The tour will leave from the Visitor Center on Oceanport Avenue at 10:00 am on May 23rd. Due to the capacity of the buses, the tour will be limited to 60 members of the public. Members of the public will be able to reserve a seat on the bus on a first come, first serve basis and will receive an e-mail from the FMERA Office confirming their attendance. Please express your interest in participating in the tour by e-mailing FMERAINFO@njeda.com.

4. Update on FMERA Office Move.

The FMERA Office in the former Fort library is nearly complete. Staff hopes to move into the new facility by mid-June. Public board meetings will be held in the new office space beginning in late summer. A public access plan for the facility will be announced at the June or July meeting of the Authority.

5. 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.



Approved By: Bruce Steadman

Prepared by: Katie Hodes

**ADOPTED
May 15, 2013**

Resolution Regarding
**Approval of FMERA Delegated Real Estate
Operating Authorities**

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”) as a successor to the Fort Monmouth Economic Revitalization Planning Authority (“FMERPA”); and

WHEREAS, at the Authority’s initial meeting, the Board approved certain administrative operating authorities, but opted to defer action on the real estate-related operating authorities and revisit the matter when the organization’s needs were better defined; and

WHEREAS, staff is requesting that the Board reopen discussions at this time on account of two items that recently came before the Board; and

WHEREAS, in the first instance, the closing with CommVault was delayed to allow for Board approval of FMERA’s grant of a no-cost utility easement to Jersey Central Power & Light Company; and

WHEREAS, at the February 2013 Meeting, the Board granted FMERA staff authority to extend the leases and sub-leases for the Teen Center and Pool, the New Jersey State Police facility and the County Homeless Shelter, if necessary, and requested that staff develop recommendations for real estate-related delegated authority; and

WHEREAS, staff has established threshold levels and scopes of authority in the attached guidelines that staff believes appropriately address the above issues raised at the January and February 2013 Board meetings; and

WHEREAS, in order to provide for more efficient operations, increased responsiveness to real estate development opportunities and prospective small business initiatives, and enhanced utilization of resources, staff is requesting the ability to make certain decisions relating to real estate-related procurements, grants, leases, rights of entry, license agreements and easements with certain limitations; and

WHEREAS, FMERA staff will notify members of the Board via e-mail when exercising delegated authority as well as report on the action at the next scheduled Board meeting; and

WHEREAS, all procurement activities will remain consistent with applicable laws, regulations and Executive Orders, and will adhere to FMERA's Board-approved budgets; and

WHEREAS, the Real Estate Committee has reviewed the proposed delegated operating authorities and recommends approval to the full Board of Directors.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves delegated authority to staff in accordance with the attached guidelines and memorandum.

2. 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: May 15, 2013
ATTACHMENT

EXHIBIT 1



MEMORANDUM

To: Members of the Board of Directors

From: Bruce Steadman
Executive Director

Re: FMERA Real Estate Operating Authority

Date: May 15, 2013

Summary

I am requesting that the Board of Directors approve the delegation of operating authority to staff in accordance with the attached guidelines. Granting staff authority to procure real estate-related goods and services and complete real estate-related transactions within these limited parameters will improve the timeliness and efficiency of FMERA's operations.

Background

At the Board's initial meeting in 2010, the Members discussed the delegation of operating authority to staff. The Board approved certain administrative operating authorities, but opted to defer action on the real estate-related operating authorities and revisit the matter when the organization's needs were better defined. Staff is requesting that the Board reopen discussions at this time on account of two items that recently came before the Board. In the first instance, the closing with CommVault was delayed to allow for Board approval of FMERA's grant of a no-cost utility easement to Jersey Central Power & Light Company. At the February 2013 Meeting, the Board granted FMERA staff authority to extend the leases and sub-leases for the Teen Center and Pool, the New Jersey State Police facility and the County Homeless Shelter, if necessary, and requested that staff develop recommendations for real estate-related delegated authority.

Staff has established threshold levels and scopes of authority in the attached guidelines that we believe appropriately address the above issues raised at the January and February 2013 Board meetings. In order to provide for more efficient operations, increased responsiveness to real estate development opportunities and prospective small business initiatives, and enhanced utilization of resources, staff is requesting the ability to make decisions relating to real estate-related procurements, grants, leases, rights of entry, license agreements and easements with certain limitations. Generally, the proposed delegated authority will apply to procurements of \$100,000 or less; will, in most instances, require Executive Director approval; and must be reported to the Board at the next meeting of the Authority. The delegated authority will also allow for the extension or modification of leases with both the Army and third parties on a short

term basis at the discretion of staff. Additionally, staff is requesting authority to enter into right of entry agreements and licenses for initial terms of up to one year, and to grant or receive temporary or permanent easements, provided that the easements are in furtherance of redevelopment and are non-monetary.

Furthermore, FMERA staff will notify members of the Board via e-mail when exercising delegated authority as well as report on the action at the next scheduled Board meeting. All procurement activities will remain consistent with applicable laws, regulations and Executive Orders, and will adhere to FMERA's Board-approved budgets. Please note that the Director of Finance & Administration and her staff are not listed under authority delegations in order to maintain internal controls.

The Real Estate Committee has reviewed the proposed delegated authorities and recommends approval to the full Board of Directors.

