

MINUTES OF THE MEETING

I. Members of the Authority present:

- James V. Gorman, Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) - V
- Amy Herbold, Assistant Counsel, Authorities Unit, Office of the Governor – V
- Dr. Robert Lucky, Public Member – V
- John Tobia, Monmouth County Director of Public Works and Engineering – V (designee for Lillian Burry)
- Gerald Tarantolo, Mayor of Eatontown - V
- Gerry Turning, Borough Administrator/Michael Skudera, Mayor of Tinton Falls - V
- Tim Lizura, President and Chief Operating Officer, New Jersey Economic Development Authority (NJEDA) - V
- Ellynn Kahle, Councilwoman, Oceanport – V (designee for Mayor Mahon)
- Charles Richman, Deputy Commissioner, NJ Department of Community Affairs (DCA)
- Jeff Flatley, Director, Workforce and Contract Management, NJ Department of Labor & Workforce Development (designee for Mary Ellen Clark)
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)

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 7:03 p.m., 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 August 21st meeting minutes. A motion was made to approve the minutes by Mayor Tarantolo and seconded by Tim Lizura.

Motion to Approve: MAYOR TARANTOLO Second: TIM LIZURA
Ayes: 5

Ellynn Kahle abstained stating she was not at the August meeting.
Gerald Turning abstained stating that he was not at the August meeting.

Mayor Skudera arrived at 7:06 and replaced Gerald Turning.

III. WELCOME

Chairman James V. Gorman welcomed attendees to the FMERA Annual Meeting. Mr. Gorman stated that the meeting marked FMERA's third anniversary and commencement of its operations to restore economic vitality to the communities affected by the closing of Fort Monmouth. Mr. Gorman stated that Fort Monmouth is located within the boroughs of Eatontown, Oceanport and Tinton Falls. Mr. Gorman stated that at the Annual meeting, there are Board Actions which occur once a year, such as the election of the Vice-Chairman, the appointment of the Secretary, Treasurer, Committee Chairpersons and other officers. Mr. Gorman stated that copies of the Board package were available at the door and in response to public comment; the Board package was posted to the FMERA website at 2:32p.m. to give the public the opportunity to review the information in advance of the meeting. Mr. Gorman stated that the Board will continue to evaluate this effort in the future.

Mr. Gorman stated that there are five Board Actions, the first three of which are required at the Annual meeting, the Election of Vice-Chairperson of the Authority; the Consideration of Approval of Organizational Matters Assistant Secretaries of the Authority; OPRA Records Custodian and Ethics Liaison and Meeting Schedule for October 2013 – September 2014; the Consideration of Approval of Staff Advisory Committee Membership Criteria, the Consideration of Approval of Award of Environmental Advisory Consulting Contract; Consideration of Approval to Make the Marina Available through the Offer to Purchase Process

The Chairman went on to state that there will be two comment periods at the meeting, and due to the lengthy agenda commenters will be limited to a maximum of five minutes. 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 explained the distinction between the meeting notice which was sent to the Star Ledger, Asbury Park Press and the Secretary the State on September 11th at 2:10p.m, and posted to the FMERA website at 4:55p.m.; the agenda which was posted to the FMERA website on September 13th at 1:54p.m.; both posted well in advance of 48 hours in accordance with the Open Public Meetings Act; and the Board package which was posted to the FMERA website on September 18th at 2:32p.m.

Mr. Steadman stated that Chairman Gorman has reappointed Bruce Steadman as Secretary and Beverlee Akerblom as Treasurer.

Mr. Steadman stated that Chairman Gorman has reappointed the Chairpersons and members of the Audit Committee and the Real Estate Committee.

Mr. Steadman stated that there were no Executive Sessions during this FMERA year, therefore there are no Executive Session minutes to potentially be released.

V. TREASURER'S REPORT

Bruce Steadman, on behalf of Beverlee Akerblom, stated that the Request for Proposals (RFP) for Independent Auditing Service was issued August 17, 2013. Responses were due on September 18, 2013.

Dr. Lucky stated that there were six proposals received for the Independent Auditing Services RFP. Dr. Lucky stated that the Audit Committee Evaluation team will be meeting on October 4th to discuss the proposals and their independent scoring. The Committee will provide the Audit Committee with their findings at which time the Audit Committee will make the final determination of the award of the contract. The Committee anticipates bringing the award of the contract to the October 16th 2013 Board meeting for Board consideration.

