



**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director and Secretary

**DATE:** August 20, 2014

**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**
8. **Public Comment Regarding Board Action Items**
9. **Executive Director’s Report:**
  - Update on Meetings with Army Representatives
  - Update on Requests for Offers to Purchase (RFOTPs)
  - Update on Marketing Effort
  - Action Items for Next Month
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 – Gina Fischetti, Chairwoman
  - Veterans Staff Advisory Committee – Lillian Burry, Chairwoman

11. **Other Board Actions**

- Consideration of Approval for FMERA Staff to Terminate the Offer to Purchase Process for Howard Commons and Approval to Issue a new Request for Offers to Purchase (RFOTP) for Howard Commons
- Consideration of Approval to Enter into Exclusive Negotiations for a Purchase Agreement Pursuant to the RFOTP for the Marina Parcel
- Consideration of Approval to Extend the Exclusive Negotiations Period for a Purchase Agreement Pursuant to the RFOTP for the Russel Hall Parcel
- Consideration of Approval to Make Parcel F-1 Available through the Offer to Purchase Process
- Consideration of Approval to Make the Squier Hall Parcel Available through the Offer to Purchase Process
- Consideration of Approval for Reimbursement to the Borough of Tinton Falls for Infrastructure Improvements

12. **Other Items**

13. **Public Comment Regarding any FMERA Business**

- Responses to questions submitted online or in writing

14. **Adjournment**

**MINUTES OF THE MEETING**

**I. Members of the Authority present:**

- James V. Gorman, Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) - V
- Robert Ades, Vice Chairman, Public Member – V
- Dr. Robert Lucky, Public Member – V
- Amy Herbold, Assistant Counsel, Authorities Unit, Office of the Governor – V
- Lillian Burry, Monmouth County Freeholder - V
- Gerald Tarantolo, Mayor of Eatontown – V
- Gerald Turning, Mayor of Tinton Falls – V
- Robert Lynch, Oceanport Councilman – V
- Donna Sullivan, Director of Real Estate, NJ Economic Development Authority (NJEDA) – V
- John Raue, Senior Policy Advisor to the Commissioner, NJ Department of Labor & Workforce Development (DOL)

**V - Denotes Voting Member**

**Members Not Present**

- Jonathan Lowy, Regional Manager, Government and Community Relations, NJ Transit (NJT) – (via phone)
- Gina Fischetti, Chief Counsel, Local Planning Services, NJ Department of Community Affairs (DCA)
- Kenneth J. Kloof, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)

**Also present:**

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

**II.**

The meeting was called to order by Chairman James V. Gorman at 7:00 p.m., who led the meeting in the Pledge of Allegiance.

In accordance with the Open Public Meetings Act, FMERA Secretary Bruce Steadman announced that notice of the meeting was sent to the Asbury Park Press and the Star Ledger at least 48 hours prior to the meeting, that a meeting notice has been duly posted on the Secretary of State's bulletin board at the State House, and the FMERA and the NJEDA websites.

The first item of business was the approval of the June 18<sup>th</sup> meeting minutes. A motion was made to approve the minutes by Gerald Turning and seconded by Gerald Tarantolo.

Donna Sullivan abstained from voting stating that she was not at the June meeting.  
Gerald Turning abstained from voting stating that he was not at the June meeting.  
Robert Lynch abstained from voting stating that he was not at the June meeting.

Motion to Approve: GERALD TURNING Second: GERALD TARANTOLO  
AYes: 5

### III. WELCOME

Chairman James V. Gorman welcomed attendees to the meeting. 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 in the afternoon to give the public the opportunity to review the information in advance of the meeting. Mr. Gorman stated that the Board protocol established at the February Board meeting will continue to be followed.

Mr. Gorman stated that the Board would consider two action items, consideration of approval of Chenega Operations Services for on-call property maintenance services; and consideration of approval of Terms and Conditions of Sale for Professional Auctioneering Services for personal property. The Chairman further stated that the Board would be entering into Executive Session for discussion on negotiations of Howard Commons Purchase and Sale Agreement and Redevelopment Agreement.

The Chairman went on to state that there will be two comment periods at the meeting based on the new meeting protocol. 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

Mr. Steadman stated that the Board would enter into Executive Session.

### V. TREASURER'S REPORT

Beverlee Akerblom, Director of Finance and Administration, stated that FMERA staff presented the first quarter's Financial and Operation Summary to the members of the Audit Committee at their June 23<sup>rd</sup> meeting. With the close of the second quarter on June 30<sup>th</sup>, FMERA staff begins the process of compiling Financial and Operation Summary for the first half of 2014 for presentation to the Audit Committee. The grant agreement for the grant in support of the Authority's operations through June 30, 2015 has been signed and the grant commenced July 1, 2014.

### VI. PUBLIC COMMENT REGARDING BOARD ACTION ITEMS

Tom Mahedy of Wall Township stated that he was opposed to an auctioneer as the items that currently remain on the Fort belong to the public. Mr. Mahedy asserted there is fraud with the auctioneer group selected to run the future auctions.

Patrick Daugherty of Neptune stated that the Fort is an extraordinary piece of property in and extraordinary State.

Jose Gomez of Long Branch and Security Measures asked if there will be full disclosure of the On-Call Property Maintenance proposals and the award to Chenega. Mr. Gomez asked if the criteria for Chenega were met in accordance with the Request for Proposals (RFP). Mr. Gomez stated that Security Measures was not contacted by FMERA regarding Requests for Information (RFI).

Bruce Steadman answered Mr. Gomez by stating that there will be full disclosure after the 10-day gubernatorial veto period and all information regarding the RFP will be made available to the public. Mr. Steadman stated that for those bidders not selected they have the opportunity to come to the FMERA offices to review the proposals, scoresheets and ask any questions regarding the RFP process.

## VII. EXECUTIVE DIRECTOR'S REPORT

Rick Harrison, Director of Facilities Planning gave the following updates:

### Update on Meetings with Army Representatives

FMERA and the Army have been holding discussions over the past 20 months on the future transfer of the balance of the Main Post, to be accomplished under a Phase 2 Memorandum of Agreement (MOA). At the April 23, 2014 meeting of the Authority, the Board confirmed their support for the proposed terms negotiated by FMERA staff and Army representatives for the Authority's acquisition of the balance of the Main Post, as well as execution of a non-binding term sheet with the Army and submission of a Phase 2 Economic Development Conveyance (EDC) Application. Staff submitted the Phase 2 EDC application on July 1, 2014, and it is currently under review by the Army. FMERAs goal is to have an executed Phase 2 MOA with the Army by the third quarter of 2014.

### Suneagles

FMERA has recently had some inquiries regarding promised improvements to the Suneagles Golf Course and whether FMERA is monitoring progress of the promised improvements. FMERA has and continues to monitor golf course operations and the conditions at the golf course and a routine inspection tour of the course conditions has been scheduled. FMERA's agreement with Atlantic Golf Management (AGM) stipulated that improvements be made to tee areas on #1, #7, #14 (Ladies only) and #17. Hedges have been removed on #1 as per the agreement but they have not stripped the surfaces on the tee boxes as per the agreement. All improvements were scheduled for late spring but there was too much rainfall to schedule accordingly. FMERA and AGM made a decision not to disrupt the course during prime playing time. Additionally, the hot summer days would have made it very difficult, if not impossible, to sod and have these areas open for play. AGM has scheduled new start dates for the tee areas after the prime golf season and will begin sometime in September. FMERA has not scheduled the tree removal for the same reasons stated above. More importantly, the ground is too soft to handle the trucks coming in and out. There would be too much turf disruption. FMERA plans on waiting until the ground gets harder in the fall before we begin. Another hold-up was the stream cleaning permit for the stream which will impact the tree removal. We currently have the permit from NJDEP and are in the process of obtaining quotes for this work as well. AGM has leased a fleet of brand new golf carts in fulfillment of our contract agreement.

### Marina

The marina opened for business for marina operations on June 28 and has about nine slips rented. The operator also brought on board a small craft rental operation to rent out small craft including paddle boats, canoes and kayaks which should open this weekend. On July 4th they opened for drinks under the tent on weekends. They are making extensive renovations to the existing marina building, which incurred significant damage during Sandy, and they hope to open a full service bar and 80 seat restaurant in a month or so. Other improvements include landscaping, new fencing and rehabilitation of the docks and utility systems.

Dave Nuse, Director of Real Estate Development gave the following update:

### Howard Commons

FMERA and HovWest Land Acquisition entered into a Purchase & Sale Agreement for the Howard Commons site on May 19. HovWest is currently undertaking environmental and geotechnical due diligence work on the property, located on Pinebrook Road in Eatontown.

### Officers Housing

FMERA is engaged in exclusive negotiations with RPM Development for the Officer Housing Parcel in Oceanport. FMERA will be leasing the property to RPM on an interim basis so it can proceed with due diligence, financing and approvals.

### Russel Hall

FMERA staff is in exclusive negotiations with Kiely Realty Group for the sale of Russel Hall in Oceanport. FMERA will lease the property to Kiely on an interim basis so Kiely can pursue due diligence investigations and approvals.

### Parcels C and C1

FMERA is in exclusive negotiations with Lennar Corporation for Parcels C & C1 in Tinton Falls. FMERA is working towards a fall 2014 contract signing.

### Fabrication Shops & Pistol Range

Exclusive negotiations are underway with Pinebrook Commerce Center LLC for the Fabrication Shops in Tinton Falls, and with Kiely Realty Group for the Pistol Range, also in Tinton Falls.

### Charles Wood Firehouse

FMERA staff is currently in discussions with the one respondent to the RFOTP for the Charles Wood Firehouse.

### Marina

Staff is currently in discussions with the one compliant proposer for the Marina Parcel in Oceanport.

### Fitness Center & Chapel

FMERA Staff is also initiating discussions with the proposers on the Fitness Center and the Chapel in Oceanport.

### Upcoming RFOTPs

FMERA plans on issuing several additional RFOTPs this summer, including:

- The Suneagles Golf Course in Eatontown;
- Parcel B, the retail and residential parcel fronting Route 35 in Eatontown;
- and a 1.5 acre parcel on Satellite Drive in Tinton Falls.