Recommendation

Staff requests the Board of Directors' approval of delegated authority to staff in accordance with the attached guidelines.



A handwritten signature in cursive script that reads "Bruce Steadman" followed by a circled "em". The signature is written above a horizontal line.

Bruce Steadman



A second handwritten signature in cursive script, which is more stylized and less legible than the one above.

ATTACHMENT

Prepared by: Jessica Pazienza

FMERA OPERATING AUTHORITY BY LEVEL

		OPERATING LEVELS				
		Level 1	Level 2	Level 3	Level 4	BOARD APPROVAL REQUIREMENT
		Executive Director	Directors	Senior Officers	Officers	
5/8/2013	OPERATING SCOPE:					
PROCUREMENT						
All procurement approvals are consistent and within guidelines of NJEDA Procurement and Policy Procedures and FMERA public bidding requirements, where applicable.						
Contracts under Treasury DPP public bidding threshold	Any 1 of Level 1 or 2 are authorized to approve, execute and attest contract.	Any 1 of Level 1 or 2 are authorized to approve, execute and attest contract.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$100,000.
Complies with S-2194 & EO 37 (2006)						
R/E Development contracts A/E/Survey/related professional services subject to S-2194 over \$25,000 up to & including \$100,000	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$100,000.
Complies with S-2194 & EO 37 (2006)						
R/E Development contracts A/E/Survey/related professional services subject to S-2194 over \$25,000 with no limit (emergency procurement)	Any 2 of Level 1 or 2 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 2 of Level 1 or 2 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 2 of Level 1 or 2 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 2 of Level 1 or 2 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 2 of Level 1 or 2 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	BOARD RATIFICATION REQUIRED IF PROCUREMENT IS OVER \$100,000. NOTICE TO BOARD AT NEXT MEETING OR AS SOON AS PRACTICABLE.
Complies with S-2194 & EO 37 (2006)						
R/E Development contracts A/E/Survey/related professional services subject to S-2194 over \$100,000	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS OVER \$100,000.
Complies with S-2194 & EO 37 (2006)						
R/E Development contracts for professional services not subject to S-2194 over Treasury DPP public bidding threshold and up to and including \$100,000	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$100,000.
Complies with EO 37 (2006)						

FMERA OPERATING AUTHORITY BY LEVEL

OPERATING LEVELS					BOARD APPROVAL REQUIREMENT
Level 1 Executive Director	Level 2 Directors	Level 3 Senior Officers	Level 4 Officers		
PROCUREMENT - CONT'D					
5/8/2013 R/E Development contracts for professional services not subject to S-2194 over \$100,000 Complies with EO 37 (2006)	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS OVER \$100,000.
R/E Development contracts for construction related services not subject to S-2194 over Treasury DPP public bidding threshold and up to and including \$100,000 Complies with EO 37 (2006)	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	Any 3 of Level 1, 2, 3 or 4 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above). Contract execution in accordance with Administrative Operating Authority levels.	NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$100,000.
R/E Development contracts for construction related services not subject to S-2194 over \$100,000 Complies with EO 37 (2006)	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	Any 3 of Level 1, 2, 3, or 4 are authorized to select vendor (1 member must be Level 2 or above). Executive Director authorized to execute contract after Board approval of specific contract. Level 2 is authorized to attest contracts.	BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS OVER \$100,000.
R/E Development contracts (direct procurement) up to and including Treasury DPP public bidding threshold Complies with EO 37 (2006)	Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services (1 member must be Level 1).	Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services (1 member must be Level 1).	Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services (1 member must be Level 1).	Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services (1 member must be Level 1).	NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$100,000. NOTICE TO BOARD AT NEXT MEETING OR AS SOON AS PRACTICABLE.
GRANTS					
Authorized to execute financial documents and other instruments in connection with the acceptance of a grant for program initiatives and/or project financings up to \$100,000	Any 2 of Level 1 or 2 are authorized to accept a grant, execute and attest grant agreement.	Any 2 of Level 1 or 2 are authorized to accept a grant, execute and attest grant agreement.	Any 2 of Level 1 or 2 are authorized to accept a grant, execute and attest grant agreement.	Any 2 of Level 1 or 2 are authorized to accept a grant, execute and attest grant agreement.	NO BOARD APPROVAL REQUIRED IF \$100,000 OR LESS.