Mr. Steadman stated that the budget process for 2014 is underway. In the coming weeks, the FMERA Management Team will hold budget sessions and the 2014 FMERA budget will be drafted. The draft 2014 FMERA budget will then be forwarded to the Audit Committee for its review. The FMERA Management Team will then present the draft 2014 FMERA Budget to the Audit Committee.

The 2014 FMERA Budget is scheduled to be brought before the Board for its consideration and approval at the December Authority Meeting. Spending continues to be strictly monitored.

FMERA welcomed Jennifer Lepore to our team as accountant in the Finance and Administration Department. Jennifer has extensive experience in the mutual fund industry having worked six years for State Street Corporation, an investment accounting firm. Jennifer most recently held the position of Senior Associate in charge of preparing and reviewing financial statements for a investment management company. A graduate of Rowan University Jennifer resides with her family in Ocean Township.

John Tobia arrived at 7:19.

VI. PUBLIC COMMENT REGARDING AGENDA ITEMS

Sara Breslow of Eatontown referred to the action items for next month regarding continued work with the NJDEP to identify and resolve environmental issues of concern and asked what the process is and who is responsible for identifying these issues.

Mr. Steadman stated that the Army identified Areas of Concern (AOC) and continues to provide reports and updates to the NJDEP. Mr. Steadman stated that the NJDEP provides monthly and quarterly reports to FMERA and their consultant, as well as the Army on the process. FMERA has the

ability to ask questions and make recommendations regarding the AOCs. Mr. Steadman stated that at the Environmental Staff Advisory Committee (ESAC) meetings, the NJDEP responses on the process and the facility case manager, Linda Range, makes comments and recommendations.

Ms. Breslow asked who the Langin/Matrix team was regarding the Environmental Consulting Services. Mr. Steadman stated that Langin/Matrix partnered to submit a proposal for the Environmental Consulting Services RFP.

Ms. Breslow stated that the mission statement for the ESAC does not mention the discussions regarding purchase, lease or acquisitions, but the resolution for Entering into Executive Session does state these reasons for entering into Executive Session. Ms. Breslow stated that the ESAC meetings should not be a closed session, nor should a gag-order be imposed on the Committee members as it is a clear violation of the Open Public Meetings Act.

Tom Mahedy of Wall Township stated that members of the Staff Advisory Committees should all be those that are living in harmony with Mother Earth as well as visionaries. Mr. Mahedy stated that he was very displeased and opposes Langan/Matrix being awarded the Environmental contract. Mr. Mahedy stated that the resolutions are passed to make things legal which they are not.

VII. EXECUTIVE DIRECTOR'S REPORT

Rick Harrison, Director of Facilities Planning stated that FMERA and the Army continue to have regular discussions including weekly conference calls on the future transfer of the balance of the Main Post, to be accomplished under a Phase 2 Memorandum of Agreement (MOA). The Army, FMERA and representatives from Cushman and Wakefield met on July 31, 2013. The meeting was productive and FMERA has been following up on the action items that came out of that meeting. FMERA is now entering a critical juncture in the negotiations that will require discussion of alternative scenarios which will be discussed in Executive Session.

Mr. Harrison stated that FMERA is committed to operating the golf course and associated amenities through the rest of this season, the winter (weather-permitting), next season, and the years beyond. Notwithstanding our current lease with the Army, any future sale of the golf course, and the status of our existing operating agreement, FMERA will maintain Suneagles as a top-notch local golf course at the level and condition that our members and guests are accustomed to.

With the new membership drive upon us, our goal is to keep current members and attract new ones as we prepare for the 2013 fall, winter, and 2014 season. FMERA will ensure that all memberships entered into for the 2013/2014 season will be honored for the entire season. We are also working with the current operator to ensure that needed maintenance and improvements are being undertaken during the fall and winter off-season to ensure the course is ready for the 2014 season.

We appreciate the continued support of the members and patrons and look forward to the months and years ahead. As always, if anyone has questions or require any information, they may contact the Pro Shop at (732) 389-4300.

