

Fort Monmouth Economic Revitalization Authority  
Board Meeting  
December 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
- Michael Collins, 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
- Michael Mahon, Mayor of Oceanport – V
- Tim Lizura, President and COO, NJ Economic Development Authority (NJEDA) – V
- John Raue, Senior Policy Advisor to the Commissioner, NJ Department of Labor & Workforce Development (DOL)
- Jonathan Lowy, Regional Manager, Government and Community Relations, NJ Transit (NJT)

**V - Denotes Voting Member**

**Members Not Present**

- Dr. Robert Lucky, Public Member – V
- Gina Fischetti, Chief Counsel, Local Planning Services, NJ Department of Community Affairs (DCA)
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)

**Also present:**

- Bruce Steadman, Executive Director, FMERA
- Gabriel Chacon, Deputy Attorney General (DAG)
- Edward Pillsbury, Deputy Attorney General (DAG) – (via phone)
- FMERA staff

II.

The meeting was called to order by Chairman James V. Gorman at 7:02p.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 November 12<sup>th</sup> meeting minutes. A motion was made to approve the minutes by Lillian Burry and seconded by Gerald Turning.

Motion to Approve: LILLIAN BURRY Second: GERALD TURNING  
AYes: 7

Mayor Tarantolo abstained from voting stating that he was not at the November meeting.

### 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's public comment protocol established at the February Board meeting will continue to be followed.

Mr. Gorman stated that tonight's meeting would be the last for Mayor Tarantolo of Eatontown. Mr. Gorman thanked Mayor Tarantolo on behalf of the Board and the Authority for his years of service to the community and his assistance with the difficult closure of Fort Monmouth and the adverse impacts related to the closure. Mr. Gorman thanked Mayor Tarantolo for his advice, counsel, ideas for economic improvement, and public mindedness in addressing the many problems which have arisen during our efforts to take the economic impacts handed to us via Base Closure and Realignment Commission (BRAC). Mr. Gorman gave best wishes to Mayor Tarantolo in his future endeavors and thanked him for his service.

Freeholder Burry stated that she has been a Board member with Mayor Tarantolo from the very beginning of FMERPA. Ms. Burry stated that he will be missed terribly, and that it was a pleasure working with him.

Tim Lizura stated that it has been a pleasure to hear Mayor Tarantolo's insightful comments that were always well thought out, and it has been an honor to have served with him.

Mayor Mahon stated that he has had the pleasure of working with Mayor Tarantolo since 2008, not only as a Board member but also as a member of the Two Rivers Council of Mayors of which Mayor Tarantolo served as the Chairman. Mayor Mahon stated that the Council is important in that it collaborates with 14 communities. Mayor Mahon stated that there have been many achievements on the Council and on the FMERA Board that Mayor Tarantolo helped with, and Mayor Mahon thanked Mayor Tarantolo for his service.

Mayor Turning stated that it has been an honor and a privilege to know Mayor Tarantolo. Mayor Turning stated that Mayor Tarantolo gives a historic perspective which no one can replace. Mayor Turning stated that the knowledge that Mayor Tarantolo has given to other Board members is invaluable. Mayor Turning stated that he will miss him and wished Mayor Tarantolo and his family well.

Mayor Tarantolo stated that he was very moved by all the comments and recognition. Mayor Tarantolo stated that he was very comfortable and confident with the Board in place, and is looking forward to the redevelopment efforts.

Mr. Gorman stated that there were four Board Actions: Consideration of Approval of FMERA's 2015 Budget and Authorization of FMERA's Executive Director to submit Grant Requests to the Office of Economic Adjustment (OEA) as necessary; Consideration of Approval to Terminate the Offer to Purchase Process for Russel Hall and Approval to issue a new Request for Offers to Purchase (RFOTIP) for Russel Hall; Consideration of Approval to extend the Exclusive Negotiations period for a Purchase Agreement Pursuant to the RFOTIP for Officer Housing and; Consideration of Approval to make the Child Development Center available through the Offer to Purchase Process.

The Chairman went on to state that there will be two public comment periods at the meeting based on the public meeting protocol. The Chairman reiterated his request for the public's cooperation in keeping comments as brief as possible. 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 DAG Gabriel Chacon must recues himself regarding the Board Action to extend the Exclusive Negotiations period for a Purchase Agreement pursuant to the RFOTP for Officer Housing.

