



TO: Members of the Board

FROM: Bruce Steadman
Executive Director and Secretary

DATE: October 15, 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. Kloof, 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 to Extend the Exclusive Negotiations Period for a Purchase Agreement Pursuant to the RFOTP for Russel Hall
- Consideration of Approval to Make Parcel F-3 Available through the Offer to Purchase Process

Board Action will NOT be taken on the following:

- Consideration of Approval to Make the Child Development Center in the Charles Wood Area through the Offer to Purchase Process

12. **Other Items**

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

- Responses to questions submitted online or in writing

14. **Adjournment**

Fort Monmouth Economic Revitalization Authority
Board Meeting
September 17, 2014
FMERA Offices, 502 Brewer Avenue, Oceanport, NJ

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
- Michael Collins, Assistant Counsel, Authorities Unit, Office of the Governor – V
- John Tobia, Monmouth County Director of Public Works and Engineering – V
- Gerald Tarantolo, Mayor of Eatontown – V
- Gerald Turning, Mayor of Tinton Falls – V
- Michael Mahon, Mayor of Oceanport – V
- Tim Lizura, President and COO, NJ Economic Development Authority (NJEDA) – V
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)
- John Raue, Senior Policy Advisor to the Commissioner, NJ Department of Labor & Workforce Development (DOL)
- Gina Fischetti, Chief Counsel, Local Planning Services, NJ Department of Community Affairs (DCA)
- Jonathan Lowy, Regional Manager, Government and Community Relations, NJ Transit (NJT)

V - Denotes Voting Member

Members Not Present

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 7:00p.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 August 20th meeting minutes. A motion was made to approve the minutes by Robert Ades and seconded by Gerald Tarantolo.

Motion to Approve: ROBERT ADES Second: GERALD TARANTOLO
AYes: 6

Michael Collins abstained from voting stating he was not at the August meeting.
Mayor Mahon abstained from voting stating he was not at the August meeting.

III. WELCOME

Chairman James V. Gorman welcomed attendees to the meeting. Mr. Gorman stated that the meeting marked FMERA's fourth anniversary and commencement of its operations to restore economic vitality to the communities affected by the closing of Fort Monmouth. Mr. Gorman stated that Fort Monmouth is located within the boroughs of Eatontown, Oceanport and Tinton Falls. Mr. Gorman stated that at the Annual meeting, there are Board Actions which occur once a year. 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.

Mr. Gorman stated that there were seven Board Actions, the first three of which are required at the Annual meeting, the Election of Vice-Chairperson of the Authority; the Consideration of Approval of Organizational Matters; and the Consideration of Approval of Staff Advisory Committee Membership Criteria. The Board would also consider four additional Board Actions: Consideration of Approval to make Parcel F-2 available through the Offer to Purchase process; Consideration of Approval to extend the Exclusive Negotiations period for a Purchase Agreement Pursuant to the RFOTP for Parcels C & C1; Consideration of Approval of Leases with the Army and Subleases with the Oceanport Police Department of the Main Post Firehouse, and Consideration of Approval to Convey Corregidor Road and Pearl Harbor Avenue to the Borough of Tinton Falls.

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

John Tobia arrived at 7:06.

IV. SECRETARY'S REPORT

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

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

Mr. Steadman stated that Executive Sessions minutes were reviewed and no Executive Session minutes will be released.

V. TREASURER'S REPORT

Bruce Steadman, on behalf of Beverlee Akerblom, stated FMERA staff has initiated the 2015 FMERA budget process, including the development of the Economic Development Conveyance (EDC) budget which will take into account the carrying costs of the parcels transferred to the Authority's control by Army. The EDC budget component will include projections of revenue to be generated from the operation, lease and/or sale of Fort property, as well as the related qualifying expenses in the 12 allowable EDC expense categories. The costs associated with the operation of the Authority's office continue to be funded through grants administered by the Office of Economic Adjustment. The draft 2015 FMERA budget will be forwarded to the Audit Committee for its review. The FMERA 2015 Budget is scheduled to be brought before the Board for its consideration and approval at the December Board Meeting. FMERA is finalizing the 2014 Financial and Operational Summary for the second quarter assessing the performance against the 2014 organization goals. FMERA staff will present the financial and operational summary report for the 2nd quarter to the Audit Committee at their next meeting.

VI. PUBLIC COMMENT REGARDING BOARD ACTION ITEMS

Tom Mahedy of Wall Township asserted that the Board should not have re-elected Chairman Gorman as a public member as he is not representing the public, but rather represents big business and insurance interests. Mr. Mahedy asserted that Chairman Gorman should not be a member of the Audit Committee. Mr. Mahedy asserted that there is no public oversight on the Real Estate Committee. Mr. Mahedy asserted that there are no published minutes from the lengthy Real Estate Committee meetings. Mr. Mahedy asserted that there is no public participation on the Staff Advisory Committees. Mr. Mahedy asserted that the New Jersey State Police barracks are contaminated. Mr. Mahedy asserted that there is a cover up regarding the contamination at the Myer Center and the Marina. Mr. Mahedy asked if OPRA Records Custodian, Mr. Marcus Saldutti and Ethics Liaison Officer, Mr. Fred Cole were present at the meeting.