Mr. Harrison stated that the topic regarding the Special Concessionaire Permit has been raised at many Board meetings and gave the following explanation. The Alcoholic Beverage Commission (ABC) rules state that, "The sale of alcoholic beverages in any public building belonging to or under the

under the control of the State or any political subdivision except the National Guard, requires the issuance of a "Special Concessionaire Permit" by the Director of the Alcoholic Beverage Control. This annual permit is issued to a private vendor who has a contract with the unit of government to provide services to the public. The permit, for example is issued to a vendor to provide alcoholic beverages for consumption on premises such as the Meadowlands, state college pubs, municipally-owned golf courses, marinas or similar facilities. (N.J.S.A. 33:1-42; N.J.A.C. 13:2-5.2) The fee established in the Division of Alcoholic Beverages Control rules is \$2,000 per year."

Mayor Tarantolo stated that at a meeting of the Eatontown Economic Advisory Development Committee, the Committee asked if the State of NJ would consider providing additional liquor licenses to those areas of Fort Monmouth that are being redeveloped (i.e., Parcel B). Mayor Taratolo asked if FMERA can begin the process in acquiring the liquor licenses for the three boroughs.

Dave Nuse, Director of Real Estate Development gave an update on the status of the current and planned Request for Offers to Purchase (RFOTPs).

Howard Commons

- At the July meeting, the Board authorized FMERA staff to enter into exclusive negotiations with HovWest Land Acquisition, LLC for the sale and redevelopment of Howard Commons.
- This 64-acre parcel on Pinebrook Road is intended to be developed into 275 units of housing and 15,000 sf of retail space.
- HovWest and FMERA entered into exclusive negotiations on August 28, 2013.
- We hope to bring a Purchase & Sale Agreement to the Board for approval within the next few months.

Officer Housing

- FMERA staff issued an RFOTP for the Officer Housing in Oceanport on January 16, 2013.
- These 117 historic housing units are planned for renovation consistent with the Fort's Reuse Plan.
- Proposals were due on April 1, 2013 and two proposals were received.
- FMERA staff and an Army representative have evaluated and ranked the proposals in accordance with our Sales Rules, and we held an initial meeting with the higher ranked proposer earlier this month.

Parcels B, C and C1

- On March 26, 2013 FMERA publicly issued separate RFOTPs for Parcels B, C and C1. Proposals for all three parcels were due on June 10, 2013. Four developers submitted proposals on Parcel B, three submitted proposals for Parcel C, and three submitted proposals for Parcel C1, with some firms submitting multiple scenarios for redevelopment.
- Parcel B is a 55-acre mixed-use tract located along the Fort's Route 35 frontage in Eatontown.
- Parcel C is a 39-acre tract in Tinton Falls that's planned as a mixed-use town center.
- Parcel C1 is a 12-acre housing tract also located in Tinton Falls.
- FMERA staff and an Army representative have evaluated and ranked the proposals in accordance with the Authority's sales rules. We expect to initiate meetings with the highest ranked firms in October.

- Proposals were due on June 6, 2013 and one proposal was received.
- That proposal offered a purchase price that was less than the floor price required by FMERA's Phase 1 EDC Agreement.
- Staff does not anticipate selling Building 2705 at this time.

Russel Hall

- An RFOTP was issued for Russel Hall on September 6.
- The response deadline is November 7 (60 days).
- Russel Hall is a 42,000 SF, 4-story office building located within the Fort's historic district in Oceanport.

Parcel V-1

- We also issued an RFOTP on September 6 for Parcel V-1, with a response deadline of December 6 (90 days).
- Parcel V-1 is a 10-acre tract in Eatontown, which is proposed as the site of a Veterans Community.

Mr. Nuse stated that within the next week, FMERA expect to issue an RFOTP for:

Fabrication Shops (a/k/a Pinebrook Road Commerce Center)

- The Fabrication Shops consist of 5 flex/industrial buildings and 1 small administration building on a 6.5 acres in Tinton Falls.
- The buildings are well-suited for small business use.
- The Board approved making the Fabrication Shops available through the RFOTP process at the June 2013 meeting.

FMERA staff anticipates issuing several additional RFOTPs on Phase 1 properties in the 4th Quarter. Those properties include the Golf Course, the Marina and the Pistol Range.

