

**TO:** Members of the Board

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

**DATE:** March 27, 2018

**SUBJECT:** Agenda for Board Meeting of the Authority

1. **Call to Order – Dr. Robert Lucky, Vice-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 – Dr. Robert Lucky, Vice-Chairman**
6. **Secretary’s Report**
7. **Treasurer’s Report**
8. **Public Comment Regarding Board Action Items**
9. **Executive Director’s Report:**
  - Update on Requests for Proposals (RFPs) and Contracts
  - Update on Requests for Offers to Purchase (RFOTPs)
  - Update on Marketing Effort
  - Action Items for Next Month
10. **Committee Reports**
  - Audit Committee – Robert Lucky, Chairman
  - Real Estate Committee – Robert Lucky
  - Environmental Staff Advisory Committee – Kenneth J. Kloo, Chairman
  - Historical Preservation Staff Advisory Committee – Jay Coffey, Chairman
  - Housing Staff Advisory Committee – Gina Fischetti, Chairwoman
  - Veterans Staff Advisory Committee – Lillian Burry, Chairwoman

11. **Board Actions**

- a. Consideration of Approval of Environmental Consulting Services Contract Award.
- b. Consideration of Approval of County of Monmouth Request for Additional Funding for the Homeless Shelter.
- c. Consideration of Approval of the First Amendment to the Conditional Access & Infrastructure Agreement with RPM Development for the Officer Housing Parcel.

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  
February 21, 2018  
FMERA Offices, 502 Brewer Avenue, Oceanport, NJ**

MINUTES OF THE MEETING

Members of the Authority present:

- Robert W. Lucky – Vice-Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) – V
- Lillian Burry – Monmouth County Freeholder Director – V
- Vito Perillo – Mayor of Tinton Falls – V
- Jay Coffey – Mayor of Oceanport – V
- Dennis Connelly – Mayor of Eatontown – V
- Adam Sternbach – Associate Counsel, Authorities Unit, Office of the Governor – V
- Tim Lizura – President/COO, NJ Economic Development Authority – V
- Sean Thompson, Division of Local Planning Services, NJ Department of Community Affairs
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection
- Julie Diaz, Chief of Staff, NJ Department of Labor & Workforce Development
- William Riviere, Principal Planner, NJ Department of Transportation

V – Denotes Voting Member

Also present:

- Bruce Steadman, FMERA Executive Director and Secretary
- Ryan Brown, Deputy Attorney General (DAG)
- FMERA staff

The meeting was called to order by Vice-Chairman Robert Lucky at 7:00p.m., who led the meeting in the Pledge of Allegiance to the Flag of the United States of America.

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

The first item of business was the approval of the February 21<sup>st</sup> regular meeting minutes. A motion as made to approve the minutes by Lillian Burry and seconded by Jay Coffey.

Motion to Approve:     LILLIAN BURRY                     Second:     JAY COFFEY  
AYes: 6

Vito Perillo abstained from voting stating he was not at the January meeting.

WELCOME

Vice-Chairman Robert Lucky welcomed attendees to the meeting. Dr. Lucky stated that copies of the Board package were available at the door, and 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.

Dr. Lucky stated that the Board would consider four board actions: 1) Consideration of Approval of Transmittal to Host Municipalities of Proposed Plan Amendment #10 permitting alternative development scenario in Eatontown; 2) Consideration of Approval of a Purchase & Sale and Redevelopment Agreement for the Charles Wood Fire Station;

3) Consideration of Approval to make the Bowling Center in Eatontown available through the Offer to Purchase Process; and 4) Consideration of Approval of a modification to the Warehouse District RFOTP Boundary.

The Vice-Chairman went on to state that there will be two public comment periods at the meeting based on the Authority's public meeting protocol, 3 minutes per speaker for the first for agenda items only, and 5 minutes per speaker for the second for any FMERA business. The Vice-Chairman reiterated his request for the public's cooperation in keeping comments as brief as possible. The Vice-Chairman continued by stating that in his role he is required to conduct an orderly meeting and complete the meeting agenda in a reasonable time period. The Vice-Chairman concluded by stating that FMERA continues to welcome the public's constructive comments and ideas.