Bruce Steadman answered Mr. Mahedy's question stating that Mr. Saldutti and Mr. Cole were not present at the meeting.

Mayor Tarantolo questioned the process for the upcoming auctions. Mr. Steadman responded that Mr. Harrison would be reporting on the auctions during the Executive Director's report.

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) which is currently being drafted by Army General Counsel with input from FMERA BRAC Counsel. FMERA Staff met with James Briggs, Acting Branch Chief Army Chief of Staff Installation Management, and Tom Lederle, Chief Army BRAC Office, at the FMERA office on September 5 to discuss progress and a path forward. The Phase 2 EDC application submitted by FMERA staff on July 1, 2014, is currently under review by the Army. Our goal is to have an executed Phase 2 MOA with the Army by year end.
- Suneagles Golf Course
Atlantic Golf Management, the golf course operator has the 2015 membership drive underway and reports a good response to date. Course improvements are underway with tree removal starting next week and tee box and greens improvements scheduled to be started by the end of September.
- Marina
The marina operator reports that it has been a good season for marina operations and the rental business. The restaurant and bar construction has been expanded to include more dining area seating and other amenities which has pushed back the opening. The structure is now completely enclosed and the plumbing and electrical service has been completed. They are planning for a partial opening in early October and a full opening sometime soon thereafter.
- Professional Planner RFP
The RFP for a professional planning consultant was issued September 5th with proposals due October 6th. Six firms attended the pre-proposal conference on September 16th.
- Auctioneer
The Auctioneers Group has been advertising the first round of auctions which will start on September 29th. Three auction events are currently scheduled starting at the FBI Building with a two day inspection period on the 29th and 30th with the auction starting 11a.m. on October 1st. Flyers were available at the sign-in table this evening and an announcement is posted on the FMERA website. This is considered to be a large lot

auction. Single item auctions that would be of interest to the general public, looking for individual items or memorabilia, will be held sometime in the future.

- Property Maintenance/Management

FMERA's property maintenance/management contractor, Chenega Operations Services, started on September 2. To date we are very pleased with their work and our dealings with them on all fronts.

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

In Tinton Falls, there are currently 4 parcels either in or approved for Exclusive Negotiations. They include:

- Parcel C, a mixed use town center project, and Parcel C1, consisting of 45 single family homes, both to be developed by Lennar Corporation;
- The Fabrication Shops, 45,000 sf of light industrial and flex space, where FMERA is in negotiations with Pinebrook Commerce Center LLC; and
- The Pistol Range, where the Board has selected Kiely Realty LLC as purchaser.
- An RFOTP is currently posted on our website for the Satellite Drive parcel, a 1.5 acre building lot zoned for office, research or institutional use. The RFOTP response date is October 17th.
- FMERA received Board approval at our August meeting to issue an RFOTP for Parcel F-1, a 38-acre site that includes the Myer Center and Building 2705.
- FMERA will be asking our Board to authorize an RFOTP for Parcel F-2, a 15-acre site proposed for Veterans Housing, at tonight's meeting.

In Eatontown, FMERA plans to issue three RFOTPs within the next 30 days:

- Suneagles Golf Course, which includes a 10-acre area zoned for construction of a new hotel/conference center;
- An expanded Parcel B, the mixed-use town center parcel fronting Route 35, which will call for up to 250,000 sf of retail space and 302 housing units;
- Re-issuance of the Howard Commons site on Pinebrook Road, zoned for 275 townhouses and up to 15,000 sf of retail space.

In Oceanport, FMERA is in Exclusive Negotiations on 2 parcels:

- The Officer Housing parcel, consisting of 117 historic housing units, where RPM Development has been selected as redeveloper;
- Russel Hall, the 40,000 sf former Garrison Headquarters building, with Kiely Realty, LLC.
- FMERA has initiated negotiations with the proposers on two other properties, the Fitness Center and the Marina.
- Staff received authorization in August to issue several additional RFOTPs for properties in Oceanport, including:
 - Squier Hall and its support buildings, zoned for office or educational use;
 - the Main Post Chapel;
 - Building 555, located across Sherrill Avenue from Squier Hall, which is projected for tear-down and replacement with a technology or office use;
 - Building 552, the 16,000 sf former recreation center across the street from the Chapel.

Please visit our website, www.fortmonmouthredevelopment.com, for more information and to obtain copies of our RFOTPs.

Katie Hodes, Marketing Officer, stated that FMERA is working with our marketing consultant, Weblinx, Inc., on the refinement of the FMERA brand and the redesign of our website. FMERA holds weekly conference calls with Weblinx and hope to launch our newly designed website by year's end.

In addition, FMERA is working with the Monmouth Ocean Development Council (MODC) on their October 17, 2014 event to be held at Gibbs Hall. The program will highlight Monmouth County's extensive history with technology and research and development, while addressing FMERA's effort to attract technology companies to

Fort Monmouth. FMERA is also working with the Greater Long Branch Rotary Club on their event to be held at Gibbs Hall on October 22, 2014. The Rotary Club's program will focus on the progress of the Fort's redevelopment to date as well as the future of the Fort.