FMERA OPERATING AUTHORITY BY LEVEL

OPERATING LEVELS					BOARD APPROVAL REQUIREMENT
Level 1 Executive Director	Level 2 Directors	Level 3 Senior Officers	Level 4 Officers		
5/8/2013 LEASES					
Authorized to extend term and add or reduce space with Army	Any 3 of Level 1, 2, 3 or 4 are authorized to continue, add or reduce space and rent proportionately up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3 or 4 are authorized to continue, add or reduce space and rent proportionately up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3 or 4 are authorized to continue, add or reduce space and rent proportionately up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3 or 4 are authorized to continue, add or reduce space and rent proportionately up to 1 year (1 member must be Level 1).	NO BOARD APPROVAL REQUIRED IF MODIFICATION(S) ARE 1 YEAR OR LESS.
Authorized to extend term and add or reduce space and rent proportionately after lease expiration up to 1 year to facilitate tenant transition from space	Any 3 of Level 1, 2, 3 or 4 are authorized to continue, add or reduce space and rent proportionately up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3 or 4 are authorized to continue, add or reduce space and rent proportionately up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3 or 4 are authorized to continue, add or reduce space and rent proportionately up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3 or 4 are authorized to continue, add or reduce space and rent proportionately up to 1 year (1 member must be Level 1).	NO BOARD APPROVAL REQUIRED IF MODIFICATION(S) ARE 1 YEAR OR LESS.
Authorized to reduce or waive late payment fees upon tenant request up to 90 days	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	NO BOARD APPROVAL REQUIRED IF REDUCTION OR WAIVER IS 90 DAYS OR LESS.
Authorized to reduce or waive rent payments upon tenant request up to 90 days or up to \$50,000, whichever is less, for operational and CAM adjustments	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	NO BOARD APPROVAL REQUIRED IF REDUCTION OR WAIVER IS 90 DAYS OR LESS OR UP TO \$50,000, WHICHEVER IS LESS.
Authorized to waive or reduce holdover rent premium up to 180 days upon tenant request to encourage continued occupancy	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to reduce or waive late payment fees upon tenant request up to 90 days (1 member must be Level 2 or above).	NO BOARD APPROVAL REQUIRED IF REDUCTION OR WAIVER IS 180 DAYS OR LESS.
Authorized to waive or reduce holdover rent premium upon tenant request from 181 days up to 1 year to encourage continued occupancy	Any 3 of Level 1, 2, 3, or 4 are authorized to waive or reduce holdover rent premium upon tenant request up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3, or 4 are authorized to waive or reduce holdover rent premium upon tenant request up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3, or 4 are authorized to waive or reduce holdover rent premium upon tenant request up to 1 year (1 member must be Level 1).	Any 3 of Level 1, 2, 3, or 4 are authorized to waive or reduce holdover rent premium upon tenant request up to 1 year (1 member must be Level 1).	NO BOARD APPROVAL REQUIRED IF REDUCTION OR WAIVER IS 1 YEAR OR LESS.
Authorized to terminate a lease or reduce space and rent proportionately upon tenant request during last six months of lease term up to \$50,000	Any 3 of Level 1, 2, 3 or 4 are authorized to terminate a lease or reduce space and rent proportionately during last six months of lease term (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to terminate a lease or reduce space and rent proportionately during last six months of lease term (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to terminate a lease or reduce space and rent proportionately during last six months of lease term (1 member must be Level 2 or above).	Any 3 of Level 1, 2, 3 or 4 are authorized to terminate a lease or reduce space and rent proportionately during last six months of lease term (1 member must be Level 2 or above).	NO BOARD APPROVAL REQUIRED IF TERMINATION AND/OR MODIFICATION(S) ARE DURING LAST 6 MONTHS OF LEASE TERM AND \$50,000 OR LESS.

FEMRA OPERATING AUTHORITY BY LEVEL

OPERATING LEVELS					
	Level 1 Executive Director	Level 2 Directors	Level 3 Senior Officers	Level 4 Officers	BOARD APPROVAL REQUIREMENT
5/8/2013					
RIGHT OF ENTRY/LICENSE AGREEMENTS/EASEMENTS					
Right of entry and license agreements from third parties (non-monetary/1 year term with two, 1 year extensions) (Refer to Note 7)	Any 2 of Level 1 or 2 are authorized to approve, execute and attest agreement.	Any 2 of Level 1 or 2 are authorized to approve, execute and attest agreement.			NO BOARD APPROVAL REQUIRED IF RIGHT OF ENTRY OR LICENSE IS NON-MONETARY AND 1 YEAR OR LESS.
Right of entry and license agreements to third parties (payments up to & including \$100,000/1 year term with two, 1 year extensions) (Refer to Note 6, 7 & 8)	Any 2 of Level 1 or 2 are authorized to approve, execute and attest agreement.	Any 2 of Level 1 or 2 are authorized to approve, execute and attest agreement.			NO BOARD APPROVAL REQUIRED IF RIGHT OF ENTRY OR LICENSE FEES ARE \$100,000 OR LESS AND FOR 1 YEAR WITH TWO, 1 YEAR RENEWALS.
Right of entry and license agreements to third parties (non-monetary/1 year term with two, 1 year extensions) (Refer to Note 6 & 7)	Any 2 of Level 1 or 2 are authorized to approve, execute and attest agreement.	Any 2 of Level 1 or 2 are authorized to approve, execute and attest agreement.			NO BOARD APPROVAL REQUIRED IF RIGHT OF ENTRY OR LICENSE IS NON-MONETARY AND 1 YEAR OR LESS.
Easements to third parties in furtherance of redevelopment	Any 2 of Level 1 or 2 are authorized to grant, execute and attest easement agreement.	Any 2 of Level 1 or 2 are authorized to grant, execute and attest easement agreement.			NO BOARD APPROVAL REQUIRED IF EASEMENT IS NON-MONETARY.
Easements from third parties in furtherance of redevelopment	Any 2 of Level 1 or 2 are authorized to accept, execute and attest easement agreement.	Any 2 of Level 1 or 2 are authorized to accept, execute and attest easement agreement.			NO BOARD APPROVAL REQUIRED IF EASEMENT IS NON-MONETARY.
NOTES					
NOTE 1: All procurement approvals are consistent and within guidelines of NJEDA Procurement and Policy Procedures and public bidding requirements, where applicable.	NOTE 2: Executive Order 37 (EO 37) provides that FEMRA shall act in an efficient, transparent, and ethical manner with regards to financial decision making and reporting.	NOTE 3: Direct procurements are subject to Section 16 (a) through (g) of EO 37 (2006)	NOTE 4: S-2194 (PL 1997 c.399) provides that State contracts for architectural, engineering and related professional services are subject to qualification review and competitive negotiation.	NOTE 5: Director of Finance & Administration and Staff not applicable to authority delegation due to internal controls, coincides with EO 37.	NOTE 6: FEMRA requires indemnification by third party; Insurance coverage naming FEMRA as an additional insured. Defined terms up to 1 year with two, 1 year extensions. 30 day termination by FEMRA.
NOTE 7: Standard Right of Entry/License Agreement. Defined term 1 year term with two, 1 year extensions. Review of Agreement by Attorney General's Office.	NOTE 8: Reporting guidelines for fee tracking. Fees to FEMRA may be waived and/or negotiated if third party is a government entity, to be determined by any 2 of Level 1 or 2.				

