

Fort Monmouth Economic Revitalization Authority
Board Meeting
January 18, 2012
Maple Place School, Oceanport, New Jersey

EXECUTIVE SESSION MINUTES

Members of the Authority present:

- James V. Gorman, Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) - V
- Caren Franzini, CEO, New Jersey Economic Development Authority (NJEDA) – V
- Brandon Minde, Assistant Counsel, Office of the Governor, Authorities Unit – V
- Dr. Robert Lucky, Public Member - V
- Gerald Tarantolo, Mayor of Eatontown - V
- Michael Mahon, Mayor of Oceanport - V
- Gerald Turning, Business Administrator, Tinton Falls - V
- Charles Richman, Assistant Commissioner, NJ Department of Community Affairs
- Mary Ellen Clark, Assistant Commissioner, NJ Department of Labor & Workforce Development
- Michele Siekerka, Assistant Commissioner, NJ Department of Environmental Protection
- Jonathan Lowy, Director of Community and Constituent Relations, NJ Department of Transportation

Members of the Authority not present:

- Lillian Burry, Monmouth County Freeholder - V

V- Denotes Voting Member

Also present:

- Bruce Steadman, Executive Director, FMERA
- Gabriel Chacon, Deputy Attorney General (DAG)
- NJEDA Staff: Eatontown & Trenton Offices

Executive Session – OPMA EXEMPTION N.J.S.A 10:4-12b (5) and (7): Pending Real Estate Negotiations and Attorney-Client Privileged Matter

Bruce Steadman, Executive Director of FMERA, began the Executive Session at 8:25 pm. Mr. Steadman noted that Gerald Turning is attending the Executive Session on behalf of Mayor Michael Skudera due to the fact that Mayor Skudera has a conflict of interest regarding Parcel E. DAG Chacon explained that one of the companies that made an offer for Parcel E disclosed that Mayor Skudera is employed by that company's parent corporation. This was referred to the Authority's Ethics Liaison, who advised that Mayor Skudera is to recuse himself and be screened from all materials and discussion on Parcel E and any associated Reuse Plan amendment. He also stated that this executive session would entail a "de novo" discussion on all matters addressed in

last month's executive session. Caren Franzini recommended that any board member who feel as though they may have a conflict of interest should speak with the Authority's Ethics Liaison.

Bruce Steadman continued by providing an update on the status of Parcel E. Mr. Steadman stated that the FMERA staff met with K. Hovnanian, who submitted a proposal for Parcel E, and asked them to revise their proposal to accommodate the density in the Fort Monmouth Reuse and Redevelopment Plan ("the Plan"). K. Hovnanian's initial proposal included a density that was higher than the density in the Plan. Mr. Steadman indicated that K. Hovnanian was asked to meet with the FMERA staff because their evaluation score was the highest of the residential proposals. Bruce Steadman continued by stating that the FMERA staff will reach out to the remainder of the Parcel E proposers with the thought that they might have an interest in submitting a proposal for other areas of the former Fort Monmouth property when the Request for Proposals (RFPs) are issued.

Dr. Lucky stated that if K. Hovnanian reduces their density to be in compliance with the Plan, that they may no longer be interested in Parcel E because their profits will be reduced. Bruce Steadman agreed with Dr. Lucky and stated that should K. Hovnanian be awarded Parcel E they indicated they would not be able to close on the property for three years.

Caren Franzini noted that should Parcel E be awarded to CommVault, the award would be subject to the Board's approval of a change to the Plan to allow for commercial development on that parcel.

Chairman James V. Gorman asked when the Authority would be able to issue an RFP for a parcel for residential development. Bruce Steadman stated the Army will not allow RFPs for parcels, where housing could be built, to be issued until a Master Broker/Real Estate Consultant is in place.

Dr. Lucky suggested that if a plan change is needed to allow for commercial development on Parcel E then another plan change could be done at the same time to allow for residential development on an area where there is a commercial development designation in the Plan.

Mayor Mahon stated that adjustments to the Plan should be completely transparent.

Chairman James V. Gorman asked about the status of the appraisals for Parcel E. Bruce Steadman noted that the first appraisal has been received; and the second appraisal is due in a few days. Caren Franzini suggested that going forward, an appraisal should be done at the same time that an RFP is issued for a parcel, to avoid a delay in the process due to waiting for an appraisal.

Mayor Tarantolo then asked for the status of the zoning map and if the zoning map corresponds to the Plan.

Bruce Steadman then provided an update on FMERA's planner, Phillips Preiss Grygiel's (PPG), progress. Mr. Steadman noted that the zoning plan for the former Fort Monmouth property is

being developed by PPG to allow for the greatest flexibility, combining the Reuse Plan and the municipalities' zoning requirements to meet future economic development opportunities.

Caren Franzini suggested that FMERA's outside counsel prepare an opinion addressing the issue of a possible plan change for Parcel E and analyze the plan amendment's compliance with New Jersey zoning laws and the FMERA Act.

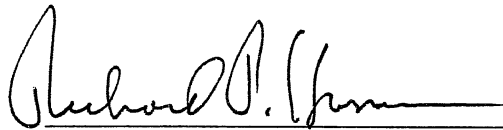
DAG Chacon noted that a plan amendment must be submitted to each of the three host municipalities and a 45 day notice given.

Chuck Richman asked if a 20% set aside for affordable housing is being considered. It was noted that a 20% set aside is being contemplated and FMERA will comply with the prevailing state affordable housing law.

Bruce Steadman thanked the Board Members for their time, and continued by stating that he hopes to move Parcel E and the Clinic Parcel forward at the February meeting of the Authority.

On a motion by Caren Franzini, seconded by Dr. Robert Lucky, and unanimously approved by all voting members present, the Board adjourned the Executive Session and opened the Public Session.

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

A handwritten signature in cursive script, appearing to read "Richard P. Harrison", written over a horizontal line.

Richard Harrison, Assistant Secretary