Please visit our website, [www.fortmonmouthredevelopment.com](http://www.fortmonmouthredevelopment.com), for more information and copies of our RFOTPs.

Katie Hodes, Marketing Officer gave the following marketing update:

- FMERA issued an RFP for Professional Marketing Consultant/Creative Agency Services for Brand Development and Website Design on May 1, 2014. Proposals were due on June 5th and nine proposals were received. The evaluation committee is currently in the final stages of reviewing proposals and FMERA plans to engage the successful proposer shortly.
- FMERA, Cushman & Wakefield and the Partnership for Action, which is responsible for the state's business attraction and expansion efforts and the state's incentive programs, continue to meet or speak monthly via conference call to further marketing of the Fort property.
- FMERA and the Monmouth Ocean Development Council are working together on an event to be hosted at the Fort this fall. Additional information will be provided at a future meeting.
- FMERA's small business initiative is underway, as evidenced by the Board's approval of the Pinebrook Commerce Center LLC's offer to purchase the former Fabrication Shops in Tinton Falls. Over the summer FMERA staff will be working on a technology plan that we intend to launch later this year, in an effort to attract small tech companies to the Fort.

- Copies were made available of an article from The Journal about the possibility of the Princeton Autonomous Vehicle Engineering (PAVE) program relocating to Fort Monmouth. If PAVE is to relocate to Fort Monmouth the program would play an important role of establishing a university presence on the former Post.

## VIII. COMMITTEE REPORTS

### a) AUDIT COMMITTEE (ROBERT ADES, CHAIRMAN):

Robert Ades stated that the Committee met on June 24<sup>th</sup> and discussed the following:

- Authority's financial and operational summary for the first quarter of 2014. Staff presented FMERA's 1<sup>st</sup> Quarter Operation Highlights which include: close on sale of Clinic Parcel to AcuteCare and the selection of the Suneagles Golf Course and Gibbs Hall Professional Management & Service Provider. FMERA Staff reported that the Authority's 1<sup>st</sup> quarter expenses were under budget.
- Update on the status of the Property Maintenance Request for Proposals, as well as the Phase 2 Economic Development Conveyance Agreement. Staff outlined the timeline for submitting a draft of the Phase 2 EDC to the Army, receipt of feedback from the Army, and target date for submission of the actual Phase 2 EDC application.
- The Authority's management reviewed and addressed administrative matters with the Audit Committee, reporting that administrative duties are being reassigned due to the professional development of the staff added last year. Authority management and the Audit Committee will continue to monitor and manage the segregation duties.
- Update on the status of the Homeless Fund and the development of the terms and conditions of sale of the personal property under the Professional Auctioneer.

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

Chairman Gorman stated that the Committee met on June 18<sup>th</sup> and discussed the following:

- Overview of the open space component of the Reuse Plan from with FMERA's planner, Phillips Preiss Grygiel (PPG) and efforts to balance FMERA's goals of maintaining planned open space while maximizing job creation.
- Discussion regarding the reissuance of Parcel B and Parcel V-1 Request for Offers to Purchase (RFOTP) with regards to proceeding with both parcels and linking the parcels as one RFOTP. The Committee requested that FMERA staff present the various scenarios envisioned for the new parcel at the next Committee meeting.
- Overview of the RFP for On-Call Property Maintenance Services. The evaluations committee met independently to score the proposals with the resulting high scoring firm being Chenega Operations Services, LLC. The Committee reached a consensus and agreed to recommend approval to the Board to enter into contract with Chenega for On- Call Property Maintenance Services.
- Overview of the terms and conditions, as well as protocol for the professional auctioneering services of personal property on the Fort. FMERA staff has negotiated and standard set of terms and conditions with The Auctioneer's Group to conduct all auctions. The Committee reached a consensus and agreed to recommend to the Board approval of the terms and conditions of sale for professional auctioneering services for personal property.
- Update on Officers Housing
- Update on Parcels C & C1
- Update on Howard Commons
- Update on Marina
- Update on Current & Upcoming RFOTPs

- Update on the Broker Marketing and the responses to the RFP for Professional Marketing Consultant/Creative Agency

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

Bruce Steadman, on behalf of Kenneth J. Kloo, stated that the Committee did not meet this month.

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

Robert Ades stated that the Committee met on June 24<sup>th</sup> and discussed the following:

- Discussion on Officers Housing and FMERA's discussions with RPM Development Group. The Borough of Oceanport has approved entering into a memorandum of support with RPM Development.
- RPM will be contracting with an architect in July and RPM will be presenting a site plan to the Committee at an upcoming meeting.
- Discussion on Russel Hall and the discussions with Kiely Realty Group.
- Discussion regarding the preparation of Historic District Guidelines that FMERA's planner Phillips Pries Grygiel (PPG) will be drafting. The guidelines will be distributed to the Committee and PPG will be present at an upcoming meeting to discuss.

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

Bruce Steadman, on behalf of Gina Fischetti, stated that the Committee met on July 10<sup>th</sup> and discussed the following:

- Discussion regarding Parcels, C, C1 and the new site plan. FMERA is currently in exclusive negotiations with Lennar. Borough of Tinton Falls is agreeable to the new site plan.
- Discussion regarding the termination of the Parcel B RFOTP and the new RFOTP adhering to the Reuse Plan's goal of creating a lifestyle town center.
- Discussion on the HovWest environmental due diligence has begun. HovWest set forth a two phase demolition of the existing buildings and applying for demolition permits within 2 months of closing, and completion of demolition no later than 6 months thereafter.

Robert Lynch asked how the Officers Housing gets on the Oceanport tax role if there is no deed and the property is on a lease basis. Bruce Steadman stated that the closing of the Officers Housing should take effect by March 2015.

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

Lillian Burry stated that the Committee did not meet this month but will be meeting in August.

IX. BOARD ACTIONS

- A) The first item before the Board was the consideration of approval of Chenega Operations Services, LLC, for On-Call Property Maintenance Services.

Candice Valente read the resolution which is attached hereto and marked Exhibit 1.

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



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

B) The second item before the Board was the consideration of approval of Terms and Conditions of Sale for Professional Auctioneering Services for Personal Property.

Candice Valente read the resolution which is attached hereto and marked Exhibit 2.

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

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

Mayor Tarantolo asked how the proceeds of the auction will be shared. Bruce Steadman stated that the proceeds from the auction would be reinvested into the property and the proceeds are not shared with the Army.

Robert Lynch asked if the insurance will be waived for individuals who are bidding on the smaller lots of items and was answered yes.

#### X. OTHER ITEMS

There were no other items before the Board.

#### XI. PUBLIC COMMENT REGARDING ANY FMERA BUSINESS

Sara Breslow of Eatontown asked what stream Rick Harrison was referring to on the Golf Course. Ms. Breslow stated that she objects to the DEP not performing objective testing of Wampum Lake, instead accepting reports paid for by the Army and there is proof that the reports are altered by the Army to their advantage before passing them on. Ms. Breslow stated that the DEP owes the public to do independent testing of the lakes.

Bob English of Eatontown asked what was the amount that was approved for the grant request for the upcoming year and what did FMERA receive in prior years. Mr. English thanked the Monmouth County Freeholders for supporting a bill by Senator Beck and Assemblywoman Casagrande stating that the affordable housing at the Fort be the same as the rest of New Jersey. Mr. English stated that the Freeholders also supported that Veterans housing should be designated as the Council on Affordable Housing (COAH) eligible.

Robert Shimko of Wall Township asked why on the date of the bid opening for the On-Site Property Maintenance were the proposals not made available to the public.

Tom Mahedy of Wall Township asserted that there is a crooked process regarding awarding Chenega Operations Services the On-Site Property Maintenance contract as there was for Cushman & Wakefield as the Master Broker. Mr. Mahedy asserted that the liquor license at the golf course was given to an individual who makes political contributions. Mr. Mahedy asserted that the Kiely Realty Group was given the Pistol Range and Russel Hall because of their political contributions. Mr. Mahedy stated that there was a report from the Monmouth County Health Department stating that the pollution in Wampum Lake came from the Myer Center. Mr. Mahedy asserted that there is contamination at the New Jersey State Police barracks and the Army refuses to test the barracks. Mr. Mahedy asserted that Frank Cosentino, the former Director of FMERPA, is orchestrating the illegal deals for FMERA.

Mr. Harrison responded to Sara Breslow's question by stating that the stream enters the golf course from under Hope Road just opposite the Child Development Center and runs North/East of Megill and Gibbs Hall under Lowther Drive and empties into a lagoon just South/East of the North parking lot. Tony Poklasny, FMERA

Senior Engineer stated that the stream is 455ft. from the culvert on Hope Road and the primary purpose of the cleaning is to allow the stream to flow more freely.

Ms. Akerblom responded to Bob English's question by stating that the amounts that were approved for the grant request was just under \$2MM of which OEA contributes 90% and the NJEDA through their appropriation meets the local match 10% in order for FMERA to qualify for the Federal monies.

Mr. Steadman responded to Robert Shimko's question by stating the RFPs require a two-tier proposal in that the proposal and the fee schedule need to be submitted separately and even though there is a two-tier process, the proposals cannot be shared until after the evaluation process is complete.

Mr. Steadman responded to Mr. Mahedy's assertions by stating that they are incorrect and have been responded to on many occasions in the past.

The next item before the Board 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.

A motion was made to enter into Executive Session by Robert Ades, seconded by Gerald Tarantolo and unanimously approved by all voting members present.

There being no further business in Executive Session, a motion was made to go back into public session by Amy Herbold seconded by Gerald Turning and unanimously approved by all voting members present.

The Board returned to public session.

There being no further business, on a motion by Gerald Turning seconded by Gerald Turning and unanimously approved by all voting members present, the meeting was adjourned at 9:04 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.