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.

Jonathan Lowy arrived at 7:26.

VIII. COMMITTEE REPORTS

a) AUDIT COMMITTEE (ROBERT ADES, CHAIRMAN):

Robert Ades stated that the Committee did not meet this month and is scheduled to meet on October 6th.

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

Chairman Gorman stated that the Committee met on September 9th and discussed the following:

- Discussion regarding Parcel F-2 in Tinton Falls for a Veterans project. The Committee reached a consensus and agreed to recommend to the Board approval to make Parcel F-2 available through the offer to purchase process.
- Discussion regarding conveying Corregidor Road and Pearl Harbor Avenue to Tinton Falls. The Committee reached a consensus and agreed to recommend to the Board approval to convey the roads to Tinton Falls.
- Discussion regarding a lease from the Army to FMERA and a sublease from FMERA to the Oceanport Police Department as a temporary Police Headquarters for one year with the option to extend the lease for an additional six months. The Committee reached a consensus and agreed to recommend to the Board to enter into a sublease with the Oceanport Police Department. Mayor Mahon abstained from voting stating that he would be the signer of the lease to the Oceanport Police Department.
- Discussion regarding extending the exclusive negotiations period with Lennar for Parcels C & C1 for an additional 60 days. Discussion regarding FMERA adding deadlines and timelines to the negotiations. The Committee reached a consensus and agreed to recommend approval of the request to extend the exclusive negotiations period for an additional 60 days.
- Update on Russel Hall
- Update on Teen Center and Pool
- Update on Howard Commons
- Update on Marketing Events
- Update on Current & Upcoming RFOTPs
- Update on Broker Marketing

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

Kenneth J. Kloo stated that the Committee met on September 8th and discussed the following:

- Presentation on the use of environmental insurance for risk management by Bob Hallenbeck, Senior Vice President at XL Insurance. Overview of Mr. Hallenbeck's background with environmental insurance policies on former military installations across the country, as well as a brief history of environmental insurance in general. Mr. Hallenbeck explained how environmental insurance could mitigate FMERA's exposure if any and be used as a marketing tool to encourage redevelopment. He noted that a developer, local redevelopment agency (LRA) or municipality could be covered from potential exposure due to exacerbation of a known condition during remediation or an unknown condition that develops during demolition or construction. He noted a basic insurance policy covers remediation costs, bodily or property injury or harm, and legal defense costs. Mr. Hallenbeck answered

several questions posed by the members of the Committee including pricing and policy structures, transferability, regulatory reopener provisions, claims process and the Army's continuing responsibility.

- Update on RFOTPs that have been modified to include additional parcels.
- Update regarding ongoing discussions with FMERA's planning consultant, PPG, on open space across the Fort. PPG will provide a summary of inconsistencies in definitions and accounting for open space at a future date in order to create a more accurate inventory and reuse plan.
- Municipal committee members expressed interest in participating in the process to ensure their municipalities' interests were considered. The Monmouth County Representative noted that the County is undergoing a review of its Master Plan and would appreciate information on the updated open space inventory.

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

Robert Ades stated that the Committee met on August 26th and discussed the following:

- Presentation by RPM Development Group regarding the Officer Housing and the upgrades that need be done on the interiors of the units. Discussion of the Historic District and the Programmatic Agreement.
- Discussion regarding the preparation of Historic District Guidelines that FMERA's planner Phillips Priess Grygiel (PPG) is drafting. The guidelines will be distributed to the Committee and PPG will be present at an upcoming meeting to get input from the Committee.
- Discussion on Russel Hall and the discussions with Kiely Realty Group.

e) HOUSING STAFF ADVISORY COMMITTEE (GINA FISCHETTI - CHAIRWOMAN):

Bruce Steadman, on behalf of Gina Fischetti, stated that the Committee met on August 14th and discussed the following:

- Discussion regarding Officer Housing and the anticipated construction schedule by RPM Development. RPM will begin construction on the South section first.
- Discussion regarding permanent supportive housing as it relates to Tinton Falls and Eatontown.
- Discussion regarding Parcels C & C1 and the new preliminary concept site plan. FMERA is currently in exclusive negotiations with Lennar. Borough of Tinton Falls is being consulted regarding the preliminary concept site plan.
- Discussion regarding upcoming RFOTPs including: Squier Complex, Parcel B, Suneagles Golf Course, Howard Commons, Parcel F, and Parcel F-3.

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

John Tobia, on behalf of Lillian Burry, stated that the Committee did not meet this month. Mr. Tobia stated that Freeholder Burry is pleased that FMERA has revived their commitment to the Veteran's project and thanked Tinton Falls for the cooperation and support.

Mayor Turning stated that on behalf of Tinton Falls, it is an honor to support the Veterans.

Mayor Tarantolo noted for the record his own support of the Veteran's project, and his personal commitment to see it completed.

IX. BOARD ACTIONS

A) The first item before the Board the Election of Vice-Chairperson of the Authority.