#### V. TREASURER'S REPORT

Bruce Steadman, on behalf of Beverlee Akerblom, stated that FMERA presented the 2015 FMERA budget to the Audit Committee at their December meeting. Based on their review, the Audit Committee recommended that the 2015 Consolidated Budget be submitted to the Authority at tonight's meeting. Mr. Steadman gave an overview of the budget highlights:

- Favorable budget variance is projected for the Authority's fiscal year 2014.
- 2014 Grant revenue lower than budgeted as operating expenses were lower than projected.
- EDC expenses are under budget for 2014 due to the slower than projected transfer of the Phase 1 property

Mayor Mahon asked what the Interest on Bonds Payable line item included. Dave Nuse explained that it represents interest only on bonds or notes issued to fund FMERA's purchase of the Phase 2 property from the Army. The figure is for approximately a half year of interest, assuming the bonds or notes would be sold in mid-2015. The current plan is to structure the financing as interest-only for 2015 and 2016, with principal payments starting in 2017.

#### VI. PUBLIC COMMENT REGARDING BOARD ACTION ITEMS [3 minutes re: Agenda Items]

Richard Clark of Eatontown asked if there are plans to develop a 55 and over community. Mr. Clark asked if the residential development will affect the tax rate if additional schools need to be built.

Tom Mahedy of Wall Township asserted that Bruce Steadman should take a pay cut because he does not answer his questions. Mr. Mahedy asserted that the NJEDA is stealing money from citizens to give corporations tax breaks and gifts. Mr. Mahedy asked if Kiely Realty Group is no longer involved with Russel Hall will they be permitted to be involved with other properties on the Fort. Mr. Mahedy asserted that there is organized crime involved in the redevelopment. Mr. Mahedy stated that he is in favor of the Child Development Center which should be used for public use and not go to a corporation. Mr. Mahedy gave best wishes to Mayor Tarantolo. Mr. Mahedy stated that Eatontown has been treated very badly by not allowing Wampum Lake to be cleaned up.

Dave Nuse answered Richard Clark by stating that FMERA has had interest from developers for 55 and over communities. Mr. Nuse stated that FMERA staff has no objection to such a community but at present there are no properties on the Fort that are aged targeted. Mr. Nuse stated that the goal is for each project to pay full taxes, and that the impact of projects on the municipalities and their school districts is taken into account in evaluating proposals.

Mr. Steadman stated that when a project is identified as viable, FMERA does meet with the borough representatives to discuss the ramifications of the projects and how best the projects can be modified to benefit the community without minimal impact.

Mr. Steadman answered Mr. Mahedy by stating that he does answer all his questions but not his accusations which have been discussed at many previous meetings. Mr. Steadman stated that he does not know if the Kiely Realty Group will submit proposals for future projects. Mr. Steadman refuted and resented Mr. Mahedy's assertions regarding organized crime, and stated that such unfounded accusations harm the integrity of the Board and FMERA staff. Mr. Steadman stated that the NJEDA programs are available to many businesses within the State to retain employees, and they are used to attract new business to the State.

Mr. Steadman noted that he emailed answers to Mr. Mahedy's questions from the last Board meeting. This email was sent to Mr. Mahedy on November 17<sup>th</sup>.

Jonathan Lowy arrived at 7:25p.m.

## 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 including weekly Tuesday morning conference calls with all involved Army organizations, since 2012 on the future transfer of the balance of the Main Post, to be accomplished under a Phase 2 Memorandum of Agreement (MOA). After receiving support from the Board for the proposed terms negotiated by FMERA staff and Army representatives for the Authority's acquisition of the balance of the Main Post, staff submitted the Phase 2 Economic Development Conveyance application on July 1, 2014, and it is currently under review by the Army. A draft MOA is currently under review by staff and the Army. FMERA's goal is to review a draft with the Board in January and to seek approval from the Board to execute the Phase 2 MOA with the Army in February 2015 and to execute in March.

### Update on RFPs and Contracts

The following is a summary of the status of RFPs and Contracts that FMERA has issued:

### Auctioneer

FMERA has held five auction events on October 1<sup>st</sup>, 15<sup>th</sup>, and 29<sup>th</sup>, and December 10<sup>th</sup> and 11<sup>th</sup>. The auctions have been orderly and FMERA expects they will be profitable although final numbers have not been tabulated. All net proceeds will be invested in the redevelopment in accordance with State and Federal regulations. FMERA expects to continue with additional auctions starting up again in March.