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Bruce Steadman –Secretary

**ADOPTED**  
**July 16, 2014**

Resolution Regarding  
**Approval to Select Chenega Operations Services, LLC for On-Call Property Maintenance Services**

**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**, FMERA took title to the Phase One Properties and expects to take title to the marina and Megill housing area within the next few months; and

**WHEREAS**, FMERA has a tentative agreement to acquire the Phase Two property no later than March 2015; and

**WHEREAS**, as FMERA acquires property the caretaker function and overall maintenance of the property and the Army utility systems becomes the responsibility of FMERA; and

**WHEREAS**, FMERA issued a Request for Proposals (RFP) for On-Call Property Maintenance Services on April 11, 2014, and proposals were due on May 29, 2014; and

**WHEREAS**, FMERA received six compliant proposals, and technical proposals were evaluated by four independent evaluators and fee proposals were evaluated by FMERA’s Chief Financial Officer and the RFP Coordinator; and

**WHEREAS**, the scores were compiled and the Evaluation Committee met on July 3, 2014 to review the scoring of the proposals; and

**WHEREAS**, the fee scores were added to the technical proposal scores with the resulting high scoring firm being Chenega Operations Services LLC; and

**WHEREAS**, the Evaluation Committee recommends that the Board of Directors approve the selection of Chenega as the On-Call Property Maintenance Services contractor; and

**WHEREAS**, the Real Estate Committee has reviewed and discussed entering into a contract with Chenega and recommends approving the selection.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority authorizes the selection of Chenega Operations Services, LLC, for On-Call Property Maintenance Services and authorizes the Executive Director to take all necessary actions to effectuate the selection.

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: July 16, 2014

EXHIBIT 1

**ADOPTED**  
**July 16, 2014**

Resolution Regarding  
**Approval of Operating Authority and Protocol and Standard Terms and Conditions of  
Sale for Furniture, Fixture and Equipment Auctions**

**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**, FMERA took title to the Phase One Properties, including a bill of sale for all personal property within the Phase One Buildings; and

**WHEREAS**, the Board of Directors of the Authority approved a contract with The Auctioneers Group, LLC at the June 18 2014 Meeting of the Board; and

**WHEREAS**, FMERA staff worked with the contract auctioneer to develop a standard set of Terms and Conditions under which The Auctioneers Group would conduct auctions; and

**WHEREAS**, FMERA staff has developed processes and procedures for Furniture and Equipment auction events, which are described in the attached memorandum, including how the auctions will be conducted, minimum advertisement, prior inspections, and ethical restrictions on who can bid; and

**WHEREAS**, the Real Estate Committee has reviewed and discussed the Furniture and Equipment Auction Protocol and Terms and Conditions of Sale and recommends Board approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Authority approves the processes and procedures for the Furniture and Equipment auction events and adopts the standard Terms and Conditions of Sale.
2. The Authority authorizes the Executive Director to accept the highest responsible bid at auction events conducted in accordance with the approved process and procedures for Furniture and Equipment Auctions and to sign and deliver documents necessary and appropriate to complete such sales as acceptable to the Executive Director and the Attorney General’s Office.
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: July 16, 2014

**EXHIBIT 2**



## MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman  
Executive Director

DATE: August 20, 2014

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 Marketing Effort; and Action Items for Next Month.

### Treasurer's Report

#### 1. Second Quarter 2014 Financial and Operational Summary

FMERA staff is preparing the 2014 Financial and Operational Summary for the second quarter. Staff will be meeting to review the first six months of 2014 and assess the performance against the 2014 organization goals. FMERA staff will present the financial and operational summary report for the 2<sup>nd</sup> quarter to the Audit Committee at their next meeting. Preliminary results show the Authority is under budget for the six-month period ended June 30, 2014. Operating expenses are approximately \$100,000 under budget for the first six months due to the proactive monitoring of expenses the Authority has in place.

#### 2. 2015 Budget Overview

The budget process for 2015 is about to get underway. In the coming weeks, the FMERA staff will hold budget sessions and begin drafting the 2015 FMERA budget. The draft 2015 FMERA budget will then be forwarded to the Audit Committee for its review.

The 2015 FMERA budget is scheduled to be brought before the Board for its consideration and approval at the December Authority Meeting.

## Executive Director's Report

### 1. Update on Meetings with Army Representatives

FMERA and the Army have been holding discussions over the past 20 months on the future transfer of the balance of the Main Post, to be accomplished under a Phase 2 Memorandum of Agreement (MOA). At the April 23, 2014, meeting of the Authority, the Board confirmed their support for the proposed terms negotiated by FMERA staff and Army representatives for the Authority's acquisition of the balance of the Main Post, as well as execution of a non-binding term sheet with the Army and submission of a Phase 2 Economic Development Conveyance (EDC) Application. Staff submitted the Phase 2 EDC application on July 1, 2014, and it is currently under review by the Army. Our goal is to have an executed Phase 2 MOA with the Army by the third quarter of 2014.

### 2. Update on RFOTPs

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

#### Officer Housing

FMERA staff issued an RFOTP for the Officer Housing in the Historic District of the former Fort on January 16, 2013. The Officer Housing is intended for residential reuse consistent with the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan). The property is located outside of the Fort's Phase One project area, so FMERA's ability to sell the property will be contingent on execution of a Phase 2 EDC Agreement with the Army. Proposals for the Officer Housing were due on April 1, 2013 and two proposals were received. At the April meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with RPM Development Group in accordance with the Authority's Sales Rules. Subsequently, at the May 21, 2014, meeting of the Authority, the Board approved FMERA staff entering into a Lease with the Army and a Sublease with RPM for the property, enabling RPM to undertake due diligence and pursue financing and project approvals in advance of the Phase 2 EDC Agreement.

#### Howard Commons

At the January 15, 2014 meeting of the Authority the Board approved a Purchase & Sale Agreement and Redevelopment Agreement (PSA&RA) for Howard Commons with HovWest Land Acquisition, LLC (HovWest). The Authority and HovWest executed the purchase and sale agreement effective as of May 19, 2014.

Howard Commons is a 63.67-acre tract on Pinebrook Road in the Fort's Charles Wood Area. The property is currently improved with 486 townhouse units constructed by the Army in 1953, along with a 3,853 sf general purpose building. The Reuse Plan calls for the demolition of the existing improvements due to their age, condition, density and design, and their replacement with 275 dwelling units and approximately 15,000 sf of ancillary retail/commercial space. In accordance with the Reuse Plan, 20% of the new units will be affordable housing qualified. HovWest has exercised its right under the Purchase and Sale Agreement to back out of the deal. Therefore, FMERA staff intends to make a recommendation to the Board at tonight's meeting to terminate the RFOTP process and issue a new RFOTP for Howard Commons, in accordance with the



Authority's Sales Rules. HovWest noted that groundwater being higher than expected caused them to make this decision.

#### Parcels C and C1

On March 26, 2013 FMERA publically issued RFOTPs for Parcels C and C1. Proposals for each of the parcels were due on June 10, 2013. Three proposals were received for Parcel C, and three proposals were received for Parcel C1, with some firms submitting multiple scenarios for redevelopment. FMERA staff evaluated the proposals in accordance with the Authority's Sales Rules, and subsequently engaged in discussions with the highest ranked proposers.

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 the Tinton Falls Reuse Area. In accordance with the Reuse Plan amendment #1, the property can accommodate up to 49 newly constructed residential units. At the April 23, 2014, meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with Lennar Corporation in accordance with the Authority's Sales Rules.

#### Parcel B

On March 26, 2013 FMERA publically issued an RFOTP for Parcel B. Proposals were due on June 10, 2013. Four proposals were received. At the February 2014 meeting of the Authority, the Board authorized FMERA staff to terminate the RFOTP process without awarding a contract and issue a new RFOTP for Parcel B, in accordance with the Authority's Sales Rules.

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 Plan calls for Parcel B to be developed as a high quality 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. The new RFOTP for Parcel B will seek proposals that meet the Reuse Plan's goal of creating a lifestyle town center, as an exciting and attractive gateway to the Fort.

#### Parcel V-1

Parcel V-1 is a 10-acre tract in the Eatontown section of the former Fort which is being put out for bid for the purpose of establishing a Veterans Community. An RFOTP was publically issued for the parcel on September 6, 2013. Proposals were due on December 6, 2013 and two were received. Both bidders proposed paying nominal consideration to acquire and redevelop the property into a veterans community. At the June 18, 2014 meeting of the Authority, the Board authorized FMERA staff to terminate the RFOTP process without awarding a contract.

#### Russel Hall

FMERA staff issued an RFOTP for Russel Hall on September 6, 2013. Russel Hall is a 42,300 sf, four-story administration building located on Sanger Avenue in the Oceanport

Reuse Area of the Fort. FMERA staff has determined that Russel Hall will require a parcel measuring approximately 6.5 acres. The property is located outside of the Fort's Phase One project area, so FMERA's ability to sell the property will be contingent on execution of a Phase 2 EDC Agreement with the Army. Proposals were due on November 7, 2013 and one proposal was received. At the January 15, 2014 meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with Kiely Realty Group, LLC, in accordance with the Authority's Sales Rules; the Board subsequently approved extending the exclusive negotiations term another sixty (60) days at the June 2014 meeting of the Authority. At the May 21, 2014 meeting of the Authority, the Board approved a Lease with the Army and Sublease with Kiely. Staff will recommend another extension to the exclusive negotiations term for thirty (30) days at today's meeting.

#### Fabrication Shops (Pinebrook Road Commerce Center at Fort Monmouth)

At the June 2013 meeting of the Authority, the Board approved making the Pinebrook Road Commerce Center (buildings 2501 – 2504, 2506 and 2507) available through the offer to purchase process. The five fabrications shops consist of flex (industrial/office) space in varying configurations. There is also a building (building 2501) on site that is well-suited for use as office space. The buildings together total approximately 44,000 sf. The Parcel is located off of Pinebrook Road in the Tinton Falls Reuse Area of Fort Monmouth. An RFOTP for the parcel was issued on September 20, 2013, proposals were due on November 20, 2013 and three were received. At the May 21, 2014 meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with the highest ranked proposer, Pinebrook Commerce Center, LLC, in accordance with the Authority's Sales Rules.