Mr. Steadman stated that FMERA has scheduled its third Community Bus Tour for Tuesday, October 29, 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 October 29th. 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.

Action Items for Next Month.

- Continued work with 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 in the 3 host municipalities, the County and others
- Continued collaboration with the NJEDA Trenton Office on marketing and business development opportunities
- FMERA has collaborated with several Federal, State and Local agencies regarding storm response initiatives.

Mayor Tarantolo thanked FMERA staff for the productive meeting with FMERA, the Borough of Eatontown, and HovWest Land Acquisition regarding Howard Commons.

VII. COMMITTEE REPORTS

a) AUDIT COMMITTEE (ROBERT ADES, CHAIRMAN):

Bruce Steadman, on behalf of Robert Ades, stated that the Committee did not meet this month. The Committee will meet in October to discuss the Independent Auditing Services RFP.

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

Chairman Gorman stated that the Committee met on September 10th at the FMERA offices and discussed the following:

- Review of the committee meeting dates for October 2013 – September 2014
- Update on the status of the Phase 2 Economic Development Conveyance (EDC) agreement discussions with the Army, in conjunction with the potential redevelopment scenarios.
- Discussion on making the Marina available through the offer to purchase process. The Committee reached a consensus and agreed to recommend approval to the full Board.
- Update on the Environmental Advisory Consulting Services RFP.
- Update on the Suneagles Golf Course operator
- Update on AcuteCare and the closing of the sale of the Paterson Army Clinic
- Update on Howard Commons
- Update on Officers Housing
- Update on Parcels B, C & C1
- Update on Veterans Community Project
- Update on Russel Hall
- Update on Building 2705
- Update on the Broker Marketing Effort

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

Kenneth J. Kloo stated that the Committee met on September 9th at the FMERA offices and discussed the following:

- FMERA staff informed the Committee that at the September 18th meeting of the Authority, the Board will be asked to authorize staff to issue the Marina through the RFOTP process. Staff provided an environmental overview of the parcel, which included informing the Committee that a defined area where a historic pesticide discharge occurred will be identified as not suitable for residential reuse. The NJDEP Case Manager advised the Committee that approximately 1,000 tons of contaminated soil was removed from the Parcel and that once all of the pertinent information is received by the NJDEP, an No Further Action (NFA) equivalent will be issued by the Department.
- FMERA staff informed the Committee that the Suneagles Golf Course would be advertised for sale in the coming weeks and that the property received a NFA in April 2012.
- FMERA staff raised the topic of wetland banking for discussion and the Developer/Builder Representative provided an overview of wetland banking. Wetland mitigation banking is used

when a party wants to fill a wet area and purchases credits from someone who is an approved bank. The goal is to replace the exact function of a wetland habitat that would be adversely affected by a proposed project. The group decided that wetland banking is not a preferred option at this time.

- FMERA staff then provided an update on the Howard Commons parcel in Eatontown, stating that FMERA is in exclusive negotiations with HovWest Land Acquisition LLC and HovWest is planning on constructing 275 new town homes on the property, with 20% of these being affordable.
- FMERA staff provided an update on Parcel V-1 in Eatontown, stating that an RFOTP was issued on September 6 for the 10-acre parcel the creation of a Veterans Community. The property has not yet received a Finding of Suitability to Transfer (FOST), but expects no significant environmental issues associated with the Parcel were expected based on its known past uses.
- FMERA staff provided an update on Russell Hall stating that an RFOTP was issued for the building on September 6th. The building served as the Garrison Headquarters and would be well suited for an administrative office reuse.
- FMERA staff advised the Committee that FMERA would be applying for a grant from the NJEDA to fund the demolition of the Myer Center. Currently, FMERA's engineer and an engineer from NJEDA are putting together specifications for a demolition services Request for Proposals (RFP).

- HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (ROBERT ADES, CHAIRMAN):

Bruce Steadman on behalf of Robert Ades stated that the Committee met on September 17th at the FMERA offices and discussed the following:

- Update on the RFOTP for the Officers Housing and the Committees involvement with the compliance of the Design Guidelines of the property as they relate to the Programmatic Agreement with the Army.
- Update on the RFOTP for Russel Hall.