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

A Yes 8

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

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

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

Motion to Approve: GERALD TARANTOLO Second: TIM LIZURA

AYes 9

B) The third item before the Board was the consideration of approval of Staff Advisory Committee Membership Criteria

Candice Valente read the resolution which is attached hereto and marked Exhibit 3.

A motion was made to approve by Robert Ades and was seconded by Gerald Tarantolo.

Motion to Approve: ROBERT ADES Second: GERALD TARANTOLO

AYes 9

C) The fourth item before the Board was the consideration of approval to make Parcel F-2 available through the Offer to Purchase Process.

Candice Valente read the resolution which is attached hereto and marked Exhibit 4.

A motion was made to approve by John Tobia and was seconded by Robert Ades.

Mayor Turning stated that Tinton Falls involvement in the Veterans project is the very least Tinton Falls can do to honor Veterans. Mr. Turning stated that Tinton Falls Borough Council President Gary Baldwin, a Veteran, is ecstatic for the project to be a part of Tinton Falls.

Mayor Turning further stated that the Board should recognize Lillian Burry for spearheading the project.

Mayor Tarantolo concurred with Mayor Turning regarding a Veterans project at the Fort. Mr. Tarantolo stated that while he supported the project in Eatontown, he understands the subtleties of why the project was moved to Tinton Falls.

Motion to Approve: JOHN TOBIA Second: ROBERT ADES

AYes 9

D) The fifth item before the Board was the consideration of approval to extend the Exclusive Negotiations period for the Purchase Agreement Pursuant to the RFOTP for Parcels C & C1.

Candice Valente read the resolution which is attached hereto and marked Exhibit 5.

A motion was made to approve by Robert Ades and was seconded by Gerald Tarantolo

Motion to Approve: ROBERT ADES Second: GERALD TARANTOLO

AYes 9

E) The sixth item before the Board was the consideration of approval of a Lease with the Army and a Sublease with the Oceanport Police Department for the Main Post Firehouse.

Candice Valente read the resolution which is attached hereto and marked Exhibit 6.

A motion was made to approve by Gerald Tarantolo and was seconded by Robert Lucky.

Motion to Approve: GERALD TARANTOLO Second: ROBERT LUCKY
AYes 8

Mayor Mahon abstained from voting stating that he would be the signer of the lease to the Oceanport Police Department.

F) The seventh item before the Board was the consideration of Approval to convey Corregidor Road and Pearl Harbor Avenue to the Borough of Tinton Falls.

Candice Valente read the resolution which is attached hereto and marked Exhibit 6.

A motion was made to approve by Gerald Tarantolo and was seconded by Michael Mahon.

John Tobia commended Tinton Falls for moving the project forward.

Mayor Turning thanked the four entities for getting together to improve the roads.

Motion to Approve: GERALD TARANTOLO Second: MICHAEL MAHON
AYes 8

Mayor Turning abstained from voting stating that he would be the signer of the agreement.

X. OTHER ITEMS

There were no other items before the Board.

XI. PUBLIC COMMENT REGARDING ANY FMERA BUSINESS

Bob English of Eatontown asked about the makeup of the Real Estate Committee and can a Mayor of a host town be temporarily added to the Committee when the Committee is reviewing issues affecting that Mayor's particular town.

Mr. English asked if/when the RFOTP for the golf course/hotel conference center is issued, will the developers that wish to submit an alternative proposal also be required to submit a proposal for a hotel/conference center. Mr. English asked if there is any current active interest from any developers in building a hotel/conference center on the property.

Mr. English asked if the Army and FMERA are in acceptance of the concept of seeking an entity to undertake and pay for the Howard Commons demolition as soon as possible with the idea being that the entity would be reimbursed for the full cost of the demolition from the sales proceeds of the property.

Mr. English asked if FMERA has contacted the State of New Jersey regarding the State funding the cost of the Howard Commons demolition with the idea that the State would be reimbursed by the Army/FMERA after the property was sold. If so, what were the results of the request.

Mr. English asked if FMERA has contacted the County of Monmouth regarding the County funding the cost of the Howard Commons demolition with the idea of the County being reimbursed by the Army/FMERA after the property is sold. If so what were the results of the request.

Mr. English asked what the is effect of the prevailing wage requirement on the redevelopment of the Fort.

Mr. Mahedy of Wall Township asserted that the auctions are a scam. Mr. Mahedy asserted that the auctioneers were picked without going through proper RFP process. Mr. Mahedy asserted that the auctions are being held on a weekday so the public cannot attend. Mr. Mahedy asserted that a letter from Lillian Burry states that they want the Monmouth County and NJ taxpayers pay for the purchase of the toxic land on the Fort. Mr. Mahedy asserted that a lot of the land on the Fort is toxic and contaminated and should not be sold. Mr. Mahedy stated that the entire base should be solar. Mr. Mahedy stated that the ESAC states that they cannot talk about capping but the public will hear about it after the cover up has taken place.