### Suneagles

The golf course will open through the winter however play has slowed. The membership drive is coming to a close and has been successful. Promised improvements to the course are well along. FMERA has also been addressing some significant maintenance issues at Gibbs Hall.

### Property Management/Maintenance

FMERA's property management/maintenance team, Chenega Operations Services, has been quite busy helping our auctioneer team, and keeping our property presentable and secure for both marketing purposes and for keeping our employees and tenants safe and comfortable. Chenega continues to work with us to improve the Howard Commons area as well. Most of the buildings have been vacant going on three years and despite the best efforts of the Army Caretakers many are starting to deteriorate and experience equipment malfunction. This has also kept our maintenance team busy. Please note - Corregidor Road and Pearl Harbor Avenue are open to the public and now being maintained by the Borough of Tinton Falls. The area south of Corregidor and east of Pearl Harbor has been cordoned off from traffic for security and protection of the remaining assets in that area. We are also reconfiguring some of the utility infrastructure to minimize usage and expense and to wean ourselves off of the Army utility systems and onto the public utilities. I would also report that the Army and its caretaker force has been of assistance to us and our maintenance team, as well as keeping the Phase 2 Main Post Property marketable and safe and secure.

Dave Nuse, Director of Real Estate Development gave the following update on the Request for Offers to Purchase:

In Tinton Falls, there are seven RFOTPs that have been issued or will be issued by the end of the year. They include:

- Satellite Drive parcel, a 1.5 acre building lot zoned for office, research or institutional use. Two responses were received on October 17<sup>th</sup>.
- CW Firehouse on Corregidor Road across from CommVault, built in 2001 and totaling 11,000 sf, adaptable for retail, restaurant or other commercial uses. The RFOTP was issued on November 14<sup>th</sup> and responses are due January 12<sup>th</sup>.
- Parcel F-1, a 38 acre site at Corregidor Road and Pearl Harbor Avenue that includes the Myer Center and Building 2705. The Parcel is zoned for office/R&D and is also suitable for sports/recreation/entertainment uses. The RFOTP was issued on December 5<sup>th</sup> and responses are due March 6<sup>th</sup>.
- Parcel F-2, a 15-acre site proposed for Veterans Housing. The RFOTP was issued on December 12<sup>th</sup> and responses are due March 13<sup>th</sup>.
- Parcel F-3, a gas station and convenience store on Hope Road, just north of Pinebrook Road. The RFOTP is to be issued in January 2015.
- Former Child Development Center, a 20,000 sf facility built in 1996 that is adaptable for office use located on the corner of Hope Road and Corregidor Road, next to the new Commvault world headquarters. The RFOTP is to be issued in January 2015.
- Building 2525, and 81,340 sf office building renovated in 1999. The RFOTP is to be issued in February 2015.

In Eatontown, FMERA plans to issue the following RFOTPs:

- Howard Commons, a 64-acre site on Pinebrook Road, zoned for 275 townhouses and up to 15,000 sf of retail space on Hope Road. The RFOTP is to be issued in December 2014.
- Parcel B, a 75-acre mixed use town center parcel fronting Route 35, which will accommodate up to 250,000 sf of retail space and 302 housing units. The RFOTP is to be issued in January 2015.
- Suneagles Golf Course, an 18-hole course designed by A.W. Tillinghast which includes a 10-acre area zoned for construction of a new 150-room hotel and 25,000 sf of conference space. The RFOTP is to be issued in the Spring of 2015.
- Bowling Alley, a 20-lane, 18,000 sf facility on Saltzman Avenue, a future county road. The RFOTP is to be issued in the Spring of 2015.
- Expo Theater, a 900-seat, 19,000 sf theater, also on Saltzman Avenue. The RFOTP is to be issued in the Spring of 2015.

In Oceanport, FMERA plans to issue the following RFOTPs:

- Russel Hall, a 42,300 sf office/administration building in the Fort's historic district. The RFOTP is to be issued in January 2015.
- Main Post Chapel, a 16,000 sf house of worship with a 600 seat sanctuary, a church hall and kitchen, and administrative and classroom wings. The RFOTP is to be issued in January 2015.
- Building 552, the 16,000 sf former recreation center located within the Fort's future tech campus, located across the street from the Chapel and suitable for a café, restaurant or micro-brewery. The RFOTP is to be issued in January/February 2015.
- Building 555, located on a 3.5 acre lot across Sherrill Avenue from Squier Hall, which is projected for tear-down and replacement with a technology or office use. The RFOTP is to be issued in the Spring of 2015.
- Squier Hall and its surrounding buildings totaling about 125,000 sf, zoned for office or educational use. The RFOTP is to be issued in the Spring of 2015.
- Nurses Quarters, consisting of 24 housing units on Main Street, adjacent to the former Patterson Army Hospital. The RFOTP is to be issued in the Spring of 2015.