### **SECRETARY'S REPORT**

Bruce Steadman stated that there was no Secretary's report.

### **TREASURER'S REPORT**

Jennifer Lepore stated that FMERA staff is preparing the Authority's 2017 Annual Report for presentation to the Audit Committee with the audited financial statements, which serve as FMERA's comprehensive annual report to meet the requirements of Executive Order No. 37 (2006). It is expected that a draft report and statements will be available for review in mid-March, and finals presented to the Board in April.

The Authority's independent auditors, Clifton Larson Allen, will begin work on their audit of the Authority's operations in early February. The auditors will report on the Authority's financial statements and accompanying notes, as well as report on the Authority's internal controls and compliance in accordance with Government Auditing Standards. Field work will begin the week of February 26<sup>th</sup>.

### **PUBLIC COMMENT REGARDING BOARD AGENDA ITEMS (3 minutes re: Agenda Items)**

There was no public comment.

### **EXECUTIVE DIRECTOR'S REPORT**

Kristy Dantes, Director of Facilities and Infrastructure gave the following update on RFPs and Contracts that FMERA is currently working on:

#### Utilities:

- Significant progress has been made on the Main Post water line extension project. The eleven thousand linear foot water extension encompasses a major portion of the Main Post Historic District. Sanitary system work continues, as RPM, in conjunction with Two Rivers Water Reclamation Authority, moves toward installing a sanitary main from the Officer Housing area to the two Rivers meter. In Charles Wood, we anticipate that we will close with JCP&L very soon on the transfer of the substation.

#### Suneagles Golf Course:

- FMERA has executed an agreement with Martelli Development, LLC for the sale of the golf course. This agreement turned over operation of the golf course to Martelli.

#### Requests for Proposals:

- FMERA issued two RFPs on February 2<sup>nd</sup>, for Surveying Services and Environmental Consulting Services. Responses are due by 12:00p.m on March 2<sup>nd</sup>.



Dave Nuse, Director of Real Estate Development and Deputy Executive Director, gave an overview on property sales and RFOTPs:

As of the new year, nearly two-thirds of the Fort is sold, under contract, in negotiations, or entering the request for proposals process. Following is a town-by-town summary of our redevelopment projects.

In Oceanport, FMERA has sold seven properties:

- Patterson Army Hospital on Main Street, owned by AcuteCare Health System;
- Officer Housing sold to RPM Development last January. RPM is in the process of renovating the 117 historic housing units. 48 rental units will be ready for occupancy in early 2018, and the 68 market-rate for sale units will be ready by late spring;
- Main Post Chapel, sold in February to Triumphant Life Church;
- Russel Hall, the former Garrison Headquarters building, sold in June to TetherView, a private cloud computing services company from New York;
- Oceanport Municipal Complex; a 13-acre property on Murphy Drive sold to the Borough of Oceanport in August.
- Fitness Center, sold to FM Partners in September, and currently undergoing renovations.
- Monmouth County Emergency Homeless Shelter, a 3-acre property on Murphy Drive which is required to meet our federally-mandated obligations.

Also in Oceanport, FMERA is preparing to close on:

- Dance Hall, a 16,000 square-foot building on Brewer Avenue, under contract to AP Development Partners for commercial and retail uses;
- Building 501, located next to the Main Post Chapel, to Family Promise of Monmouth County.

FMERA is in negotiations for the sale of the following 6 Oceanport properties:

- Nurses Quarters, a 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital;
- Marina, on Oceanport Creek, approved for exclusive negotiations with AP Development Partners, and currently operating as a marina/public boat ramp and restaurant;
- Squier Hall Complex, a 31-acre site containing historic Squier Hall, currently under negotiations with the sole bidder, zoned for office/research, educational and open space uses. The developer will be required to retain Squier Hall, which is listed on the National Register of Historic Places;
- Lodging Area, a 15-acre site on Parkers Creek planned for new residential construction, along with the renovation of 2 historic buildings;
- Allison Hall, planned for a boutique hotel, along with retail and office uses;
- Barker Circle, located in the historic district in Oceanport, which is zoned for housing, office and retail uses.