#### Marina

On October 25, 2013 an RFOTP was issued for the Marina Parcel in Oceanport. The Marina Parcel is 3.9 acres and is located on Oceanport and Riverside Avenues in the 400 area of the former Fort property. 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 and associated off-street parking. The Reuse Plan contemplates a marina/public boat ramp/restaurant on the property and the reuse of the existing boat house. Proposals were due on January 27, 2014 and two were received. Staff evaluated the proposals in accordance with the Authority's Sales Rules and will make a recommendation to the Board to enter into exclusive negotiations with the one compliant proposer. FMERA staff released a Request for Proposals (RFP) for a Marina Operator in the interim, and received one proposal. The operator, AP Development Partners, LLC, opened the marina for boat traffic on June 28, 2014 and for refreshments on the July 4<sup>th</sup> holiday weekend.

#### Pistol Range

On November 22, 2013 an RFOTP was issued for the Pistol Range. The Pistol Range (Building 2627) is a one story 11,110 sf building, equipped with 10 indoor firing lanes. The range was constructed in 2006. The facility sits on a 1-acre parcel in the Tinton Falls Reuse Area of the former Fort Monmouth. The pistol range's planned 1-acre parcel represents the minimum lot size needed to accommodate required parking and building

set-backs. The RFOTP allowed respondents the option to provide alternate proposals that included the purchase of additional adjacent land and/or buildings and the use for non-governmental purposes. Proposals were due on February 24, 2014 and five were received. At the May 21, 2014 meeting of the Authority, the Board approved the recommendation to enter into exclusive negotiations with Kiely Realty Group, LLC, the highest ranked proposer, in accordance with the Authority's Sales Rules.

#### Charles Wood Firehouse

On December 20<sup>th</sup>, 2013 an RFOTP was issued for the Charles Wood Firehouse in the Tinton Falls Reuse Area of the Fort. The Firehouse (Building 2560) is a 12,000 sf structure on Corregidor Road, built in 2001. The permitted principal land use for the 2.3 acre parcel of land and building is institutional/civic reuse in the Fort's Reuse Plan. Proposals were due on March 20, 2014 and one proposal was received. Staff has evaluated the proposal in accordance with the Authority's Sales Rules and will advise the Board of the outcome of negotiations at a subsequent meeting.

#### Fitness Center

On March 14<sup>th</sup>, 2014 an RFOTP was issued for the Fitness Center in the Oceanport Reuse Area of the Fort. The RFOTP includes the option to purchase the Sports Bubble located on Parcel B in Eatontown and relocating it to the Fitness Center property. The property consists of 7.75 acres of land and three buildings, as well as all of the fitness equipment located within Building 114. The property is intended to be reused as a fitness center as set forth in the Reuse Plan, although other uses will be considered. FMERA has set \$1,950,000 as the minimum bid amount for the property. Proposals were due May 28, 2014, and one proposal was received. Staff has evaluated the proposal in accordance with the Authority's Sales Rules and intends to make a recommendation at a subsequent meeting.

#### Main Post Chapel

On March 14<sup>th</sup>, 2014 an RFOTP was issued for the Main Post Chapel (Building 500) in the Oceanport Reuse Area of the Fort. The property encompasses 5 acres of land and a 16,372 sf structure, consisting of a chapel, an administrative wing, a classroom wing, and a kitchen. The Chapel is intended to be reused as a house of worship, per the Authority's Reuse Plan. The Property is in the Oceanport Horseneck Center and the Historic District, although the structure is not considered historic. FMERA has set \$1,530,000 as the minimum bid amount for the property. Proposals were due on May 9, 2014, and two proposals were received. The compliant proposer has decided to retract their proposal. As there are no compliant proposals, FMERA will proceed with issuing a second RFOTP according to the Authority's Sales Rules.

#### Upcoming RFOTPs

FMERA plans on issuing additional RFOTPs over the next few months, including the Suneagles Golf Course and Parcel B, both in Eatontown, and a 1.5 acre parcel on Satellite Drive and Parcel F-1, including the Myers Center, in Tinton Falls.

3. Marketing Update

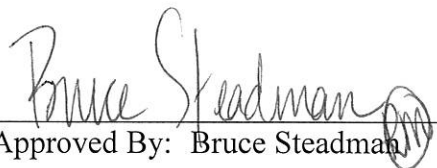
FMERA issued a Request for Proposals (RFP) for Professional Marketing Consultant/Creative Agency Services for Brand Development and Website Design on May 1, 2014. Proposals were due on June 5, 2014 and nine proposals were received. An evaluation committee reviewed the proposals and on July 28, 2014 FMERA engaged Weblinx, Inc. (Weblinx), the highest scoring proposer. The contract with Weblinx does not require Board approval as it falls under the procurement provisions of the Delegated Operating Authority. The procurement process is consistent with the guidelines of FMERA's Procurement and Policy Procedure and public bidding requirements. The form of the contract and FMERA's execution of the contract have been approved by the Attorney General's Office. FMERA and Weblinx held an all-day kickoff meeting on August 7, 2014 and we look forward to working with Weblinx on our brand development and website design in the coming months.

FMERA continues to work with Cushman & Wakefield (Cushman), the Authority's Master Broker, to market the Fort property. FMERA and Cushman conduct, on average, a half a dozen tours per week of the Property. The level of interest in the Fort property remains high.

Please refer to our website, [www.fortmonmouthredevelopment.com](http://www.fortmonmouthredevelopment.com), for more information.

4. Action Items for Next Month.

- Continued work with the N.J. Department of Environmental Protection and Langan-Matrix 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

  
Approved By: Bruce Steadman

Prepared by: Candice Valente

**ADOPTED**  
**August 20, 2014**

Resolution Regarding  
**Approval to Terminate the Offer to Purchase Process for Howard Commons and Approval  
to Issue a New Request for Offers to Purchase for Howard Commons**

**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**, FMERA issued a Request for Offers to Purchase (RFOTP) for the Howard Commons site in Eatontown on December 14, 2012, and received proposals from six development entities, with the highest scoring compliant proposal coming from HovWest Land Acquisition, LLC (HovWest); and

**WHEREAS**, the Board of Directors authorized FMERA staff to enter into exclusive negotiations with HovWest at its July 2013 meeting, and to extend the exclusive negotiations period at the November 2013 meeting; and

**WHEREAS**, following Board approval of a Purchase and Sale & Redevelopment Agreement (PSARA) at the January 2014 meeting, FMERA and HovWest executed the PSARA on May 19, 2014; and

**WHEREAS**, the PSARA provided HovWest a seventy-five (75) day period following execution to perform pre-acquisition due diligence investigations at the property; and

**WHEREAS**, by later dated July 15, 2014 HovWest notified FMERA that it would require a purchase price reduction and an extension of the due diligence period, as the developer had encountered higher than anticipated ground water on the site; and

**WHEREAS**, FMERA agreed to extend the due diligence period but withheld comment on the request for a price reduction, calling for HovWest to submit its due diligence findings and any price adjustment requests at the end of the extended due diligence period; and

**WHEREAS**, by letter dated July 22, 2014 HovWest notified FMERA that it was exercising its right under the PSARA to terminate the agreement; and

**WHEREAS**, the Real Estate Committee recommends that the Board of Directors authorize FMERA staff to terminate the RFOTP with respect to Howard Commons and return any remaining deposits with accrued interest and authorize the issuance of a new RFOTP for Howard Commons;

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Authority approves terminating the Offer to Purchase process with regard to Howard Commons in Fort Monmouth's Charles Wood Area and the issuance of a new Request for Offer to Purchase.

2. The Authority authorizes the Executive Director to take all necessary actions to effectuate the termination of the Howard Commons Request for Offers to Purchase process, including returning the deposit with any accrued interest to the bidder, the issuance of the new Request for Offer to Purchase.

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: August 20, 2014

**EXHIBIT 1**



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Bruce Steadman  
Executive Director

**RE:** Closing out the Offer to Purchase Process for Howard Commons  
and Issuance of a New Request for Offers to Purchase the Property

**DATE:** August 20, 2014

### Request

I am requesting that the Board of Directors authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to: (i) terminate the Offer to Purchase process with regard to Howard Commons in Fort Monmouth's Charles Wood Area and return any remaining deposits held by the Authority with accrued interest to the bidders; and (ii) issue a new Request for Offers to Purchase (RFOTP) Howard Commons, in accordance with FMERA's approved sales rules.

### Background

FMERA issued an RFOTP in connection with the planned redevelopment of the Howard Commons site in Eatontown on December 14, 2012. Howard Commons is a 63.67-acre tract on Pinebrook Road in the Fort's Charles Wood Area. The property is currently improved with 486 townhouse units constructed by the Army in 1953, along with a 3,853 sf general purpose building. The Army phased out the use of the townhouses over the past 10 years, with the last families vacating the property prior to the Fort's 2011 closure. The Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) calls for the demolition of the existing improvements due to their age, condition, density and design, and their replacement with 275 dwelling units and approximately 15,000 sf of ancillary retail/commercial space.

Howard Commons is a Phase One property in FMERA's June 25, 2012 Economic Development Conveyance Agreement (EDC Agreement) with the Army. FMERA took title to the property from the Army by deed dated May 29, 2014.

FMERA received proposals from six development entities: American Properties at Monmouth, LLC; BNE Real Estate Group/Sterling Properties Joint Venture; Fieldstone Associates, LP; HovWest; Somerset Development, LLC; and US Home Corporation, a wholly owned subsidiary of Lennar Corporation. Five of the six respondents provided compliant proposals; American Properties was deemed to be non-responsive because it proposed detached single-family homes, which are not permitted in Howard Commons under the Reuse Plan or proposed Land Use Rules.

Fieldstone, Lennar and Somerset also elected to submit one or more alternate proposals. The proposals were distributed to five evaluators, including a representative of the Army, who scored the proposals independently, according to criteria and weightings contained in the RFOTP and the Authority's Sales Rules.