**ADOPTED
May 15, 2013**

Resolution Regarding the
**Agreement of Lease with the Department of the Army for the
Marina and Sublease of the Property
to the Borough of Oceanport (“Oceanport”) upon the
same terms as FMERA’s Lease with the Army**

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 . . .” and section 9(f) “[t]o lease as lessee . . .”; and

WHEREAS, the Marina is a 3.9 acre parcel located at Oceanport and Riverside Avenues in the 400 area of the Oceanport Reuse Area. The property consists of a 71-slip marina and boat launch ramp on Oceanport Creek, a 2,600 sf boat house (Building 450) constructed in 1986, two circa-1939 administrative buildings (Buildings 498 and 499) totaling 3,263 sf, and associated off-street parking; and

WHEREAS, Oceanport officials have offered to sublease the Marina from the Authority and select a concessionaire to make necessary repairs and operate the facility for the 2013 season; and

WHEREAS, consistent with the proposed lease of the Marina from the Army to the Authority, Oceanport’s sublease will run for a term of one (1) year, with an option for an additional six (6) month extension at the discretion of FMERA staff, or until either: (i) FMERA conveys title to the Marina to Oceanport; or (ii) the Army terminates FMERA’s lease; and

WHEREAS, the Authority will lease the Marina from the Army through the Army’s standard form of short-term lease, and sublease the Marina to Oceanport through FMERA’s standard form of short-term sublease; and

WHEREAS, the Real Estate Committee reviewed this matter and recommends the lease and sublease 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 lease of the Marina through the Army’s standard form of short-term lease and the sublease of the Property to Oceanport via the sublease, which reflects the same terms and conditions as the Authority’s proposed lease of the Property from the Army.

2. The Authority authorizes the Executive Director to execute and effectuate the lease, sublease and any related documents, as generally outlined in the attached board memorandum, with the Department of the Army and the Borough of Oceanport for the Marina, provided that execution of the lease is contingent upon FMERA obtaining written acceptance from the Borough of the sublease.

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.

**EXHIBIT 2
ATTACHMENT**

May 15, 2013



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

RE: Approval of Lease and Sublease for the Marina

DATE: May 15, 2013

Request

I am requesting that the Board of Directors approve the Authority's lease of the Marina Parcel ("Marina") from the Army and our sublease of the property to the Borough of Oceanport ("Oceanport") upon the same terms as FMERA's lease with the Army. Oceanport intends to solicit bids and select a private entity to operate the marina on a concession basis for the 2013 boating season.

Background

The Marina is a 3.9 acre parcel located at Oceanport and Riverside Avenues in the 400 area of the Oceanport Reuse Area. The property consists of a 71-slip marina and boat launch ramp on Oceanport Creek, a 2,600 sf boat house (Building 450) constructed in 1986, two circa-1939 administrative buildings (Buildings 498 and 499) totaling 3,263 sf, and associated off-street parking.

The Marina is designated as a Phase One parcel in the Authority's June 25, 2012 Economic Development Conveyance Agreement ("Agreement") with the Army. The Agreement contemplated that the Army would convey the Marina to the Authority on or about October 1, 2012. Due to Superstorm Sandy, the parties were unable to meet that timeline, as the storm damaged the floating docks and boathouse and delayed the Army's completion of its environmental clearance process. Consequently, staff turned its focus toward marketing the Phase One housing parcels to help meet the region's post-Sandy housing needs.

The Army recently advised FMERA staff that it is now in position to issue a Finding of Suitability to Lease ("FOSL") for the Marina by the end of this month. Issuance of the FOSL would enable FMERA to lease the Marina from the Army and place it in operation this summer.