- d) HOUSING STAFF ADVISORY COMMITTEE (CHARLES RICHMAN, CHAIRMAN):

Charles Richman stated that the Committee did not meet this month, but a meeting is scheduled for September 24th.

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

Bruce Steadman, on behalf of Lillian Burry, stated that the Committee did not meet this month.

VIII. Board Actions

The next item before the Board was the Election of Vice-Chairperson of the Authority.

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The next item before the Board was the Election of Vice-Chairperson of the Authority.

Chairman Gorman stated that he has nominated Robert Ades to serve as the Vice-Chair.

Bruce Steadman conducted a roll call vote.

Name	Yes	No	Abstain
James V. Gorman	X		
Tim Lizura	X		
Amy Herbold	X		
Dr. Robert Lucky	X		
John Tobia	X		
Gerald Tarantolo	X		
Michael Skudera	X		
Ellynn Kahle	X		

The next item before the Board was the Consideration of Approval of Organizational Matters:

- Assistant Secretaries of the Authority
 - Dave Nuse, Director of Real Estate Development
 - Rick Harrison, Director of Facilities Planning
 - Beverlee Akerblom, Director of Finance and Administration
- OPRA Records Custodian and Ethics Liaison
- Meeting Schedule for October 2013 – September 2014

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

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 Dr. Robert Lucky.

Motion to Approve: MAYOR TARANTOLO Second: DR. ROBERT LUCKY
AYes 8

The next item before the Board was the consideration of approval of Staff Advisory Committee Membership Criteria.

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

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

A motion was made to approve by Tim Lizura and was seconded by Mayor Tarantolo. Mayor Tarantolo stated that last year he was asked to make a recommendation to appoint the Eatontown representatives to the Committees. Mr. Steadman stated that since the Committee

potential conflict has occurred.

Ms. Kahle asked if the Committees would be expanded to the surrounding towns. Mr. Steadman stated that FMERA meets with the surrounding towns and at the monthly Board meetings, the Committee reports are issued. There is no plan to extend the Committee to communities off the former Fort.

Motion to Approve: TIM LIZURA Second: MAYOR TARANTOLO
AYes 7 ANo: 1

The next item before the Board was the consideration of approval of Award of Environmental Advisory Consulting Contract.

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 4.

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

A motion was made to approve by Dr. Robert Lucky and was seconded by Tim Lizura.

Ellynn Kahle asked if Langan/Matrix will be reviewing the findings by the Army. Mr. Steadman stated that yes, the review includes the findings by the Army, the reports provided by the NJDEP and the AOCs and the best ways to approach each AOC. Langan/Matrix will also make recommendations to FMERA and the NJDEP as well as participate in the monthly ESAC meetings.

Motion to Approve: DR. ROBERT LUCKY Second: TIM LIZURA
AYes 8

The next item before the Board was the consideration of approval to make the Marina available through the Offer to Purchase Process.

Bruce Steadman read the resolution which is attached hereto and marked Exhibit 5.

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

A motion was made to approve by Dr. Robert Lucky and was seconded by Tim Lizura.

Mayor Tarantolo asked if an appraisal has been issued on the marina and was answered no, but that it is forthcoming.

Ellynn Kahle asked if the marina will be dredged and was told that it will be the responsibility of the new owner to dredge. Mr. Steadman stated that FMERA does not have the resources to dredge.

Ms. Kahle asked if sediment testing will be conducted at the marina. Mr. Steadman stated that the Finding for Suitability to Transfer (FOST) is related to the property and not to the creek or the underlying sediment that is off site.

Motion to Approve: DR. ROBERT LUCKY Second: TIM LIZURA
AYes 8

IX. Other Items

John Tobia thanked the FMERA staff for Monmouth County's use of the Motor Pool and its facilities. Mr. Tobia stated that the staff of the Motor Pool has taken a sense of pride in being a part of the redevelopment of Fort Monmouth, and that the facilities are working out well for the County.

Public Comment

Anthony Talerico of Eatontown thanked Bruce Steadman for attending the Eatontown Council meeting. Mr. Talerico stated that Mr. Steadman stated at the meeting that the Attorney General's Office is reviewing the affordable housing for the Veterans Community and asked when the report would be rendered. Mr. Steadman stated that FMERA will proceed with the RFOTP in the meantime.