The team reviewed the scoring and agreed that the HovWest proposal was compliant with the Reuse Plan and warranted the highest score. Of the five compliant proposals received, HovWest also submitted the highest price proposal. HovWest proposed to demolish the existing improvements and construct 275 two- and three-bedroom for-sale townhomes on the Howard Commons site, of which 20% would be reserved as affordable housing. Consistent with the Reuse Plan, the development would include retail development on the corner of Hope and Pinebrook Roads, and 20.4 acres of open space and public recreational amenities.

The Board authorized FMERA staff to enter into exclusive negotiations with HovWest at its July 2013 meeting, and extended the exclusive negotiations period at the November 2013 meeting of the Authority. Following Board approval of a Purchase and Sale & Redevelopment Agreement (PSARA) at the January 2014 meeting, FMERA and HovWest executed the PSARA on May 19, 2014.

The PSARA provided HovWest a seventy-five (75) day period following execution of the agreement to perform pre-acquisition due diligence investigations on the property. By letter dated July 15, 2014, HovWest notified FMERA that it would require a purchase price reduction and an extension of the due diligence period, as the developer had encountered higher than anticipated ground water on the site that would require modifications to their proposed development plan. FMERA agreed to extend the due diligence period but withheld comment on HovWest's request for a price reduction, calling for HovWest to submit its due diligence findings and any price adjustment requests at the end of the extended due diligence period. HovWest did not agree to this arrangement, and by letter dated July 22, 2014, the developer notified FMERA that it was exercising its right under the PSARA to terminate the agreement.

Staff is requesting authority to issue a new RFOTP for Howard Commons as soon as practicable. The new RFOTP will restate the strong preference on the part of Eatontown and FMERA for owner-occupied housing, and place greater emphasis on the need to expedite demolition of the existing housing units. Proposals received from both RFOTPs for Howard Commons will be treated as confidential until FMERA has completed negotiations for the sale and redevelopment of Howard Commons.

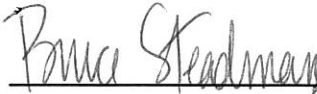
The Real Estate Committee recommends that the Board of Directors authorize the FMERA staff to terminate the RFOTP with respect to Howard Commons and return any remaining deposits with accrued interest and authorize the issuance of a new RFOTP.

#### Recommendation

In summary, I am requesting that the Board of Directors: (i) authorize FMERA staff to terminate the Offer to Purchase process with respect to Howard Commons in Fort Monmouth's Charles Wood Area without awarding a purchase contract and return any remaining deposits held by the



Authority with accrued interest to the bidders; and (ii) authorize the issuance of the new Request for Offers to Purchase Howard Commons consistent with the objectives outlined above.



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Bruce Steadman   
Executive Director

Attachments: Howard Commons map  
Prepared by: David E. Nuse



TOMMY COMMONS 40.38 AC

HOWARD COMMONS TOTAL 63.87 AC

**ADOPTED**  
**August 20, 2014**

Resolution Regarding  
**Consideration of Authorization for FMERA Staff to Enter into Exclusive Negotiations for a  
Purchase Agreement Pursuant to the Request for Offers to Purchase (RFOTP) for the  
Marina**

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

**WHEREAS**, on October 25, 2013, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for the Marina parcel with a response date of January 27, 2014; and

**WHEREAS**, the Marina is a 3.9 acre parcel located at Oceanport and Riverside Avenue in the Oceanport Reuse Area, consisting of a 71-slip marina and boat launch ramp on Oceanport Creek, a 2,600 square foot (sf) boat house, two administrative buildings, and associated off-street parking; and

**WHEREAS**, FMERA received two proposals for the Marina, and one proposal was conditioned on being accepted by February 17, 2014 and therefore expired and the deposit was returned; and

**WHEREAS**, AP Development Partners, LLC (APDP) was the only compliant proposal and the proposal includes the renovation and expansion of the existing boathouse and construction of a new 5,100 sf restaurant/banquet facility, while keeping the Marina’s boat slips accessible; and

**WHEREAS**, APDP proposes a capital investment of up to \$2,601,000 including land purchase; the proposed purchase price will make the Army whole, receiving approximately 60% of the proceeds, fulfill FMERA’s contribution to the Homeless Fund, pay the broker’s commission and leave FMERA with a small amount as Economic Development Conveyance income; and

**WHEREAS**, while staff was reviewing the Marina proposal, FMERA issued a Request for Proposals (RFP) for a marina operator on May 12, 2014 so as not to miss the 2014 boating season and received one proposal from APDP; and

**WHEREAS**, FMERA awarded the operator contract under delegated authority to APDP and the marina opened to boat traffic on June 28, 2014 while APDP continues to renovate the boathouse; and

**WHEREAS**, as provided in the Rules for the Sale of Real and Personal Property, FMERA staff has determined during the evaluation process that there is a high likelihood that

negotiating with APDP will lead to an acceptable sales contract between the parties, and, if exclusive negotiations are approved, APDP will make an additional deposit of 10% of the proposed purchase price that will be credited to APDP at closing; and

**WHEREAS**, the FMERA Real Estate Committee recommends that the Board of Directors authorize the FMERA Staff to enter into exclusive negotiations with APDP for a purchase agreement pursuant to the RFOTP for the Marina.

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Authority authorizes the FMERA Staff to enter into exclusive negotiations with APDP for a purchase agreement pursuant to the RFOTP for the Marina Parcel. The Executive Director or other staff authorized to execute documents pursuant to Operating Authority is authorized to do and perform all acts necessary to effectuate exclusive negotiations.

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: August 20, 2014**  
**ATTACHMENT**

**EXHIBIT 2**



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Bruce Steadman  
Executive Director

**RE:** Consideration of Authorization for FMERA Staff to Enter into Exclusive Negotiations for a Purchase Agreement Pursuant to the Request for Offers to Purchase (RFOTP) for the Marina

**DATE:** August 20, 2014

### Request

I am requesting that the Board of Directors authorize FMERA staff to enter into exclusive negotiations for a purchase agreement pursuant to the Request for Offers to Purchase (RFOTP) for the Marina, and in accordance with the Authority's Rules for the Sale of Real and Personal Property.

### Background

FMERA issued a Request for Offers to Purchase (RFOTP) in connection with the planned redevelopment of the Marina parcel on October 25, 2013. 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 Fort Monmouth Reuse and Redevelopment Plan (the Reuse Plan) envisions that the Marina be reused as a marina and restaurant. The property is a Phase One property in FMERA's June 25, 2012 Economic Development Conveyance Agreement with the Army. FMERA has not yet received title to the Marina.

Proposals for the Marina were due on January 27, 2014. FMERA received two proposals; one from AP Development Partners, LLC (APDP) and another from Mr. Mike Sikand. Mr. Sikand's proposal was conditioned on being accepted by February 17, 2014. Therefore, the proposal expired due to Mr. Sikand's terms and his deposit was returned. APDP was the only compliant proposal. After meeting with APDP, staff is recommending that FMERA enter into exclusive negotiations with APDP. As provided in the Sales Rules, FMERA staff has determined during the review process that there is a high likelihood that negotiating with APDP will lead to an acceptable sales contract between the parties.

APDP's proposal includes the renovation and expansion of the existing 2,600 sf boathouse and construction of a new 5,100 sf restaurant/banquet facility, while keeping the Marina's boat slips accessible for boats, canoes, kayaks, etc. APDP cites a proposed capital investment of up to \$2,601,000 including land purchase. The proposed purchase price is an amount that will make the Army whole, receiving approximately 60% of the proceeds, fulfill FMERA's contribution to the Homeless Fund, pay the broker's commission and leave FMERA with a small amount as Economic Development Conveyance income.

In addition, while staff was reviewing the Marina proposal, staff issued a Request for Proposals (RFP) for a marina operator on April 18, 2014, as not to miss the 2014 boating season. One proposal was received on May 12, 2014. The proposal was from APDP. Staff reviewed the proposal and awarded the operator contract under delegated authority to APDP. APDP opened the Marina to boat traffic on June 28, 2014 and has been renovating the boathouse, which was damaged by Superstorm Sandy. The boathouse is planned to be a year-round restaurant. Currently, APDP is undertaking these improvements at their risk.

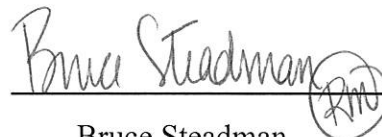
If this request is granted by the FMERA Board, APDP will make an additional deposit of 10% of the proposed purchase price that will be credited to APDP at closing. The negotiations will be exclusive in that FMERA will agree not to consider any other proposals and cease negotiations with any other parties for the purchase of the property and instead negotiate with APDP in good and reasonable faith for the purchase and sale of the Marina. APDP will agree in writing to terminate negotiations and discussions for the purchase of other competing property during the exclusive negotiating period. Both parties will agree to keep all negotiations confidential to the extent permissible under New Jersey law.

In addition to successfully completing negotiations, FMERA's execution of a contract to sell the Marina to APDP will be contingent upon final approval of the terms and conditions of sale by the FMERA Board at a future date, in the Board's sole and absolute discretion.

The Real Estate Committee recommends that the Board of Directors authorize the FMERA staff to enter into exclusive negotiations for a purchase agreement pursuant to the RFOTP for the Marina.

### **Recommendation**

In summary, I am requesting that the Board of Directors authorize FMERA staff to enter into exclusive negotiations for a purchase agreement pursuant to the Request for Offers to Purchase (RFOTP) for the Marina, and in accordance with the Authority's Rules for the Sale of Real and Personal Property.

A handwritten signature in cursive script that reads "Bruce Steadman". To the right of the signature is a circular stamp containing the initials "RHO". A horizontal line is drawn across the page below the signature.