Mr. Nuse gave the following update on FMERA's marketing efforts of the Fort:

- Continued work 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 hopes to launch our newly designed website shortly after the new year.

- FMERA has responded to several press inquiries, and the Fort's redevelopment was featured in the Asbury Park Press and Star Ledger over the past month.
- 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. 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.

Bruce Steadman thanked Mayor Tarantolo on behalf of the FMERA staff. Mr. Steadman stated that it has been great working with him and he is a gentleman and very respectful during all our meetings. Mr. Steadman stated that Mayor Tarantolo helped establish good working relationships with Eatontown that will continue into the future.

Mr. Steadman stated that the Board will be receiving the Historical District Guidelines and the Open Space plan at a future Board meeting. Mr. Steadman thanked the County, Eatontown, Tinton Falls and Oceanport on the continued meetings that we have with them monthly. Mr. Steadman thanked Army Site Manager, John Occipinti and his staff, the New Jersey State Police and the Oceanport Police for their support throughout the year.

Mr. Steadman concluded the report with the following action items:

- 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

## VIII. COMMITTEE REPORTS

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

Robert Ades stated that the Committee met on December 8<sup>th</sup> and discussed the following:

- Overview of the Draft 2015 Consolidated Budget and discussion regarding the EDC Budget being funded through parcel sales, revenue and other miscellaneous revenue.
- Discussion regarding process for closing on property and FMERA staff's continued work on streamlining the process to speed up the sales of properties.
- Review and discussion regarding the Revenue paths for 2015.
- Review and discussion regarding the Program Costs of \$4.2 million included in the budget summary that relate to property management and maintenance.
- Discussion related to setting aside sales proceeds to fund the Homeless Fund obligations.
- Discussion regarding the prevailing wage requirements set forth in the FMERA statute as they relate to current and anticipated RFOTPs.
- The Committee reached a consensus and agreed to recommend approval to the Board on the Draft 2015 Consolidated Budget.

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

Chairman Gorman stated that the Committee met on December 9<sup>th</sup> and discussed the following:

- Overview and discussion regarding the request to terminate exclusive negotiations with Kiely Realty, LLC close out the Offer to Purchase process and issue a new RFOTP for Russel Hall. The Committee reached a consensus and agreed to recommend approval to the Board. Mayor Mahon abstained from

recommending stating that he received a letter from the Oceanport Municipal counsel for municipal use of Russel Hall.

- Overview and discussion regarding extending exclusive negotiations with RPM Development, LLC for the Officer Housing. The Committee reached a consensus and agreed to recommend approval to extend the exclusive negotiations period until February 28, 2015.
- Overview and discussion to make the Child Development Center (CDC) available through the Offer to Purchase process. FMERA received a letter from the Tinton Falls School District that they are no longer interested in the building. The Committee reached a consensus and agreed to recommend approval to make the CDC available through the offer to purchase process.
- Discussions regarding the following projects:
  - Phase 2 EDC negotiations with the Army
  - FMERA's new website
  - Main Post Lodging parcel
  - Fabrication Shops
  - Marina
  - Parcels C & C1
  - Current and Upcoming RFOTPs
  - Senate Bill 2571
  - Prevailing wage obligations under the FMERA Statute

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

Bruce Steadman, on behalf of Kenneth J. Kloo, stated that the Committee met on December 1<sup>st</sup> and discussed the following:

- Overview and discussion regarding the environmental conditions at Parcel F-2, the Veterans Community and Parcel F-3, the former gas station in Tinton Falls.
- Discussion regarding the 34 carve-outs, some of which are landfills to obtain a No Further Action (NFA) letter.
- Update on the Unregulated Heating Oil Tank (UHOT) issues in particular where the Federal law stops and the State law begins.
- Update on the upcoming RFOTPs.