Oceanport officials have offered to sublease the Marina from the Authority and select a concessionaire to make necessary repairs and operate the facility for the 2013 season. Consistent with the proposed lease of the Marina from the Army to the Authority, Oceanport's sublease will run for a term of one (1) year, with an option for an additional six (6) month extension at the

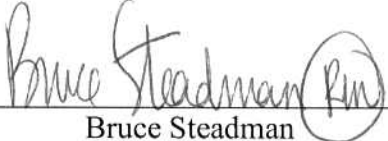
discretion of FMERA staff, or until either: (i) FMERA conveys title to the Marina to Oceanport; or (ii) the Army terminates FMERA's lease. The draft sublease does not commit FMERA to any renewals beyond the stated term, nor does it commit FMERA to dispose of the Marina upon sublease expiration to Oceanport or any other party. FMERA will sublease the Marina to Oceanport in as-is, where-is condition but subject to the Army's continuing obligations under CERCLA for pre-existing environmental conditions. Additionally, Oceanport will insure the Property and indemnify and hold FMERA harmless against all claims. The consideration for the sublease is the operation and maintenance of the Marina by Oceanport, along with the cost of utility services. Oceanport or its concessionaire will also be responsible for installing or repairing, at its cost and expense, any fencing necessary to ensure the safety and security of the site. As noted above, FMERA's ability to lease the Marina from the Army and sublease it to Oceanport is contingent on the issuance of a FOSL.

The Authority will lease the Marina from the Army through the Army's standard form of short-term lease, and sublease the Marina to Oceanport through FMERA's standard form of short-term sublease. The final terms of the lease and sublease will be subject to the approval of the Executive Director and the Attorney General's Office.

The Real Estate Committee recommends approval of the lease and sublease to the full Board of Directors.

Recommendation

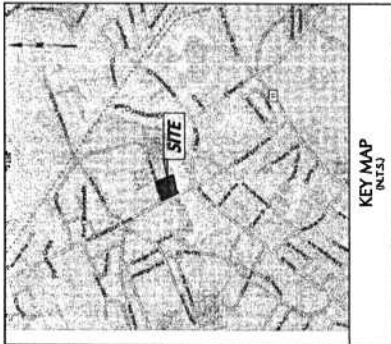
Staff requests that the Board of Directors approve the Authority's lease of the Marina Parcel through the Army's standard form of short-term lease and the sublease of the property to the Borough of Oceanport via FMERA's standard form of short-term sublease, which will reflect the same terms and conditions as the Authority's proposed lease of the property from the Army.


Bruce Steadman



ATTACHMENT

Prepared by: David E. Nuse



KEY MAP
IN 153

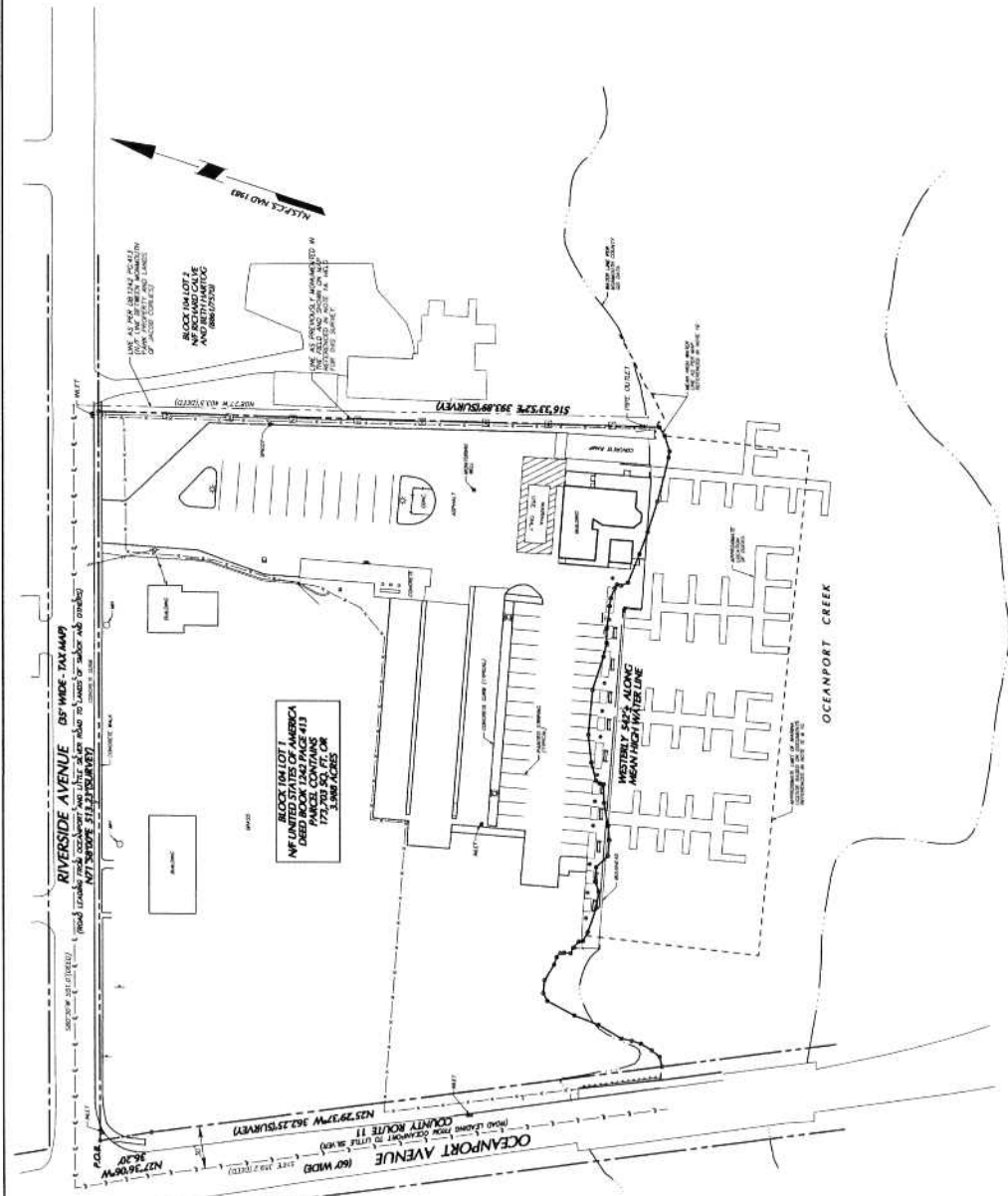
TO: FORT MONMOUTH ECONOMIC REDEVELOPMENT AUTHORITY
 PROJECT: FORT MONMOUTH MARINA PARCEL
 DRAWING NO.: VB-101
 DATE: 02/14/13
 DRAWN BY: CAV
 CHECKED BY: CAV
 SCALE: 1" = 40'