Mr. Talerico asked the Board to refrain from considering the approval on Parcel B as it relates to affordable housing until a recommendation is made on the number of affordable units for the Veterans Community. Mr. Talerico stated that if the affordable housing is approved for the Veterans Community, then the Board should consider the number of affordable units for Parcel B.

Sara Breslow of Eatontown commended Ellynn Kahle on her comments regarding the Board Action regarding the Staff Advisory Committees and the questions regarding sediment testing. Ms. Breslow asked if upon approval and issuance of a contract the Staff Advisory Committee members are allowed to discuss what was discussed at the Committee meetings and was answered yes.

Ms. Breslow stated that she received a reprimand from FMERA regarding her actions at the August Board meeting. Ms. Breslow apologized for her actions, but stated that the Board in approving the design and the size of the board meeting room was deliberately disregarding the public. Ms. Breslow stated that the FMERA bans the public from all of the Staff Advisory Committee meetings in violation of the Open Public Meetings Act.

Tom Mahedy of Wall Township stated that he supports Ms. Brewlow's comments. Mr. Mahedy stated that he agreed that the marina should be dredged. Mr. Mahedy stated that the new mission for the redevelopment of the Fort should be one of healing. Mr. Mahedy stated that the Fort should be reused for solar power, organic farming, great music where the public is invited, and the land not sold off to private corporations.


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

A motion was made to enter into executive session by Mayor Tarantolo, seconded by Tim Lizura Turning and unanimously approved by all voting members present.

The Board returned to public session.

There being no further business, on a motion by Dr. Robert Lucky seconded by Mayor Skudera and unanimously approved by all voting members present the meeting was adjourned at 9:10 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
September 18, 2013

**Resolution Regarding the
Appointment of Three Directors of the Fort Monmouth Office to be Assistant Secretaries,
Reaffirmation of OPRA Records Custodian and Ethics Liaison, and Approval of
October 2013 – September 2014 Meeting Dates**

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

WHEREAS, the Authority’s By-Laws provide that an annual reorganization meeting be held in September of each year.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the designation of the three Directors of the Fort Monmouth Office as Assistant Secretaries.
2. The Authority affirms the appointment of Marcus Saldutti as OPRA Records Custodian, the appointment of Fred Cole as Ethics Liaison Officer, and the appointment of Shane McDougall as Acting OPRA Records Custodian while the OPRA Records Custodian is on leave.
3. The Authority approves the October 2013 – September 2014 Meeting Dates attached hereto.
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.

ATTACHMENT
Dated: September 18, 2013

EXHIBIT 1

ADOPTED
September 18, 2013

**Resolution Regarding
Staff Advisory Committee Membership Criteria**

WHEREAS, the Authority has established four staff advisory committees: Environmental, Historical Preservation, Housing and Veterans; and

WHEREAS, these Committees (“Staff Advisory Committees” or “SAC”) were established to assist FMERA, such as by providing advice to FMERA staff on how best to move Fort Monmouth’s redevelopment effort forward within the context of their area of expertise; and

WHEREAS, while the SACs provide important insight and information to the staff for the benefit of the staff as it manages the issues associated with the redevelopment of the Fort property, there is no formal action taken at SAC meetings; and

WHEREAS, each SAC is chaired by a FMERA board member; and

WHEREAS, last year FMERA staff developed SAC membership criteria, which helped to standardize and focus experience and expertise requirements for prospective SAC members; and

WHEREAS, the objective is to ensure that FMERA has a knowledgeable and balanced SAC membership, capable of providing timely and sound advice to FMERA regarding the subject matter of the Committee.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached Board memorandum, the Authority reaffirms the Staff Advisory Committee (SAC) membership criteria attached to the Board memorandum and authorizes the FMERA Executive Director and the SAC Chairs to fill the membership of each Committee accordingly, which membership shall be at the pleasure of the Board.

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.