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

Robert Ades stated that the Committee met on November 13<sup>th</sup> and December 3<sup>rd</sup> and discussed the following:

- Review of Mandatory Conceptual Review submitted by RPM Development for the Officers Housing. MCR must be submitted prior to or simultaneously with the Oceanport Planning Board application.
- Discussion on Historic District Design Guidelines. The guidelines are being prepared by Phillips Preiss Grygiel (PPG) and will be discussed at the December 3<sup>rd</sup> Committee meeting.
- The Committee had a working session to review and discuss the Historic District Design Guidelines with PPG. The Committee members submitted revisions and comments to FMERA and PPG. The Committee will meet in January to finalize the guidelines after all the input has been received.

Mayor Mahon stated that he would like the Oceanport Planning Board to review the Historical District Design Guidelines before they are finalized.

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

Bruce Steadman, on behalf of Gina Fischetti, stated that the Committee met on November 17<sup>th</sup> and discussed the following:

- Discussion regarding Officer Housing and a status update on RPM's development of the property. RPM has submitted their Mandatory Conceptual Review for approval. The renovations to the property will be done on the interiors of the housing and will begin on the Southern portion of the property. RPM and FMERA anticipate having the Purchase and Sale Agreement executed by January, 2015.
- Discussion regarding Howard Commons and the reissuance of the RFOTP. The timeline between the issuance of the RFOTP and closing with the developer will reflect the urgency to demolish the existing buildings.
- Discussion regarding Parcel B and the reissuance of the RFOTP. FMERA continues to market the property to prospective developers.
- Discussion regarding Parcels C & C1 and the continued exclusive negotiations between FMERA and Lennar Corporation.
- Discussion regarding Veterans Housing and the issuance of the RFOTP on December 5<sup>th</sup> for the new parcel in Tinton Falls. The project will be developed in Tinton Falls and will have a minimum of 75/maximum of 100 single units.
- Update on Upcoming RFOTPs including Parcel F-1, Parcel B, Parcel F-3, and the Main Post Chapel.

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

Lillian Burry stated that the Committee did not meet this month. Ms. Burry stated that she is pleased that there is a new RFOTP for Veterans Housing in Tinton Falls. Ms. Burry stated that she was informed by Congress that there has been money set aside to provide for Veterans transportation.

IX. BOARD ACTIONS

- A) The first item before the consideration of approval of FMERA's 2015 Budget and Authorization of FMERA's Executive Director to submit Grant Requests to the Office of Economic Adjustment (OEA) as necessary.

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 8

- B) The second item before the Board was the consideration of approval to terminate the Offer to Purchase Process for Russel Hall and approval to issue a new Request for Offers to Purchase (RFOTP) for Russel Hall.

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

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

Motion to Approve: TIM LIZURA    Second: GERALD TARANTOLO.  
AYes 7

Mr. Gorman stated that the resolution for Russel Hall should be clarified to address as Kiely Realty Group for Russel Hall, as FMERA is in exclusive negotiations with Kiely Realty Group for the Pistol Range. Tim Lizura seconded Mr. Gorman recommendation.

Mayor Mahon asked if it is the intent of the new RFOTP to remove the reference to a helipad on the site and was answered yes.

Mayor Mahon stated that the RFOTP should state that Oceanport has not declared this parcel an area in need of redevelopment and therefore would not be eligible for Payment in Lieu of Taxes (PILOT).

Mayor Mahon abstained from voting stating that he received a letter from the Oceanport Municipal council for municipal use of Russel Hall.

C) The third item before the Board was the consideration of approval to extend the Exclusive Negotiations period for a Purchase Agreement pursuant to the RFOTP for Officer Housing.

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

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

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

D) The forth item before the Board was the consideration of approval to make the Child Development Center 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 Michael Mahon and was seconded by Michael Collins.

Motion to Approve: MICHAEL MAHON Second: MICHAEL COLLINS.  
AYes 8

#### X. OTHER ITEMS

Mayor Mahon stated that he had met with the Executive Director of Two Rivers Water Reclamation Authority (TRWRA) regarding the sanitary sewer infrastructure upgrades at the Fort. Mr. Steadman stated that FMERA has had several meetings with TRWRA and will continue to have on-going meetings during the development process. Mr. Gorman stated that this will be discussed at the next Real Estate Committee meeting.

#### XI. PUBLIC COMMENT REGARDING ANY FMERA BUSINESS [5 minutes re: any FMERA business]

Brenda Carter of Meadow Link asked Lillian Burry about the monies for Veterans transportation. Ms. Burry stated that the monies are in anticipation of the Veterans housing being developed on the Fort.