Bruce Steadman answered Mr. English by stating that the Chairman appoints the Real Estate Committee members annually. There are four members of the committee to stay below the quorum. To use a revolving seat would negatively impact the continuity of the group decision making, such that one person of the Committee would continually have to be updated on the logic and strategy used by the other members of any decisions made, resulting in lost time and reduced effectiveness. The Committee does not make decisions, but makes recommendations to the Board who makes the final decisions. For important decisions, staff asks for input from the various municipalities prior to the Real Estate Committee meetings, so the Committee has the benefit of each municipality's perspective if/as appropriate.

Dave Nuse answered Mr. English by stating that the golf course RFOTP will be scored first based on the Reuse Plan conference hotel concept. Proposers will be allowed to offer an alternative commercial use which would be scored secondarily. To date, there has been moderate interest by developers for a conference hotel, but other commercial uses also have been discussed.

Rich Harrison answered Mr. English by stating that FMERA fully understands the Borough's interest in razing Howard Commons sooner than later. Potential safety and security concerns have prompted FMERA to allocate resources to investigating and implementing landscaping, fencing, lighting and security cameras, to the extent practicable. The Army may not participate in the improvement of the property, according to BRAC law. Because Army and FMERA will split the proceeds from the eventual sale, there is a somewhat complex process that must be followed so that Army can show it did not participate in the improvement of the property if the demolition is performed prior to closing. There are several steps in that process, including the Borough's obtaining demolition estimates, and FMERA's obtaining a new appraisal and RFOTP proposals. Once complete, FMERA will reassess with the Borough and Army the viability of the early demolition.

Bruce Steadman stated that FMERA is a State Authority charged with the redevelopment of the former Fort Monmouth and does not have the funds available for the demolition prior to closing. Mr. Steadman stated that FMERA and the County are actively working on a financing plan for FMERA to purchase the Phase 2 EDC property from the Army. Such a financing plan does not contain a contingency for borrowing money to demolish the Hoard Commons buildings.

Mr. Steadman answered Mr. English's question regarding the prevailing wage requirement by the developers by stating that there has been minimal effect. Mr. Steadman stated that the developers are aware of the State's prevailing wage requirements which are called out in FMERA's RFOTPs.

Mr. Steadman stated that Mr. Mahedy's assertion that Lillian Burry's comment regarding the County purchasing contaminated land is incorrect. Mr. Steadman stated that FMERA is not receiving free money from the County but is borrowing the money to pay the Army. Mr. Steadman stated that it was a long process for FMERA to hire an auctioneer that would participate in a way that was responsible to the Army and the public. Mr. Steadman stated that The Auctioneers Group has done a remarkable job in preparing for the auctions. Mr. Steadman stated

that the capping plan is a work in progress and there are many questions that are unresolved and when the information is finalized, it will be made available.

There being no further business, on a motion by Gerald Tarantolo seconded by Michael Mahon and unanimously approved by all voting members present, the meeting was adjourned at 8:31 p.m.

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

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

Bruce Steadman –Secretary

ADOPTED
September 17, 2014

Resolution Regarding the
**Appointment of Three Directors of the Fort Monmouth Office to be Assistant Secretaries,
Reaffirmation of OPRA Records Custodian and Ethics Liaison, and Approval of
October 2014 – September 2015 Meeting Dates**

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

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

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the designation of the Director of Real Estate Development, Director of Facilities Planning and the Director of Finance and Administration as Assistant Secretaries.
2. The Authority affirms the appointment of Marcus Saldutti as OPRA Records Custodian and the appointment of Fred Cole as Ethics Liaison Officer.
3. The Authority approves the October 2014 – September 2015 Meeting Dates attached hereto.
4. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT
Dated: September 17, 2014

EXHIBIT 1

ADOPTED
September 17, 2014

Resolution Regarding
Staff Advisory Committee Membership Criteria

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

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

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

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

WHEREAS, FMERA staff developed SAC membership criteria in 2012, which helped to standardize and focus experience and expertise requirements for prospective SAC members; and

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

THEREFORE, BE IT RESOLVED THAT:

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

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

ATTACHMENT

Dated: September 17, 2014

EXHIBIT 2

ADOPTED
September 17, 2014

Resolution Regarding
Approval to Make the Parcel F-2 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-2 is an approximately 15 acre parcel in the Tinton Falls area of the former Fort; and

WHEREAS, the parcel includes Building 2704, a 6,226 sf former testing lab, and Building 2719, a 9,022 sf office and vehicle maintenance shop which was home to the Army’s Explosive Ordnance Division, both of which are slated to be demolished 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-2 from the Army by deed dated May 29, 2014; and

WHEREAS, the Board authorized FMERA staff to terminate the Request for Offers to Purchase (RFOTP) process for Parcel V-1, a 10-acre parcel in Eatontown put out for proposals to establish a veterans community; and

WHEREAS, the Board, FMERA staff and Veterans Staff Advisory Committee remain committed to establishing a veterans community on the former Fort; and

WHEREAS, FMERA staff recommends proceeding with the offer to purchase process for a veterans community on Parcel F-2, as there continues to be specific interest in the project, and recommends including a minimum bid; and

WHEREAS, the Reuse Plan envisions this parcel as open space, and therefore its

use for a veteran's community project will require a Reuse Plan amendment; and

WHEREAS, the Real Estate Committee has reviewed and discussed making the F-2 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-2 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: September 17, 2014