LANGAN
 CONSULTING ENGINEERS
 1000 WEST 17TH STREET, SUITE 200
 FORT MONMOUTH, NJ 08040
 TEL: 732-329-1100 FAX: 732-329-1101
 WWW.LANGAN-CE.COM

PROJECT: FORT MONMOUTH MARINA PARCEL
 BOROUGHS OF OCEANPORT
 MONMOUTH COUNTY
 DRAWING TITLE: ALTA/ACSM LAND TITLE SURVEY
 BLOCK 101 LOT 1

DRAWING NO.: 100007901
 SHEET: 02/14/13
 SCALE: 1"=40'
 DRAWN BY: CAV
 CHECKED BY: CAV

DATE: 02/14/13
 DRAWING NO.: VB-101
 SHEET: 1 OF 1



NOTES

1. THE SURVEY IS BASED UPON EXISTING PHYSICAL CONDITIONS FOUND AT THE SITE. THE SURVEYOR HAS NOT CONDUCTED ANY VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTY.
2. THE SURVEYED PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS: MISCELLANEOUS EASEMENT, WASTEWATER EASEMENT, AND EASEMENT FOR THE CONSTRUCTION OF A WASTEWATER MAINS ALONG ADJACENT BOUNDARY LINE. ALL EASEMENTS ARE SHOWN ON THIS SURVEY AND ARE REFERENCED BY PARAGRAPH NUMBER AND SECTION.
3. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND THE ADJACENT PROPERTY AND HAS FOUND NO OTHER EASEMENTS.
4. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND THE ADJACENT PROPERTY AND HAS FOUND NO OTHER EASEMENTS.
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7. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND THE ADJACENT PROPERTY AND HAS FOUND NO OTHER EASEMENTS.
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10. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND THE ADJACENT PROPERTY AND HAS FOUND NO OTHER EASEMENTS.

- LEGEND**
 SYMBOLS NOT SHOWN TO SCALE
- HYDRANT
 - STREET LIGHT
 - SIGNAL POLE
 - WATER VALVE
 - GAS VALVE
 - GROUND BOUNDARY
 - METAL COVER
 - ELECTRIC BOX
 - DOUBLE DOOR
 - GARAGE DOOR
 - CLEAN OUT
 - TREE
 - BENCH MARK
 - POLE
 - ANDOPE POLE
 - BRACK (TYPE AS NOTED)
 - OVERHEAD WIRE
 - DUNE TAIL (TYPE AS NOTED)
 - PROPERTY FRONT-OF-WAY LINE
 - DEED LINE
 - RAILROAD TRACK & METAL FENCE
 - BOROUGH BOUNDARY LINE
 - REFERENCED UTILITY LINE FROM EXISTING MAPPING

**ADOPTED
May 15, 2013**

Resolution Regarding
**Approval to Make Parcel V1
Available through the Offer to Purchase Process**

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 Parcel V1 on the Main Post in Eatontown; and

WHEREAS, this recommendation is based on a desire to evaluate several criteria associated with proposals for a veterans community project, including some or all of the following: the type, size, configuration, and materials of the proposed building(s); the size, floor plan, and amenities associated with individual living units; the proposed management plan for the veterans community, including the extent to which the veterans themselves would have input or responsibility; the extent to which individual resident veterans may pay rent and/or own equity in the project; the project’s potential for helping to address the Fort’s affordable housing and homeless assistance obligations; and other criteria; and

WHEREAS, the FMERA staff believes that the Offer to Purchase process will afford FMERA the ability to negotiate the characteristics of the veterans project, so as to maximize the project’s value to its residents, Eatontown, FMERA, and our other constituents; and

WHEREAS, FMERA’s Veterans Staff Advisory Committee (VSAC) has been active in identifying and researching veterans issues, and the Real Estate Committee has reviewed and discussed making Parcel V1 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 Parcel V1 on the Main Post in Eatontown 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: May 15, 2013
ATTACHMENT

EXHIBIT 3



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

RE: Making Available Parcel V1 (10-acres), along Alexander Avenue in Eatontown, through the Offer to Purchase Process for a Veterans Community Project.