In Eatontown, FMERA has sold the former Army Motor Pool to Monmouth County, and has executed agreements for the sale of the following properties:

- Howard Commons site on Pinebrook Road, where American Properties proposed to construct approximately 200 single family detached homes and 51 affordable housing units;
- Eatontown Barracks, 6 buildings across from the Bowling Center on the Main Post, that Kenneth Schwartz will redevelop into an arts and cultural center use;
- Suneagles Golf Course, where Martelli Development proposes to renovate Gibbs Hall and construct 75 residential units. The golf course would be protected by a 40-year deed restriction. A Reuse Plan amendment for the golf course is on tonight's agenda.

Staff is in discussions with the Borough of Eatontown for its purchase of Building 1123 and adjacent land at the corner of Avenue of Memories and Wilson Avenue. The property would provide office space and facilities for the Borough's Department of Public Works. FMERA intends to present a formal recommendation to the Board at an upcoming meeting.

FMERA is asking for Board approval this evening to make the Bowling Center available through the RFOTP process. Last year, FMERA issued a Request for Sealed Bids and selected Fort Monmouth B.E.C., LLC as purchaser, but was unable to come to terms on an agreement. Multiple parties have now expressed interest in the property.

Finally in Eatontown, we regret to announce that after extensive negotiations, FMERA and the selected developer of Parcel B, Fort Monmouth Parcel B Redevelopment, LLC, led by Paramount Realty, were unable to come to final terms on a contract, and the developer has withdrawn its proposal. To its credit, Paramount was willing to proceed but needed a level of flexibility that FMERA was unable to provide given the Board's goal, as embodied in the RFOTP, of pursuing destination retail at that location. FMERA has initiated negotiations with the second-ranked bidder.

In Tinton Falls, FMERA has sold 4 properties:

- Parcel E, to Commvault;
- Building 2525, to RADAR Properties, the affiliate of Aaski Technology;
- Child Development Center to Trinity Hall High School, which just received Tinton Falls Planning Board approval to expand the facility by 22,000 sf;
- Parcel F-3, sold to the Monmouth County Park System in February, for use in conjunction with the County's Fort Monmouth Recreation Center and Swimming Pool.

FMERA has signed contracts on another 5 projects in Tinton Falls:

- Fabrications Shops, 45,000 square feet of flex space on Pinebrook Road, anticipated to close shortly;
- Pistol Range, under contract to Kiely Realty;
- Recreation Center and Swimming Pool, under contract to the Monmouth County Park System, which is scheduled to close this month;
- Myer Center, where the NJEDA has commenced demolition to prepare the 36-acre site for redevelopment;
- Parcels C and C1, with Lennar Corporation, which is approved for 288 residential units over the two parcels, and up to 58,000 square feet of retail development. Lennar's Parcel C project, which has been in the planning stage for 5 years, fulfills the Reuse Plan's mandate to develop a town center and residential neighborhood adjacent to the Borough's municipal complex.

At tonight's meeting, FMERA will be asking for the Board's consent to sell the Charles Wood Fire Station on Corregidor Road to Commvault for commercial use.

FMERA plans to issue 6 Requests for Offers to Purchase in the 1<sup>st</sup> half of 2018, covering property in all 3 boroughs. Please visit FMERA's website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com), for more information on our projects and our upcoming Requests for Offers to Purchase.

Sarah Giberson, Senior Marketing & Development Officer, stated that FMERA continues to work collaboratively with the Riddle Team on advancing the redevelopment of the Fort. Productive meetings with national site-selectors continue to raise the profile of Fort Monmouth as a viable and desirable option for growing companies, tech start-ups, and educational institutions. FMERA will continue to leverage its assets, including proximity to the Garden State Parkway; access to public transportation; and a highly-educated local workforce, as we work toward attracting a diverse group of companies and amenities to the Fort. FMERA will begin marketing three key parcels in 2018—the McAfee Complex, the 400 Area, and the Myer Center parcel, which FMERA anticipates will serve as optimal sites for a green-tech campus and additional commercial anchors. Please refer to our website for more information and to sign up for our monthly digital newsletters.

Mr. Steadman thanked the Boroughs of Oceanport, Eatontown, and Tinton Falls and the County of Monmouth for their continued support and excellent working relationships.

Mr. Steadman thanked Bill Colvin, the Army's Base Environmental Coordinator for his help on a number of environmental issues.