Bruce Steadman  
Executive Director

Attachment: Parcel map  
Prepared by: Katie Hodes



**ADOPTED**  
**August 20, 2014**

Resolution Regarding  
**Approval to Extend the Exclusive Negotiating Period with Kiely Realty Group, LLC for  
Russel Hall**

**WHEREAS**, Russel Hall is a 6.5 acre parcel in the Fort's Main Post Area in Oceanport; and

**WHEREAS**, the Fort Monmouth Economic Revitalization Authority (FMERA) issued a Request for Offers to Purchase (RFOTP) in connection with the planned redevelopment of the Russel Hall parcel on September 6, 2013; and

**WHEREAS**, on November 7, 2013, FMERA received one proposal from the Kiely Realty Group, LLC (Kiely); and

**WHEREAS**, at the Authority's January 15, 2014 meeting, the Board authorized staff to enter into exclusive negotiations with Kiely, based on the recommendation of the evaluation committee; and

**WHEREAS**, by letter dated June 4, 2014, the Executive Director extended the exclusive negotiating period for an additional thirty days as permitted by the Authority's Sales Rules; and

**WHEREAS**, at the Authority's May 21, 2014 meeting, the Board authorized FMERA staff to execute a Lease in Furtherance of Conveyance (LIFOC) with the Army for Russel Hall and subsequently enter into a sublease with the Kiely Realty Group for Russel Hall, upon final terms acceptable to the Executive Director and the Attorney General's Office; and

**WHEREAS**, the Board authorized a sixty (60) day extension of the exclusive negotiating period at the Authority's June 18, 2014 meeting, which will conclude on or about September 4, 2014; and

**WHEREAS**, FMERA staff and Kiely have made significant progress toward the negotiation of a mutually acceptable Purchase and Sale Agreement (PSA) for Russel Hall, and staff believes that there is a likelihood that further negotiation will result in agreement over business terms; and

**WHEREAS**, the Real Estate Committee has reviewed and discussed extending the exclusive negotiating period and recommends approving the thirty (30) day extension to the full Board.



**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority authorizes a thirty (30) day extension of the exclusive negotiating period, as set forth in the attached memorandum, and authorizes the Executive Director to take all necessary actions to effectuate the extension.

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: August 20, 2014

**EXHIBIT 3**



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Bruce Steadman  
Executive Director

**RE:** Request to Extend the Exclusive Negotiating Period with Kiely Realty Group, LLC for Russel Hall

**DATE:** August 20, 2014

### Request

I am requesting that the Board of Directors authorize FMERA staff to extend the exclusive negotiating period by thirty (30) days with Kiely Realty Group, LLC (Kiely), in accordance with the Authority's Rules for the Sale of Real and Personal Property, for the purpose of negotiating a Purchase and Sale Agreement (PSA) for Russel Hall.

### Background

FMERA issued a Request for Offers to Purchase (RFOTP) in connection with the planned redevelopment of the Russel Hall parcel in Oceanport on September 6, 2013. The Russel Hall parcel is approximately 6.5 acres in size, and includes the former Army office building #286, known as Russel Hall, constructed in 1936, consisting of 42,300 square feet, and the accompanying paved and parking areas, and green space. The Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) calls for the reuse of the building as institutional office space by the Federal Emergency Management Agency. The RFOTP for Russel Hall allowed respondents to submit proposals to redevelop the property into office use, medical use or research use. Bidders were advised that FMERA is willing to undertake to amend the Reuse Plan to allow the property to be redeveloped for commercial office/medical/research use. The RFOTP was advertised in the Asbury Park Press and the Star Ledger, and posted to the FMERA, New Jersey Economic Development Authority (NJEDA) and New Jersey State Business Portal websites. The response date for offers to purchase Russel Hall was November 7, 2013, 62 days after the issuance of the RFOTP. Also, the property is located within the Fort Monmouth National Register Historic District and redevelopment is restricted accordingly.

FMERA received a proposal from one firm: Kiely Realty Group, LLC (Kiely), of Long Branch, New Jersey. Kiely's proposal, as submitted, was compliant with the RFOTP and proposes a commercial office use instead of an institutional office use; so, an amendment to the Reuse Plan will be needed to complete the sale. The Kiely proposal was distributed to three evaluators, who scored the proposal independently, according to criteria and weightings contained in the RFOTP and the Authority's Sales Rules.

Because only one proposal was received, the evaluators reviewed the Kiely proposal for compliance with the Reuse Plan in all aspects other than the institutional office vs. commercial office issue mentioned above. The evaluators agreed that the Kiely proposal was compliant with the Reuse Plan in all other aspects, and recommended to FMERA staff that we proceed to exclusive negotiations.

At the Authority's January 15, 2014 meeting, the Board authorized staff to enter into exclusive negotiations with Kiely. Pursuant to the Sale Rules, Kiely made an additional deposit of 10% of the proposed purchase price to be credited to Kiely at closing and executed a letter agreement confirming that the forty-five day exclusive negotiations period commenced on April 22, 2014. As provided under the Sale Rules, the negotiations are exclusive in that FMERA agrees not to consider any other proposals and cease negotiations with any other parties for the purchase of the property and instead negotiate with Kiely in good and reasonable faith for the purchase and sale of Russel Hall. Kiely agrees to terminate negotiations and discussions for the purchase of other competing property during the exclusive negotiating period. Both parties agree to keep all negotiations confidential to the extent permissible under New Jersey law. By letter dated June 4, 2014, the Executive Director extended the exclusive negotiating period for an additional thirty days, as permitted by the Sale Rules.

Additionally, at the May 21, 2014 meeting of the Authority, the Board authorized FMERA staff to: (i) execute a Lease in Furtherance of Conveyance with the Army for Russel Hall; and (ii) enter into a sublease with the Kiely Realty Group for Russel Hall, all upon final terms acceptable to the Executive Director and the Attorney General's Office. The sublease will enable Kiely to apply for site plan and other approvals from the Borough of Oceanport, and to obtain financing and building permits in advance of closing. FMERA has entered into a lease with the Army for Russel Hall and has forwarded a sublease to Kiely for signature. At the June 18, 2014 meeting of the Authority the Board authorized a sixty (60) day extension of the exclusive negotiating period. The conclusion of the sixty (60) day extension will be on or about September 4, 2014. FMERA staff and Kiely have made significant progress toward the negotiation of a mutually acceptable PSA for Russel Hall, and staff believes that there is a likelihood that further negotiation will result in agreement over business terms. Consequently, staff is requesting an additional 30-day extension of the exclusive negotiating period.

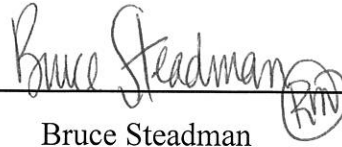
In addition to successfully completing negotiations, FMERA's execution of a contract to sell the Russel Hall property to Kiely will be contingent upon final approval of the terms and conditions of sale by the FMERA Board at a future date, in the Board's sole and absolute discretion, and FMERA's execution of a Phase 2 Economic Development Conveyance Agreement with the Army.

The Real Estate Committee recommends that the Board of Directors authorize the FMERA staff to extend the exclusive negotiating period with Kiely for an additional thirty (30) days.

### **Recommendation**

In summary, I am requesting that the Board of Directors authorize FMERA staff extend the exclusive negotiating period with Kiely for an additional thirty (30) days for the purpose of

finalizing a purchase agreement pursuant to the Request for Offers to Purchase for Russel Hall,  
and in accordance with the Authority's Rules for the Sale of Real and Personal Property.

A handwritten signature in cursive script that reads "Bruce Steadman". To the right of the signature is a circular stamp containing the initials "RIN". A horizontal line is drawn across the page, passing through the signature and the stamp.

Bruce Steadman  
Executive Director

Prepared by: Katie Hodes

**ADOPTED**  
**August 20, 2014**

Resolution Regarding  
**Approval to Make the Parcel F-1 Available through the Offer to Purchase Process**

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

**WHEREAS**, section 9(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 with 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**, Parcel F-1 is approximately a 38 acre parcel in the Tinton Falls area of the former Fort; and

**WHEREAS**, the parcel includes Building 2700, the 673,000 sf Myer Center, and Building 2705, the 47,000 sf former Night Vision Lab, both of which are slated to be renovated for office, data center and/or research & development uses in the Fort Monmouth Reuse and Redevelopment Plan (“Reuse Plan”);and

**WHEREAS**, this parcel is a Phase One property in FMERA’s 2012 Economic Development Conveyance Agreement with the Army, and FMERA took ownership of Parcel F-1 from the Army by deed dated May 29, 2014; and

**WHEREAS**, FMERA staff has received significant interest in the site for redevelopment purposes due to the parcel’s excellent location directly adjacent to the CommVault project, which increases its redevelopment potential for technology uses, due to the planned improvements to the Parkway’s Exit 105 interchange and the new Parkway exit ramp at Wayside Road; additionally, a potential purchaser has expressed interest in the property for an alternative use that would require demolition of the structures; and

**WHEREAS**, Authority staff recommends proceeding with the Request for Offer to Purchase (RFOTP) process for the F-1 Parcel in Tinton Falls; and

**WHEREAS**, the Real Estate Committee has reviewed and discussed making the F-1 Parcel 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 F-1 in Tinton Falls 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: August 20, 2014

**EXHIBIT 4**



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Bruce Steadman  
Executive Director

**RE:** Making Available Parcel F-1 in the Charles Wood Area through the Offer to Purchase Process

**DATE:** August 20, 2014

### Request

I am requesting that the Board of Directors authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make Parcel F-1 in Fort Monmouth's Charles Wood Area available through the offer to purchase process, in accordance with FMERA's approved sales rules.

### Background

The Tinton Falls Reuse Area contains several prominent buildings, including Building 2700, the 673,000 sf Myer Center, and Building 2705, the 47,000 sf former Night Vision Lab, both of which are slated to be renovated for office, data center and/or research & development uses in the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan). These facilities, along with their support buildings and parking fields, cover 38 acres of Parcel F (see parcel map attached). Known as Parcel F-1, this 38 acre tract is a Phase One property in FMERA's June 25, 2012 Economic Development Conveyance Agreement with the Army. FMERA took ownership of Parcel F-1 from the Army by deed dated May 29, 2014.

While FMERA staff has encountered limited interest in the buildings due to their size and age, we have received significant interest in the site for redevelopment purposes due to the parcel's excellent location adjacent to the Garden State Parkway and the nearly-completed CommVault project. Consequently, staff proposes to offer Parcel F-1 for sale through the Offer to Purchase process.