EXHIBIT 3

ADOPTED
September 17, 2014

Resolution Regarding
Approval to Extend the Exclusive Negotiating Period with Lennar Corporation for Parcels
C and C1

WHEREAS, on March 26, 2013, the Fort Monmouth Economic Revitalization Authority (FMERA) issued and publicly advertised a Request for Offers to Purchase (RFOTP) for Parcel C with a response date of June 10, 2013, and a RFOTP for Parcel C1 with a response date of June 10, 2013, 77 days after the issuance of the RFOTPs, in connection with the planned redevelopment of Parcels C and C1 in Tinton Falls; and

WHEREAS, Parcel C is a 39-acre lot that formerly contained enlisted family housing and currently contains one building, the former Post Chapel, built in 1942 and slated for demolition; and

WHEREAS, Parcel C1 is a 12-acre tract located in the Tinton Falls Reuse Area, containing three buildings, which are slated for demolition; and

WHEREAS, Lennar Corporation (Lennar) received the highest score for their proposal for Parcel C and the highest score for their proposal for Parcel C1, and Lennar also submitted the highest price proposals for both Parcel C and C1; and

WHEREAS, at the Authority's April 23, 2014 meeting, the Board authorized staff to enter into exclusive negotiations with Lennar, based on the recommendation of the evaluation committee; and

WHEREAS, by letter dated August 22, 2014, the Executive Director extended the exclusive negotiating period for an additional thirty days as permitted by the Authority's Sales Rules; and

WHEREAS, FMERA staff and Lennar have made significant progress toward the negotiation of a mutually acceptable Purchase and Sale Agreement (PSA) for Parcels C and C1, 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 sixty (60) day extension to the full Board.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority authorizes a sixty (60) 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: September 17, 2014

EXHIBIT 4

ADOPTED
September 17, 2014

Resolution Regarding
**Consideration of Authorization for FMERA Staff to Execute Leases with the Army for the
Oceanport Firehouse and Enter into Sublease with the Oceanport Police Department**

WHEREAS, the former Main Post Fire House is a 6,089 square foot, two-story facility constructed in 1935, with associated parking covering approximately 0.62 acres in the Oceanport Reuse Area's historic district; and

WHEREAS, the Oceanport Police Department (OPD) has been housed in temporary trailers since Superstorm Sandy struck and severely damaged the OPD offices; and

WHEREAS, FMERA staff has proposed that the Army lease the Main Post Fire House to FMERA for a term of one year, with an option for an additional six month extension at the discretion of FMERA; and

WHEREAS, a sublease of the property to OPD will allow for renovations and the occupation of the Fire House on an interim basis while the Borough arranges for a permanent location, and renovation costs will be offset by Federal Emergency Management Agency assistance; and

WHEREAS, the sublease will be consistent with the lease from the Army, and will not commit FMERA to any renewals beyond the stated term, nor will it commit FMERA to dispose of the property upon sublease expiration to the Borough or any other party; and

WHEREAS, the Borough will insure the property for liability, fire and extended coverage and indemnify and hold FMERA harmless against all claims, and the consideration for the sublease is the operation and maintenance of the property by the Borough, including all utility costs; and

WHEREAS, the Army issued a Draft Finding of Suitability to Lease for the property in August 2014 and the Authority will lease the property through the Army's standard form of short-term lease and sublease the property to the Borough using FMERA's standard form of sublease, with final terms subject to the approval of the Executive Director and the Attorney General's Office; and

WHEREAS, the Real Estate Committee recommends that the Board of Directors authorize the FMERA Staff to enter into the lease and sublease of the Main Post Fire House.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Authority authorizes the FMERA Staff to execute a lease with the Army for the Main Post Fire House and

to enter into a sublease with the Oceanport Police Department, subject to review by the Attorney General's Office.

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: September 17, 2014

EXHIBIT 5

ADOPTED
September 17, 2014

Resolution Regarding
Conveyance of Corregidor Road and Pearl Harbor Avenue to the Borough of Tinton Falls

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

WHEREAS, the Borough of Tinton Falls is currently undertaking a contract for significant road improvements to both Corregidor Road and Pearl Harbor Avenue in fulfillment of a redevelopment agreement with the Authority, the Borough, CommVault and Monmouth County; and

WHEREAS, site access for the Borough’s work on Authority property was provided via a Deed of Easement and Right of Way agreement; and

WHEREAS, the road improvements are expected to be completed in the month of October and will coincide with CommVault’s plans to move into its new facility in the same month; and

WHEREAS, FMERA will convey the roads in exchange for the Borough’s agreement to dedicate Corregidor Road and Pearl Harbor Avenue for public use, to maintain the roads and fire hydrant service along them, and to provide street lighting; and

WHEREAS, in May 2014, the Army conveyed the Charles Wood area, including these roads, to FMERA by Quitclaim Deed and FMERA will convey Corregidor Road and Pearl Harbor Avenue to the Borough by a Quitclaim Deed, and conveyance will be contingent on the Borough completing road improvements to the Authority’s satisfaction; and