DATE: May 15, 2013

Request

I am requesting that the Board of Directors authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make Parcel V1, along Alexander Avenue in Eatontown, available through the Offer to Purchase Process, in accordance with FMERA's approved sales rules, for the purpose of establishing a Veterans Community.

Background

Parcel V1 is an approximately 10-acre parcel, located along Alexander Avenue in the Eatontown portion of the former Fort. It is bounded by the Motor Pool to the west (County sublease), former Lane Hall to the east (unknown future use), a small lake to the south, and Alexander Avenue to the north. (Please see the attached aerial photo.) The parcel was used for various activities during the Army's use, including recreational. Currently, the parcel is vacant. In the Reuse Plan, the parcel is shown as open space, therefore use for a Veterans Community project would require a plan change amendment.

FMERA's Veterans Staff Advisory Committee (VSAC) has been active in identifying and researching veterans issues, and is chaired by Board Member, Lillian Burry. Of particular concern to the VSAC and FMERA staff is the plight of homeless veterans nationally and within New Jersey. It is reported that there may be as many as 10,000 to 20,000 homeless veterans living in New Jersey, and upwards of 500 in Monmouth County alone. It is difficult to verify a specific number due to the many vagaries associated with homelessness, and with accounting for homeless veterans as a subset of that population. Further, homeless veterans are a close-knit and reticent group of once-proud warriors, who generally shun attention, avoid organized homeless care efforts, and share a strong conviction to stay below the public radar.

Many local veterans and veterans groups have indicated support of a veterans community project that would focus on providing permanent housing for homeless veterans. At least one provider of homeless veterans housing has expressed interest in financing and constructing such a project at the former Fort. After a lengthy process for evaluating possible locations for a veterans community project at the former Fort, FMERA staff has selected Parcel V1 as the preferred

location. Parcel V1 is deemed superior to all other prospective locations within the Fort for such a project.

Based on our understanding of other similar veterans community projects elsewhere around the Country, the FMERA staff believes that a veterans community project situated on Parcel V1 in Eatontown will offer homeless veterans a unique, secure, attractive, and safe living condition that will respect their privacy, encourage community participation, and provide a foundation for growth and success.

The Board of Directors approved the Rules for the Sale of Real and Personal Property (the Sale Rules) at the August 17, 2011 Meeting of the Authority. In accordance with Section 19:31C-2.5(a) of the Sale Rules, the Board shall approve a particular parcel of real property and accompanying personal property as being available for sale through either a Sealed Bid or Offer to Purchase process. Before 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 to offer the property for sale through the Offer to Purchase process. In its determination to use the Offer to Purchase process, the Board also may consider various factors including, but not limited to, purchase price, jobs to be created and timing, to determine whether the Offer to Purchase process will enhance the economic value to FMERA or Fort Monmouth.

The FMERA staff recommends proceeding with the Offer to Purchase process for Parcel V1, rather than Sealed Bids. This recommendation is based on a desire to evaluate several criteria associated with proposals for a veterans community project, including some or all of the following: the type, size, configuration, and materials of the proposed building(s); the size, floor plan, and amenities associated with individual living units; the proposed management plan for the veterans community, including the extent to which the veterans themselves would have input or responsibility; the extent to which individual resident veterans may pay rent and/or own equity in the project; the project's potential for helping to address the Fort's affordable housing and homeless assistance obligations; and other criteria. The FMERA staff believes that the Offer to Purchase process will afford FMERA the ability to negotiate the characteristics of the veterans project, so as to maximize the project's value to its residents, Eatontown, FMERA, and our other constituents.

Parcel V1 is located within the Phase 2 area of the Fort. Accordingly, FMERA's selection of a purchaser and execution of a purchase and sale agreement will be contingent on finalizing a Memorandum of Agreement with the Army for Phase 2.

The Real Estate Committee has reviewed making Parcel V1 available through the Offer to Purchase process and recommends approval to the full Board of Directors.

Recommendation

In summary, I am requesting that the Board of Directors authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make Parcel V1, along Alexander Avenue in Eatontown, available through the Offer to Purchase Process, in accordance with FMERA's approved sales rules, for the purpose of establishing a Veterans Community.

A handwritten signature in black ink, appearing to read 'B. Steadman', is written above a solid horizontal line.

Bruce Steadman

Attachment: Aerial Map of Parcel V1, Eatontown
Prepared By: Bruce Steadman



Vanguard Road

Semaphore Avenue

Use of Memories

Wilson Avenue

Parcel V2 = 5.75 AC +/-

Parcel V1 = 10 AC +/-

Parcel V3 = 5.5 AC +/-

Eatontown

Oceanport

Army Lane

Tedd Avenue

Alexander Avenue

TOTAL V1+V2+V3 = 21.25 AC +/-

**ADOPTED
May 15, 2013**

Resolution Regarding
**Approval of Lease of the third floor of Russel Hall
from the Army and FMERA's
Execution of a Memorandum of Understanding (MOU)
with the New Jersey Economic
Development Authority (NJEDA) for use of the Property**