Tom Mahedy of Wall Township asked who purchased the television for the FMERA office and who made the decision to purchase. Mr. Mahedy asked who had the idea to create a dump at the Veterans housing parcel and who made the choice to propose another two acres of dumps. Mr. Mahedy asserted that he was informed that the carve out at the Myer Center was incredibly dangerous and was never cleaned up. Mr. Mahedy asserted that carve outs leak and travel and contaminate. Mr. Mahedy asserted that the gas station next to the CDC has toxic gas that goes directly underneath the CDC.

Mr. Mahedy asserted that there is a conflict of interest with DAG Chacon regarding RPM and that the Attorney General's office will do all they can to help RPM.

Mr. Mahedy asserted that the transactions for the auctions are all done in cash and there are no checks and balances on the revenue received. Mr. Mahedy asserted that no one from FMERA or the Attorney General's office are present at the auctions and there is no oversight.

Mr. Steadman thanked Ms. Carter for attending and will add her name to the RFP/RFOTP distribution list.

Mr. Steadman answered Mr. Mahedy by stating that the Army purchased the television because FMERA leases the building from the Army, and the Army still owns it. Mr. Steadman stated that FMERA believes that the size of the landfill adjacent to several parcels, including the Veterans, is somewhat larger than the Army initially expected. DEP and the Army will be reviewing the landfill information after the holidays. Mr. Steadman stated that with the respect to the carve out at the Myer Center, it is correct to continue to call it a carve out and it is lime pit. Mr. Steadman stated based on where the lime pit is located, FMERA believes the site can be adequately used. Mr. Steadman stated that he would not comment on the assertions regarding the conflict with RPM Development Group, and Mr. Chacon has been very forthcoming regarding the conflict. Mr. Steadman stated that FMERA staff has been present at the auctions and the auctions are being handled appropriately. All proceeds from the auctions will be accounted for to the Board at a future meeting.

There being no further business, on a motion by Michael Mahon seconded by Michael Mahon and unanimously approved by all voting members present, the meeting was adjourned at 8:30p.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.

  
Bruce Steadman - Secretary

ADOPTED  
December 17, 2014

Resolution Regarding  
2015 Consolidated Budget and the Office of Economic Adjustment Grant Requests

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 2015 Consolidated Budget includes an Economic Development Conveyance (EDC) Budget, representing the projected 2015 sales and financial activity under the approved Phase 1 EDC Agreement and the Phase 2 EDC Agreement which is projected to be executed by the 2<sup>nd</sup> quarter of 2015, encompassing the sale of eight parcels; and

WHEREAS, the 2015 Consolidated Budget also includes a Non-EDC Budget, representing the funding of qualified expenses received the U.S. Department of Defense's Office of Economic Adjustment (OEA) and the requisite local match from the State of New Jersey and FMERA's obligation; during the fiscal year OEA's support will decrease to 75% of the current level, the local match will remain at 10%, and the remaining amount will be FMERA's obligation; and

WHEREAS, the Audit Committee reviewed the 2015 Consolidated Budget and recommends it to the Authority for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the 2015 Consolidated Budget, as described in the attached memorandum.
2. The Authority authorizes the Executive Director to take all necessary actions to submit grant requests to the Office of Economic Adjustment for federal funds in an amount not to exceed \$1,725,579 to support the Authority's operations for the 2015 calendar year as necessary.
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: December 17, 2014

EXHIBIT 1

ADOPTED  
December 17, 2014

Resolution Regarding  
Approval to Terminate the Offer to Purchase Process for Russel Hall and Approval to  
Issue a New Request for Offers to Purchase for Russel Hall

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 Russel Hall site in Oceanport on September 6, 2013, and received one proposal from Kiely Realty, LLC (Kiely); and

WHEREAS, the Board authorized FMERA staff to enter into exclusive negotiations with Kiely at its January 2014 meeting, and to extend the exclusive negotiations period for an additional sixty (60) days at the June 2014 meeting and an additional thirty (30) days at the August 2014 meeting; and

WHEREAS, the Board authorized FMERA staff to execute a Lease in Furtherance of Conveyance with the Army for Russel Hall and to enter into a sublease with Kiely for Russel Hall at the May 2014 meeting, in order to enable Kiely to seek approvals and obtain financing and permits in advance of closing; and