WHEREAS, title will be conveyed subject to easements for public utilities that have been installed within the roadways and the Deed of Easement area to provide service to current property owners and future purchasers and developers of property; and

WHEREAS, the Real Estate Committee recommends that the Board of Directors approve the conveyance of Corregidor Road and Pearl Harbor Avenue to the Borough;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Authority approves the conveyance to the Borough of Tinton Falls of Corregidor Road and Pearl Harbor Avenue. 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: September 17, 2014

EXHIBIT 6



MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: October 15, 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. 2015 Budget Overview

The budget process for 2015 is underway, including the development of the Economic Development Conveyance budget which will take into account the carrying costs of the parcels transferred to the Authority. The EDC budget component will include projections of revenue to be generated from the operation, lease and/or sale of Fort property, as well as the related qualifying expenses in the 12 allowable economic development conveyance expense categories. The costs associated with the operation of the Authority's office continue to be funded through grants administered by the Office of Economic Adjustment. The draft 2015 FMERA budget will 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.

2. Third Quarter 2014 Financial and Operational Summary

FMERA staff is finalizing the 2014 Financial and Operational Summary for the third quarter assessing the performance against the 2014 organization goals. FMERA staff will present the financial and operational summary report for the 3rd quarter to the Audit Committee at their next 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 seek approval from the Board to execute the Phase 2 MOA with the Army by November 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

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. At the January 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. HovWest has exercised its right under the Purchase and Sale Agreement to withdraw from the project. At the August 2014 meeting of the Authority, the Board approved the termination of the RFOTP process and the issuance of a new RFOTP for Howard Commons, in accordance with the Authority's Sales Rules. HovWest noted that

higher than expected groundwater 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 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, and extended the exclusive negotiations term at the September meeting.

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.

Parcels V-1 and F-2

Parcel V-1 was a 10-acre tract in the Eatontown section of the former Fort which was 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. At its September meeting, the Authority approved the issuance of a new RFOTP for a veterans project in the Tinton Falls Reuse Area, on a 15-acre site to be known as Parcel F-2.

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 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. At the August meeting of the Authority, the Board approved an extension to the exclusive negotiations term for an additional thirty (30) days. At tonight's meeting, FMERA staff will recommend extending the exclusive negotiations period with Kiely for an additional forty-five (45) days.

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. The parties are currently engaged in exclusive negotiations.

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 at the August 2014 meeting of the Authority, the Board approved entering into exclusive negotiations with the one compliant proposer, AP Development Partners, LLC (APDP). FMERA staff released a Request for Proposals (RFP) for a Marina Operator in the interim, and received one proposal from APDP. The operator opened the marina for boat traffic on June 28, 2014 and for refreshments on the July 4th 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 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 20th, 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 10,000 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. Subsequently, the one proposer has retracted their proposal. FMERA staff will issue a second RFOTP according to the Authority's Sales Rules.

Fitness Center

On March 14th, 2014 an RFOTP was issued for the Fitness Center in the Oceanport Reuse Area of the Fort. 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 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 14th, 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 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.

Satellite Road Parcel 1

On August 14, 2014, an RFOTP was issued for a 1.5 acre parcel in the Tinton Falls area of the Fort, bordering Satellite Road and Fire Line Drive. The property is in the Tinton Falls Tech/Office Campus and permitted uses include office/research, institutional/civic and open space/recreation. Proposals are due on October 17, 2014.

Upcoming RFOTPs

FMERA plans on issuing additional RFOTPs over the next few months, including: the Suneagles Golf Course, Howard Commons and Parcel B, in Eatontown; Parcels F-1, including the Myer Center, and F-2 in Tinton Falls; and the Squier Hall Complex, former Dance Hall and Main Post Chapel in Oceanport.

3. Marketing Update

We continue to work with our marketing consultant, Weblinx, Inc., on the refinement of the FMERA brand and the redesign of our website. We hold weekly conference calls with Weblinx and hope to launch our newly designed website by year's end.

On October 3, 2014 Princeton Autonomous Vehicle Engineering (PAVE) hosted an inaugural meeting on the Fort; PAVE is interested in establishing a world-class facility for autonomous vehicle research on Fort Monmouth. The meeting drew approximately 60 attendees which included Tony Kuczinski, President and CEO, Munich Re America, representatives from BMW, regional and national transportation associations, Choose New Jersey and elected officials. Also, on October 3rd, FMERA staff attended the Asbury Agile conference in Asbury Park. The event drew 100+ attendees from established technology companies and start-ups. One of FMERA's objectives is to create a tech cluster on Fort Monmouth.

In addition, FMERA is working with the Monmouth Ocean Development Council (MODC) on their October 17, 2014 event to be held at Gibbs Hall. The program will highlight Monmouth County's extensive history with technology and research and development, while addressing the future of tech in the County and on Fort Monmouth. FMERA is also working with the Greater Long Branch Rotary Club on their October 22, 2014 event. The Rotary Club's program will focus on the progress of the Fort's redevelopment to date as well as the future of the Fort.