ATTACHMENT

Dated: September 18, 2013

EXHIBIT 2

Resolution Regarding the
Approval of Award of Environmental Advisory Consulting Contract

WHEREAS, FMERA issued a Request for Proposals (the “RFP”) for Environmental Advisory Consulting Services on June 28, 2013 to solicit Technical Proposals, and Fee Proposals from qualified firms interested in performing Environmental Advisory Consulting Services tasks as determined to be needed from time to time during the term of the contract, to facilitate the conveyance of Fort Monmouth property from the U.S. Army to the Authority as well as property transfer from the Authority to interested purchasers; and

WHEREAS, proposals were due on August 2, 2013 and four compliant proposals were received; and

WHEREAS, the four technical proposals were distributed to the Evaluation Committee; and

WHEREAS, cost proposals were analyzed by FMERA’s Director of Finance and Administration and the RFP Coordinator; and

WHEREAS, the Evaluation Committee met on August 20, 2013 to review the scoring of the technical proposals. The technical evaluation scoring is based upon a comparative ranking with an emphasis on relevant experience and management approach. The technical ranking ranged from a high of 289 points to a low of 225 points, with the highest technically ranked firm being Langan-Matrix; and

WHEREAS, FMERA staff then entered into negotiations with Langan-Matrix in order to secure a fair and reasonable price in accordance with the RFP. We were able to negotiate the hourly fees to a range of \$60 to a high of \$195 which is in line with the industry norm and equal to or less than our prior Environmental Services contract.

THEREFORE, BE IT RESOLVED THAT:

1. The Board approves entering into a contract with the Langan-Matrix Team for the services sought in the FMERA Environmental Advisory Consultant RFP as set forth in the attached memorandum, for a term of 24 months with FMERA’s option to extend the contract for up to an additional 24 months and subject to all other terms and conditions in this Resolution, the RFP and any addenda, and the Langan-Matrix Team proposal, and for a total expenditure of \$120,000 or less for the balance of this fiscal year.

2. The Authority authorizes the Executive Director to take all necessary actions to effectuate the selection of the Langan-Matrix Team as the FMERA Environmental Advisory Consultant.

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

ATTACHMENT

Dated: September 18, 2013

EXHIBIT 3

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

WHEREAS, section 9(j) of the Fort Monmouth Economic Revitalization Authority Act (“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, 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, authority staff recommends proceeding with the Request for Offer to Purchase (RFOTP) process for the Marina in Oceanport; and

WHEREAS, the Authority’s master broker and FMERA staff have shown the Marina to several interested parties and believe that issuance of an RFOTP at this time could facilitate the attraction of one or more purchasers; and

WHEREAS, given the need to negotiate a redevelopment agreement that best serves the property’s role in the Reuse Plan as gateway to the Oceanport Village Center, its potential for reuse, and the interest expressed by potential purchasers, 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 the Marina 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 the Marina in Oceanport 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.

ATTACHMENT

Dated: September 18, 2013

EXHIBIT 4

ADOPTED
September 18, 2013

Resolution Regarding
Entering into Executive Session
To Discuss Pending Real Estate and Contract Negotiations with the Army

WHEREAS, pursuant to the Open Public Meetings Act, specifically N.J.S.A. 10:4-12(5), a public body may enter into executive session to discuss “[a]ny matter involving the purchase, lease or acquisition of real property with public funds . . . where it could adversely affect the public interest if discussion of such matters were disclosed”; and

WHEREAS, pursuant to the Open Public Meetings Act, specifically N.J.S.A. 10:4-12(7), a public body may enter into executive session to discuss “[a]ny pending or anticipated . . . contract negotiation other than [a collective bargaining agreement] in which the public body is, or may become a party”; and

WHEREAS, the Authority desires to enter into executive session to discuss pending negotiations concerning contracts to purchase, lease or acquire real property from the U.S. Army with the use of public funds and the Authority is a party to such contracts.

THEREFORE, BE IT RESOLVED THAT:

1. In accordance with the Open Public Meetings Act, the Authority shall go into executive session for the purpose of discussing real estate purchase, lease or acquisition from and pending contract negotiations with the U.S. Army.
2. The Authority anticipates that the minutes of the executive session will not become available to the public until after such time as the subject purchase, lease or acquisition negotiations are concluded and the Authority determines that the need for confidentiality no longer exists and the matters discussed can be disclosed.

Dated: September 18, 2013

EXHIBIT 5