WHEREAS, the sublease to Kiely was never executed, and at the October 2014 meeting, the Board authorized a final forty-five (45) day extension of the exclusive negotiations period; and

WHEREAS, while FMERA staff and Kiely made significant progress toward the negotiation of a mutually acceptable Purchase and Sale Agreement, the parties disagree over the reactivation of the former heliport located on the Russel Hall parcel, and FMERA believes that further negotiation will not result in final agreement over business terms; and

WHEREAS, pursuant to Kiely's request dated November 25, 2014, FMERA's counsel has returned the Initial and Additional Deposits to Kiely with accrued interest; and

WHEREAS, the Real Estate Committee recommends that the Board authorize FMERA staff to terminate the RFOTP with respect to Russel Hall, end negotiations with Kiely and authorize the issuance of a new RFOTP for Russel Hall;

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Authority approves ending negotiations with Kiely Realty, LLC, terminating the Offer to Purchase

process with regard to Russel Hall in Fort Monmouth's Main Post 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 Russel Hall Request for Offers to Purchase process, including returning the deposit with any accrued interest to the bidder, and 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: December 17, 2014

**EXHIBIT 2**

ADOPTED  
December 17, 2014

Resolution Regarding  
Approval to Extend the Exclusive Negotiating Period with RPM Development, LLC, for  
the Officer Housing

WHEREAS, on January 16, 2013, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) for the Officer Housing parcel with a response date of March 1, 2013, 45 days after the issuance of the RFOTP, in connection with the planned redevelopment of the Officer Housing in Oceanport; and

WHEREAS, the Officer Housing includes 117 historic residential units in single, duplex and four-plex configurations, surrounding and adjacent to the Parade Ground, located on two parcels of 26.5 acres and 10 acres; and

WHEREAS, FMERA received two proposals for the Officer Housing, and one proposal was deemed non-compliant because it did not include the required 20% set-aside for affordable housing, per the RFOTP and the Authority's Rules for the Sale of Real and Personal Property; and

WHEREAS, RPM Development, LLC (RPM), received the highest score for their proposal; and

WHEREAS, at the Authority's April 23, 2014 meeting, the Board authorized staff to enter into exclusive negotiations with RPM, based on the recommendation of the Real Estate Committee; and

WHEREAS, the exclusive negotiating period commenced on October 7, 2014 and by letter dated November 19, 2014, the Executive Director extended the exclusive negotiating period for an additional thirty days as permitted by the Authority's Sales Rules; and

WHEREAS, the Board authorized FMERA staff to execute a Lease in Furtherance of Conveyance with the Army for the Officer Housing and enter into a sublease with RPM, all upon final terms acceptable to the Executive Director and Attorney General's Office, in order to enable RPM to apply for site plan and other approvals, and to obtain financing; and

WHEREAS, FMERA staff and RPM have made significant progress toward the negotiation of a mutually acceptable Purchase and Sale Agreement and Redevelopment Agreement (PSARA) for the Officer Housing, 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 an extension to February 28, 2015 to the full Board.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority authorizes an extension to February 28, 2015 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: December 17, 2014

**EXHIBIT 3**

ADOPTED  
December 17, 2014

Resolution Regarding  
Approval to Make the Child Development Center 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 sell, exchange, assign, convey or otherwise dispose of any property” “upon such terms and at such prices as it determines to be reasonable”; 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 Child Development Center (CDC), also known as Building 2290, is a 19,600 square foot, single-story facility built in 1996 located on a 7.4 acre parcel along Corregidor Road in the Tinton Falls Reuse Area; and

WHEREAS, the parcel was envisioned for an institutional reuse in the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) for the Tinton Falls School District; 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 the CDC from the Army by deed dated May 29, 2014; and

WHEREAS, the Borough of Tinton Falls has indicated the CDC is no longer needed for the School District, and non-institutional use will require an amendment to the Reuse Plan; and

WHEREAS, FMERA staff recommends proceeding with the offer to purchase process for the CDC because staff has received specific interest in the commercial reuse of the parcel and the property’s location along Hope Road and adjacent to the new CommVault headquarters increases its redevelopment potential, and the Request for Offers to Purchase (“RFOTP”) process will enable FMERA to negotiate a mutually acceptable Reuse Plan amendment; and

WHEREAS, the Real Estate Committee has reviewed and discussed making the CDC available through the offer to purchase process and recommends it to the full Board of the

Members for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves making the Child Development Center 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: December 17, 2014

EXHIBIT 4