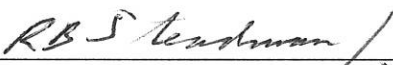
We continue to work with Cushman & Wakefield (Cushman), the Authority's Master Broker, to market the Fort property. FMERA and Cushman conduct, on average, a half a dozen tours per week. The level of interest in the Fort property remains high.

Please refer to our website, 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 *DN*

Prepared by: Candice Valente

**ADOPTED
October 15, 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 2014 meeting, which concluded on September 4, 2014, and an additional thirty (30) day extension at the Authority's August 2014 meeting, which concluded on or about October 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 forty-five (45) day extension to the full Board.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority authorizes a forty-five (45) 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: October 15, 2014

EXHIBIT 1



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: October 15, 2014

Request

I am requesting that the Board of Directors authorize FMERA staff to extend the exclusive negotiating period by forty-five (45) 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, a helipad, 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, which was further extended by thirty (30) days at the August meeting. The thirty day extension concluded on October 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 final agreement over business terms. Further, we anticipate that conditions affecting the future operation of the heliport will come into better focus within the next month. Consequently, staff is requesting an additional forty-five (45) day extension of the exclusive negotiating period, through November 18, 2014.

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.

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 forty-five (45) days.

Recommendation

In summary, I am requesting that the Board of Directors authorize FMERA staff to extend the exclusive negotiating period with Kiely for an additional forty-five (45) 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.



Bruce Steadman
Executive Director

Prepared by: David E. Nuse

**ADOPTED
October 15, 2014**

Resolution Regarding
Approval to Make Parcel F-3 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-3 is an approximately 3.5 acre parcel, fronting along Hope Road in the Tinton Falls Reuse Area, and includes Building 2567, a 1,335 square foot former convenience store and two islands housing fuel dispensing pumps; and

WHEREAS, the parcel was envisioned for reuse as a gas station and retail location 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 all of Parcel F-3 from the Army by deed dated May 29, 2014, except for an environmental carve-out located underneath and around the fuel dispensing pumps, which will be joined together with the deed for the balance of the Parcel once the Army has remediated the carved-out property; and

WHEREAS, FMERA staff recommends proceeding with the offer to purchase process for Parcel F-3 and including a minimum bid price in the Request for Offers to Purchase (“RFOTP”) because staff has received specific interest in the parcel and the property’s location along Hope Road, adjacent to the Monmouth County Recreational Center and near the new CommVault headquarters, increases its redevelopment potential, and including a minimum bid will ensure proposed bids meet a certain threshold; and

WHEREAS, the Real Estate Committee has reviewed and discussed making Parcel F-3 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-3 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: October 15, 2014

EXHIBIT 2



MEMORANDUM

TO: Members of the Authority

FROM: Bruce Steadman
Executive Director

RE: Making Available Parcel F-3 in the Charles Wood Area through the Offer to Purchase Process

DATE: October 15, 2014

Request

I am requesting that the Board authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make Parcel F-3 in Fort Monmouth's Charles Wood Area available through the offer to purchase process, in accordance with FMERA's approved sales rules.

Background

Parcel F-3 is an approximately 3.5-acre parcel, fronting along Hope Road in the Tinton Falls portion of the former Fort. It is bounded by Laboratory Road to the south, Corregidor Road to the north, and the County's Fort Monmouth Recreation Center and pool to the west. Building 2567, a 1,335 sf former shopette (convenience store), and two islands housing fuel dispensing pumps, are located on the Parcel.

The Fort Monmouth Reuse and Redevelopment Plan (the Reuse Plan) envisions that the parcel will be used as a gas station and retail location. The Parcel is located in the Charles Wood Area and is a Phase 1 property. FMERA received the deed for the Phase 1 property on May 29, 2014. A portion of Parcel F-3 was deeded to FMERA, however there is an environmental carve-out located underneath and around the fuel dispensing pumps. FMERA expects to receive a deed for the carve-out of the parcel once the Army has remediated the property. The deed for the remediated property will be joined together with the deed for the balance of Parcel F-3 that FMERA currently holds.

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-3 rather than sealed bids. This recommendation is based on the fact that there is specific interest in the parcel and that staff believes that the issuance of a Request for Offer to Purchase (RFOTP) will result in a successful outcome with an interested party. Additionally, the property's location along Hope Road, adjacent to the Monmouth County Recreation Center and the new CommVault headquarters, increases its redevelopment potential. Staff also recommends including a minimum bid price in the RFOTP which will ensure that proposed bids meet a certain threshold. The RFOTP process will create the best opportunity to negotiate a deal that best achieves FMERA's objective of redeveloping Parcel F-3, is well received by the host municipality, assures that redevelopment is as compatible as possible with the County's use of the Recreation Center and pool and realizes the highest sale proceeds for the Army and FMERA.

The Real Estate Committee recommends that the Board authorize FMERA staff to make Parcel F-3 available through the offer to purchase process.

Recommendation

In summary, I am requesting that the Board authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to make Parcel F-3 in Fort Monmouth's Charles Wood Area available through the offer to purchase process, in accordance with FMERA's approved sales rules.



Bruce Steadman

Attachment: Proposed Parcel Map
Prepared by: Katie Hodes