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, 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

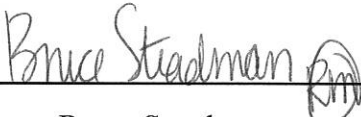
enhance the economic value to FMERA or Fort Monmouth. After the RFOTP is issued and offers are received and negotiated, the Director and FMERA staff shall present a recommendation to the Board to accept an offer, to terminate negotiations regarding offers, or to take other appropriate action.

Authority staff recommends proceeding with the offer to purchase process for Parcel F-1 rather than sealed bids. This recommendation is based on several factors. First, the property's location directly adjacent to the CommVault project increases its redevelopment potential for technology uses, as called for in the Reuse Plan. Second, the planned improvements to the Parkway's Exit 105 interchange, and the new Parkway exit ramp at Wayside Road, will enhance vehicular access to the site, broadening the range of potential uses. Third, a potential purchaser has expressed interest in the property for an alternative use that would require demolition of the structures. Staff believes the RFOTP process may allow greater flexibility for selecting the scenario that would maximize the value and economic impact of Parcel F-1 to FMERA and the Army, and that negotiation with respondents may be necessary to ensure that FMERA's objectives are met, and that the value of the property, and adjacent tracts, are maximized.

The Real Estate Committee recommends that the Board of Directors authorize FMERA staff to make Parcel F-1 available through the offer to purchase process.

Recommendation

In summary, I am requesting that the Board of Directors authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make Parcel F-1 in Fort Monmouth's Charles Wood Area available through the offer to purchase process, in accordance with FMERA's approved sales rules.

  
\_\_\_\_\_  
Bruce Steadman  
Executive Director

Attachment: Proposed Parcel Map  
Prepared by: David E. Nuse





Guam Lane

Corregidor Road

Radrac Way

Hellport Drive

Satellite Road

38 AC

STATE PKWY

Mesa Road

Baldwin Road

**ADOPTED**  
**August 20, 2014**

Resolution Regarding  
**Approval to Make the Squier Complex, the Chapel, Building 555 and Building 552**  
**Available through the Offer to Purchase Process**

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

**WHEREAS**, section 9(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 with 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 Squier Complex includes Buildings 283, 288, 291, 292, 293, 295, and 296, with a total of 153,835 sf, on a 28 acre parcel in the Oceanport Reuse Area, and is slated for office, research & development or educational use in the Fort Monmouth Reuse and Redevelopment Plan (“Reuse Plan”), with the exception of Building 288 that is targeted for demolition and replacement with a new Monmouth County Shelter; and

**WHEREAS**, the County has opted to build its new shelter at a location off the Fort, so Building 288 is now available for an alternate use; and

**WHEREAS**, the former Chapel, Building 500, is a 16,372 square foot structure containing a 600 seat sanctuary along with administrative and classroom areas on 5 acres located across Sherrill Avenue from the Squier Complex, and is envisioned to remain a chapel in the Reuse Plan; and

**WHEREAS**, the Authority approved the issuance of an RFOTP for the Chapel at the December 2013 meeting, and of the two proposals received, one was deemed not compliant and the other was withdrawn by the proposer, making the property available to be re-offered; and

**WHEREAS**, Building 555 is a semi-permanent administrative and general purpose building and Building 552 is a semi-permanent recreation center, both targeted for demolition in the Reuse Plan, to be replaced by office or high tech industry uses; and

**WHEREAS**, these parcels are Phase Two sub-parcels covered by FMERA’s June 17, 2014 Deal Points letter with the Army and FMERA anticipates closing with the Army on the

Phase 2 properties by the first quarter of 2015; and

**WHEREAS**, Authority staff recommends proceeding with the Request for Offer to Purchase (RFOTP) process for the Squier Complex with the Chapel as an optional component, Building 555, and Building 552 in Oceanport; and

**WHEREAS**, FMERA staff has received specific interest in the Squier Complex for redevelopment purposes for educational use and Building 552 for redevelopment purposes and potential reuse as a small entertainment or recreational use catering to the various uses in development near the site; and

**WHEREAS**, as several of the buildings in the Squier Complex are potential tear-downs, staff believes the RFOTP process may allow greater flexibility for selecting the scenario that would maximize the value and economic impact of the Squier Complex, and Building 500 (the former Chapel) may complement a future educational use at the Squier Complex; and

**WHEREAS**, offering Buildings 555 and 552 with the same proposal due date as the Squier Complex and the Chapel provide the opportunity for a comprehensive redevelopment of the property that potentially incorporates some or all of the parcels, and the RFOTP process will facilitate FMERA's ability to coordinate the terms and timing of FMERA's sale of all buildings with the acquisition of the parcels from the Army; and

**WHEREAS**, changing the use of the Building 288 lot from the envisioned County homeless shelter to office or education use will require an amendment to the Reuse Plan; and

**WHEREAS**, the Real Estate Committee has reviewed and discussed making the Squier Complex, the Chapel, Buildings 555 and 552 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 Squier Complex, the Chapel, Building 555 and Building 552 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: August 20, 2014

**EXHIBIT 5**



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Bruce Steadman  
Executive Director

**RE:** Making Available the Squier Complex on the Main Post through  
the Offer to Purchase Process

**DATE:** August 20, 2014

### Request

I am requesting that the Board of Directors authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make Squier Hall and its adjacent property (the Squier Complex) along with the Chapel, Building 555 and Building 552 in Fort Monmouth's Oceanport Reuse Area available through the offer to purchase process, in accordance with FMERA's approved sales rules.

### Background

Squier Hall, also known as Building 283, is a two-story, 76,538 sf administration building located on Sherrill Avenue on the Main Post. Constructed in 1935, the building is eligible for the National Register of Historic Places and is slated for office, research & development or educational use in the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan). Squier Hall is part of a complex of seven buildings (283, 288, 291, 292, 293, 295 and 296) totaling 153,835 sf and covering approximately 28 acres. Building 288 is reserved for a county homeless shelter in the Reuse Plan. However, only Squier and two of the other buildings, 291 and 295, are likely candidates for retention. These three buildings total 97,544 sf.

The Squier Complex includes Building 288, which the Reuse Plan targets to be demolished and replaced with a new Monmouth County homeless shelter. The County, however, has opted to build its new shelter at a location off the Fort, so Building 288 is now available for an alternate use. Staff proposes to include Building 288 within the Squier Complex, and devote the lot to office or educational use, which will require an amendment to the Reuse Plan.

The Squier Complex, the Chapel, Building 555 and Building 552 are Phase 2 sub-parcels covered by FMERA's June 17, 2014 Deal Points letter with the Army. We anticipate executing an Economic Development Conveyance Agreement and closing with the Army on the Phase 2 properties by the 1<sup>st</sup> Quarter of 2015.

FMERA staff has received specific interest in the Squier Complex for educational use. Consequently, staff proposes to offer the Squier Complex for sale through the Offer to Purchase process.

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, 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. After the RFOTP is issued and offers are received and negotiated, the Director and FMERA staff shall present a recommendation to the Board to accept an offer, to terminate negotiations regarding offers, or to take other appropriate action.

Authority staff recommends proceeding with the offer to purchase process for the Squier Complex rather than sealed bids. This recommendation is based on several factors. First, a potential purchaser has expressed interest to FMERA staff in acquiring and renovating the property for educational use. Second, as several of the buildings are potential tear-downs, staff believes the RFOTP process may allow greater flexibility for selecting the scenario that would maximize the value and economic impact of the Squier Complex to FMERA and the Army. Accordingly, staff believes that negotiation with respondents may be necessary to ensure that FMERA's objectives are met, and that the value of the property, and adjacent tracts, are maximized.

Staff also proposes to include an additional property located across Sherrill Avenue, Building 500, along with an adjacent parking area, as an optional component of the RFOTP for the Squier Complex. Staff believes that Building 500 may complement a future educational use at the Squier Complex. Building 500 is the former Chapel, a 16,372 sf structure containing a 600 seat sanctuary along with administrative and classroom areas on 5 acres. The Reuse Plan envisions that the Chapel would maintain the same use when purchased. FMERA's Land Use Rules state that the parcel is located within the proposed Green Tech Campus. That area is zoned for office/research and development (R&D) uses, with additional civic/institutional buildings, within a campus-like setting. The Board approved the issuance of an RFOTP for the Chapel at the December 2013 meeting. Of the two proposals received, one was deemed non-compliant, as it failed to offer the stated minimum bid, and the other was withdrawn by the proposer, making the property available to be re-offered.

Staff also proposes to offer Buildings 555 and 552 for sale through the Offer to Purchase process. Building 555 is a circa 1941 semi-permanent administrative and general purpose building targeted for demolition in the Reuse Plan, to be replaced by office or high tech industry uses. Running along Sherrill Avenue from Malterer to Irwin Avenue, Building 555 and its parking field encompass approximately 3.5 acres. Authority staff recommends proceeding with the offer to purchase process for Building 555 rather than sealed bids. First, offering Building

555 with the same proposal due date as the Squier Complex and the Chapel provide the opportunity for a comprehensive redevelopment of the property that potentially incorporates two or all three parcels. Second, the RFOTP process will facilitate FMERA's ability to coordinate the terms and timing of FMERA's sale of Building 555, as well as the Squier Complex and the Chapel, with our acquisition of the Phase 2 parcels from the Army.

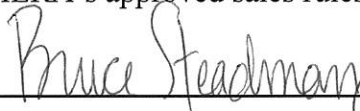
Building 552 is a circa 1941 semi-permanent 16,420 sf recreation center also targeted for demolition in the Reuse Plan, to be redeveloped in conjunction with the existing park to the south for office or high tech industry uses and a relocated park. Located next to Building 555, Building 552, its parking area and the adjacent small park encompass approximately 4.2 acres. Authority staff recommends proceeding with the offer to purchase process for Building 552 rather than sealed bids. FMERA staff has received specific interest in this building for potential reuse as a small entertainment or recreation center catering to the various uses in development around this site. Staff believes, similar to Building 555, offering this building at the same time as the Squier Complex, the Chapel and Building 555 would provide for the comprehensive redevelopment of the property, and the RFOTP process will facilitate FMERA's ability to coordinate the terms and timing of FMERA's sale of Building 552 with the acquisition of the Phase 2 parcels from the Army.