WHEREAS, section 9(b) of the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51 authorizes the Authority, “[a]s designated and empowered as the ‘local redevelopment authority’ for Fort Monmouth . . . to enter into agreements with the federal government . . .” and section 9(f) “[t]o lease as lessee . . .”; and

WHEREAS, in order to administer the Stronger NJ Business Grants and better serve New Jersey businesses affected by Superstorm Sandy in eastern New Jersey, NJEDA is seeking to expand its resources in this area; and

WHEREAS, NJEDA asked FMERA to identify available space on Fort Monmouth that could be used for minimal cost to house NJEDA Office of Recovery employees, as well as temporary employees and New Jersey Division of Purchase and Property’s business process outsourcing contract employees, who will be processing grant and forgivable loan applications submitted by affected New Jersey businesses; and

WHEREAS, the proposed space is located on the third floor of Russel Hall in the Oceanport section of Fort Monmouth with on-site parking; and

WHEREAS, FMERA will lease the space from the Army and allow NJEDA to use and occupy the space for a one year term with a six month extension option, subject to Army approval; and

WHEREAS, the rent is \$1.00 and NJEDA will pay for electricity and utility costs attributable to the space it occupies and for its proportionate share of any common area maintenance charges. NJEDA will also perform FMERA’s obligations under the Army’s lease for this space; and

WHEREAS, the Memorandum of Understanding was approved by the NJEDA Board at its April 30, 2013 special meeting; and

WHEREAS, the Real Estate Committee reviewed this matter and recommends approval to the full Board of Directors .

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons described in the attached memorandum, the Authority approves the lease of the third floor of Russel Hall through the Army's standard form of short-term lease and execution of a MOU for the Property with NJEDA via the attached MOU, which reflects the same terms and conditions as the Authority's proposed lease of the Property from the Army.

2. The Authority delegates to the Executive Director to amend the lease and MOU, as necessary, for additional space for nominal consideration and generally consistent with the attached memorandum and the terms of the initial agreement.

3. The Authority authorizes the Executive Director to execute and effectuate the lease, MOU and any related documents, as generally outlined in the attached board memorandum, with the Department of the Army and the NJEDA for the third floor of Russel Hall.

4. 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: May 15, 2013
ATTACHMENT

EXHIBIT 4



MEMORANDUM

TO: Members of the Board of Directors

FROM: Bruce Steadman
Executive Director

RE: Lease of Portion of Russel Hall from the Army
and Memorandum of Understanding for Use and Occupancy
with the New Jersey Economic Development Authority

DATE: May 15, 2013

Summary

I am requesting that the Board of Directors authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to: (i) execute a lease with the Army (Lease) for approximately 4,100 sf of third floor office space in Russel Hall; (ii) enter into a Memorandum of Understanding (MOU) with the New Jersey Economic Development Authority (NJEDA) for use and occupancy of the space in order to administer the Stronger NJ Business Grants program; and (iii) delegate authority to staff to amend the Lease and MOU, as necessary, for additional space at Fort Monmouth for nominal consideration.

Background

In order to administer the Stronger NJ Business Grants and better serve New Jersey businesses affected by Superstorm Sandy in eastern New Jersey, NJEDA is seeking to expand its resources in this area. NJEDA has requested that FMERA identify available space on Fort Monmouth that could be used for minimal cost to house approximately fifteen (15) NJEDA Office of Recovery employees, as well as temporary employees and New Jersey Division of Purchase and Property's business process outsourcing contract employees, who will be processing grant and forgivable loan applications submitted by affected New Jersey businesses.

The proposed space is located on the third floor of Russel Hall in the Oceanport section of Fort Monmouth with on-site parking. FMERA will lease the space from the Army and allow NJEDA to use and occupy the space for a one year term with a six month extension option, subject to Army approval. The rent is \$1.00 and NJEDA will pay for electricity and utility costs attributable to the space it occupies and for its proportionate share of any common area maintenance charges. NJEDA will also perform FMERA's obligations under the Army's lease for this space. The MOU was approved by the NJEDA Board at its April 30, 2013 special meeting.

As the administration of the Stronger NJ Business Grants progresses, NJEDA may need to staff additional employees at Fort Monmouth. Delegated authority is requested for the Executive Director to amend the Lease and the MOU for additional space for nominal consideration and generally consistent with the terms of the initial agreements.

FMERA will execute the Army's standard form of lease for the Russel Hall space. A substantially final form of the MOU is attached. The final Lease and MOU and any amendments to those documents will be subject to the approval of the Executive Director and the Attorney General's Office.

The Real Estate Committee has reviewed the matter and recommends approval to the full Board of Directors.

Recommendation

In summary, I request that the Board of Directors authorize FMERA staff to: (i) execute a lease with the Army for approximately 4,100 sf of third floor office space in Russel Hall, with associated on-site parking; (ii) enter into a Memorandum of Understanding with the New Jersey Economic Development Authority for use and occupancy of the space in order to administer the Stronger NJ Business Grants program; and (iii) delegate authority to staff to amend the Lease and MOU, as necessary, for additional space at Fort Monmouth for nominal consideration. Staff will report any activity under delegated authority to the Board.



Bruce Steadman

Attachment: Memorandum of Understanding
Prepared by: Katie Hodes



ATTACHMENT

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