Depending on the future use of Buildings 555 and 552, a plan amendment may be necessary. Currently, this area is included in the Green Industry Campus in the Oceanport Reuse Area, and these buildings are slated for demolition. That area is also zoned for office/research and development (R&D) uses, with additional civic/institutional buildings, including a small park, within a campus-like setting.

The Real Estate Committee recommends that the Board of Directors authorize FMERA staff make the Squier Complex along with the Chapel and Buildings 555 and 552 available through the offer to purchase process.

Recommendation

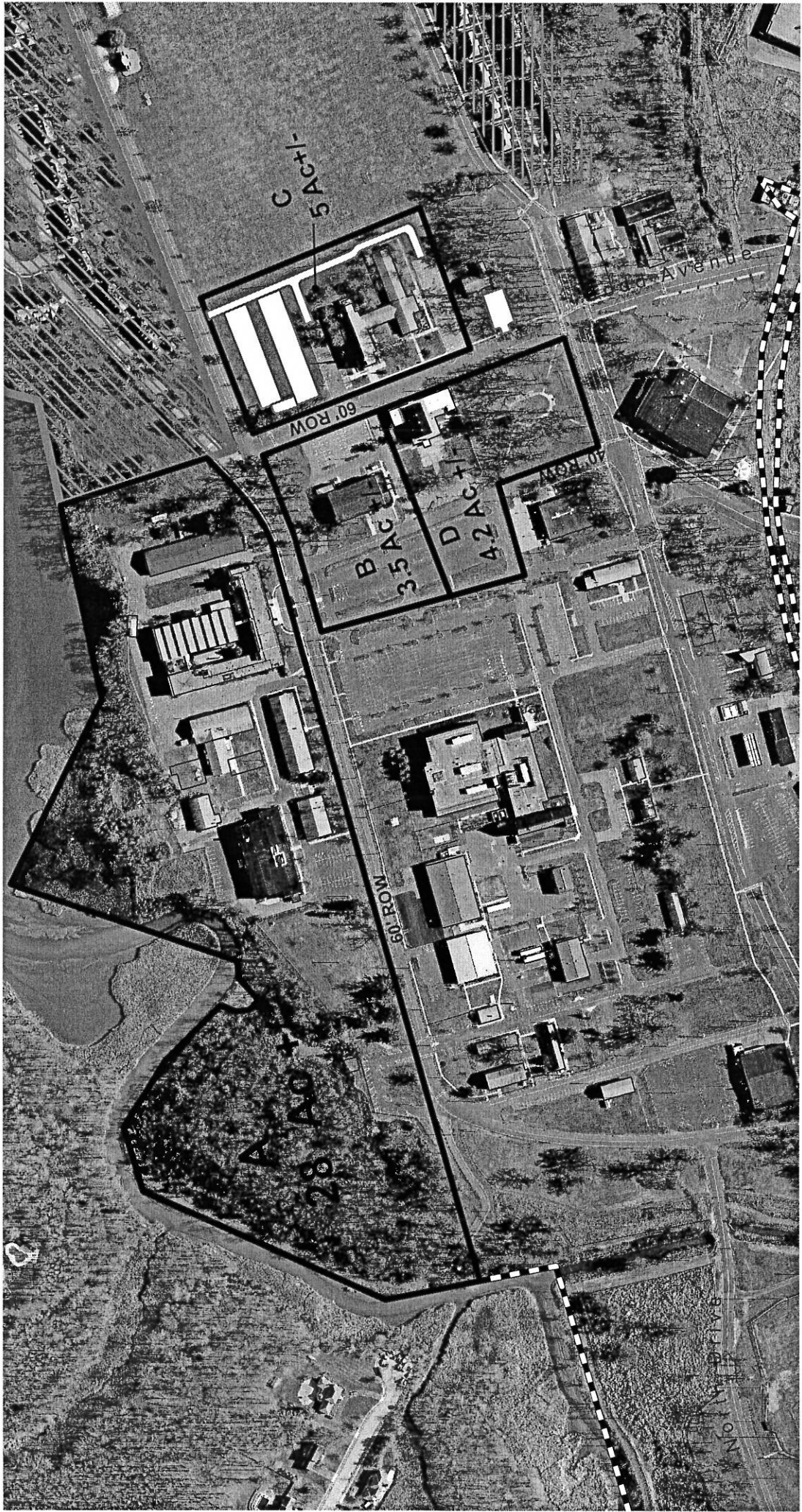
In summary, I am requesting that the Board of Directors authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make the Squier Complex along with the Chapel, Building 555 and Building 552 in Fort Monmouth's Oceanport Reuse Area available through the offer to purchase process, in accordance with FMERA's approved sales rules.

  
\_\_\_\_\_  
Bruce Steadman

Executive Director



Attachment: Proposed Parcel Map  
Prepared by: David E. Nuse



C 5 AC

60' ROW

B 35 AC

D 42 AC

60' ROW

60' ROW

A 80 AC

N. ... Drive

Alameda Avenue

2



**ADOPTED**  
**August 20, 2014**

Resolution Regarding  
**Reimbursement to the Borough of Tinton Falls for Infrastructure Improvements**

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

**WHEREAS**, on July 10, 2014 the Borough of Tinton Falls conducted a public bid opening in conformance with the Local Public Contracts Law to make road improvements throughout the Borough including Corregidor Road and Pearl Harbor Road on the former Fort property; and

**WHEREAS**, Lucas Construction Group, Inc., was the low bidder and was awarded the contract to perform all work depicted on the Plans for the 2014 Road Improvement Program, dated May 27, 2014; and

**WHEREAS**, the Tinton Falls Borough Engineer will oversee the entire contract, including inspections and payments to the contractor for the Borough, including all associated work on the former Fort property under the contract; and

**WHEREAS**, FMERA staff will review the work and invoicing for work on the former Fort property and all work will be at prevailing wages, as required by law; and

**WHEREAS**, FMERA’s requested reimbursement to the Borough is anticipated not to exceed \$143,923.50, including 20% contingency, for the sanitary sewer and potable water disconnect components and for the additional storm drainage improvements at the intersection of Corregidor/Guam, and this reimbursement is an allowable use of Economic Development Conveyance (EDC) funds under the Phase 1 EDC Agreement and the expenditure was included in the Authority’s 2014 EDC Budget; and

**WHEREAS**, the Real Estate Committee recommends that the Board of Directors authorize the reimbursement to the Borough for infrastructure improvements associated with the sanitary sewer, storm sewer and potable water disconnections;

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Authority authorizes the FMERA staff to approve the reimbursement to the Borough of Tinton Falls in the amount not to exceed \$143,923.50 for infrastructure improvements associated with the sanitary sewer, storm sewer and potable water disconnections. The Executive Director or other staff authorized to execute documents pursuant to Operating Authority is authorized to do and perform all acts necessary to effectuate this action.

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: August 20, 2014

**EXHIBIT 6**



MEMORANDUM

**TO:** Members of the Authority

**FROM:** Bruce Steadman  
Executive Director

**RE:** Reimbursement to Borough of Tinton Falls for infrastructure improvements on former Fort Property

**DATE:** August 20, 2014

Summary

I am requesting the Board of Directors approve the reimbursement to the Borough of Tinton Falls for infrastructure improvements associated with the sanitary sewer, storm sewer and potable water disconnections in the Charles Wood Area of the former Fort Property. This work is associated with the road improvement contract along Corregidor Road and Pearl Harbor Road and the intersection of Corregidor Road and Guam Lane. Sanitary Sewer improvements will also be made from the Fabrication Shop area to Guam Lane within the Charles Wood Area of the former Fort Property.

Background

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

On July 10, 2014, the Borough of Tinton Falls conducted a public bid opening in conformance with the Local Public Contracts Law to make road improvements throughout the Borough of Tinton Falls including Corregidor Road and Pearl Harbor Road on the former Fort Property also known as the Charles Wood Area. Lucas Construction Group Inc. was the low bidder and awarded the contract to perform all work depicted on the Plans for the 2014 Road Improvement Program, Borough of Tinton Falls, Monmouth County, NJ, dated May 27, 2014, prepared by David M. Marks, PE, Borough Engineer. The Tinton Falls Borough Engineer will oversee the entire contract including inspections and payments to the contractor for the Borough including all associated work on the former Fort property under the contract. FMERA staff will review the work and invoicing for work on the former Fort property under this contract. Drainage improvements to the intersection of Corregidor Road and Guam Lane were added to the statement of work. All work will be at prevailing wages as required by law. The reimbursement to the Borough will be based on final field measured quantities and made upon FMERA staff's review of the Borough's reimbursement request and the final inspection report

from the Borough Engineer. FMERA's requested reimbursement to the Borough of Tinton Falls is anticipated not to exceed \$128,323.50 (\$106,936.25 bid price plus 20% contingency) for the sanitary sewer and potable water disconnect components of the 2014 Road Improvement Program-Tinton Falls Contract and \$15,600.00 (\$13,000 plus \$2,600 contingency) for the additional storm drainage improvements at the intersection of Corregidor/Guam, total not to exceed \$143,923.50. FMERA's reimbursement to Tinton Falls for this infrastructure project is an allowable use of Economic Development Conveyance (EDC) funds under the Phase 1 EDC agreement and the expenditure was included in the Authority's 2014 EDC Budget.

The Real Estate Committee recommends that the Board of Directors authorize the reimbursement to the Borough of Tinton Falls in the amount not to exceed \$143,923.50 for infrastructure improvements associated with the sanitary sewer, storm sewer and potable water disconnections.

Recommendation

In summary, I am requesting the Board of Directors approve a reimbursement to the Borough of Tinton Falls in the amount not to exceed \$143,923.50 for infrastructure improvements associated with the sanitary sewer, storm sewer and potable water disconnections within the Charles Wood section of the former fort property.

  
Bruce Steadman

Prepared by: Tony Poklasny and Beverlee Akerblom