Mr. Steadman thanked Kenneth J. Kloo and the NJDEP for their help on a number of environmental issues.

Mr. Steadman thanked Tim Lizura and the NJEDA for their help with the Myer Center demolition project.

Bruce Steadman gave an update on FMERA action items:

- Continued work with the N.J. Department of Environmental Protection and U.S. Army 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

Jay Coffey asked if the negotiations that have begun with the lead bidder for Barker Circle are for the sale of the property. Dave Nuse responded yes.

Jay Coffey asked if the contract for the Dance Hall indicates that the buyer will be closing on the property. Dave Nuse stated that the buyer will be closing on the property within the next few weeks.

a) AUDIT COMMITTEE (ROBERT LUCKY, CHAIRMAN)

Robert Lucky, stated that the Committee did not meet this month. Dr. Lucky stated that the Committee would be meeting after the Authority's audit is complete in March or early April.

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

Robert Lucky stated that the Committee met on February 13<sup>th</sup> and discussed the following:

- Discussion regarding the transmittal of Plan Amendment #10 in Eatontown which encompasses approximately 171 acres that comprise Suneagles Golf Course. The proposed amendment maintains the Reuse Plan's land use concepts and plans while permitting development scenarios which would result in the development of up to 75 new housing units on the property. 60 homes would be constructed on the 10-acre Megill Housing area and approximately 15 units located on the property's Maxwell Avenue frontage. Twenty percent of the 75 total housing units would be affordable to low- and moderate-income households as required by the FMERA Act. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Discussion regarding the PSARA with Commvault Systems for the Charles Wood Fire House in Tinton Falls. Commvault will purchase the Fire House and renovate the existing structure for commercial use, including corporate office uses. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Discussion regarding the termination of negotiations with Fort Monmouth B.E.C., LLC for the sale of the Bowling Center and the issuance of a Request for Offers to Purchase (RFOTP). Negotiations with FMBEC and FMERA failed to result in an agreement, therefore, FMBEC submitted a withdrawal of deposit waiver. Staff will now issue an RFOTP for the property in the coming months. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Discussion regarding the modification of the Warehouse District RFOTP to include Buildings 912 & 913. The buildings were going to be reused for operation by HABcore as supportive housing for the homeless, however HABcore has advised FMERA that they do not wish to utilize the buildings. Given the buildings to the Warehouse District, staff believes that incorporating the two buildings will allow the parcel to extend to Murphy Drive, enabling bidders to better access and utilize the parcel.
- Other items of discussion:
  - Parcel B
  - Howard Commons
  - Barker Circle
  - Allison Hall
  - Parcel F-3
  - Parcels C & C1

- County Homeless Shelter
- Update on RFOTPs

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

Kenneth J. Kloo stated that the Committee met on February 29<sup>th</sup> and discussed the following:

- Summary of the Mandatory Conceptual Review (MCR) applications submitted for Building 501 and Building 552. Staff advised the Committee that the Environmental Features Checklists submitted by each of the applicants, identified no detrimental impact to environmental features for either project, therefore, no further action by the Committee is warranted.
- Discussion regarding the various parcels throughout the Fort where the Army has secured No Further Action (NFA) letters from the NJDEP. These include the following: Parcel 35 located at the Teen Center in Tinton Falls; Parcel 70 located at Armstrong Hall on the Main Post in Oceanport; Parcels 102 A, B & D located at the Former Skeet Range on the M3 landfill; Parcel 97 at the East Electrical Substation; and Parcel 108 at Building 167 in the 400 Area in Oceanport.
- Discussion regarding FMERA's environmental consultant performing additional testing at Howard Commons, and FMERA is awaiting the final results. Staff will share the consultant's findings at the next meeting.
- Update on the Myer Center demolition. T&M Associates has been contracted by the New Jersey Economic Development Authority as the project designer and engineers, and Tricon Enterprises has been contracted to perform the abatement and demolition. The abatement activities, which include the removal of asbestos-containing and universal waste materials, will proceed from quadrant to quadrant throughout the building. Each quadrant will be sealed off upon completion of the abatement and before Tricon moves on to the next quadrant. Abatement activities will begin in January 2018 and are scheduled to be completed within six months. Demolition activities are scheduled to begin by March 2018 and be completed by February 2019. A project fact sheet can be found at [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com).
- Update on the seven upcoming Requests for Offers to Purchase (RFOTPs) that will be issued in 2018.
- Army has submitted a Remedial Investigation / Feasibility Study (RI/FS) to the NJDEP to remove the vault and excavate contaminated soil associated with the former neutralization pit for the Myer Center.
- Army has submitted a work plan to the NJDEP to perform a pilot test with chemical oxidation to address the source contaminants of an existing solvent plume at the Former Dry-Cleaning facility in Oceanport.
- Army has received a Record of Decision (ROD) approval from the NJDEP for landfills M2 and M8 to perform hot spot removal due to PCB detections at these landfills. Once these actions are completed, the Army will be capping each of the nine landfills with 2 feet of clean soil.
- Summary of the planned sewer main extension project with Two Rivers Water Reclamation Authority (TRWRA). A portion of this extension lies at the boundary of the M5 and M8 landfills. Army will create a path through the landfills and TRWRA will obtain a Landfill Disruption Approval which will allow the project to proceed.
- Summary of the Spill Prevention, Control and Countermeasures Plan (SPCC) for the Fort property, which is a Federal requirement to prevent, prepare for and respond to oil spills that occur in and around inland waters.
- Discussion regarding the Phase 1 water main extension work being completed in the Oceanport section of the Fort. The work includes the installation of a 2-mile water extension. Required testing continues in the interim.
- Discussion regarding of the sanitary line break at Suneagles Golf Course. The leak was caused by a frozen pipe located at the Megill Housing and has since been repaired.

d) HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (JAY COFFEY, CHAIRMAN)

Jay Coffey stated that the Committee did not meet this month, but the Committee will be holding a meeting in March.

e) HOUSING STAFF ADVISORY COMMITTEE (GINA FISCHETTI, CHAIRPERSON)

Bruce Steadman, on behalf of Gina Fischetti, stated that the Committee did not meet this month but will be meeting in March.

f) VETERANS STAFF ADVISORY COMMITTEE (FREEHOLDER DIRECTOR LILLIAN BURRY, CHAIRPERSON)

Lillian Burry stated that the Committee did not meet this month. Ms. Burry did note that the County will be leasing space in the Russel Hall building for the purpose of establishing a satellite office of the County's Veterans Connection Office. She indicated that the satellite office should be open in April, and provide veterans with a menu of services.

**BOARD ACTIONS**

A) The first item before the Board was Consideration of Approval of Transmittal to Host Municipalities of Proposed Plan Amendment #10 Permitting Alternative Development Scenario in Eatontown.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 1.

A motion was made by Dennis Connelly and was seconded by Jay Coffey.

Bruce Steadman conducted a roll call vote.

NAME	YES	NO	ABSTAIN
Robert Lucky	X		
Lillian Burry	X		
Vito Perillo	X		
Jay Coffey	X		
Dennis Connelly	X		
Adam Sternbach	X		
Tim Lizura	X		

Motion to Approve: DENNIS CONNELLY Second: JAY COFFEY  
AYes: 7

B) The next item before the Board was Consideration of Approval of a Purchase & Sale and Redevelopment Agreement for Charles Wood Firehouse.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 2.

A motion was made by Lillian Burry and was seconded by Dennis Connelly.

Tim Lizura noted that the PSARA would require approval from the NJEDA Board.

Motion to Approve: LILLIAN BURRY Second: DENNIS CONNELLY  
AYes: 7

C) The next item before the Board was Consideration of Approval to Make the Bowling Center in Eatontown Available Through the Offer to Purchase Process.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 3.



A motion was made by Tim Lizura and was seconded by Dennis Connelly

Jay Coffey asked if the ground lease and the concessionaire permit would expire upon the sale of the property. Mr. Coffey stated that legislation has proposed a bill to provide 5 liquor licenses to each of the three host municipalities. Mr. Coffey asked if it would become the obligation of the municipality to police the license or is it FMERA's preference to have a land sale of the property in order for the buyer to obtain a state liquor license.

Bruce Steadman stated that for those parcels where it is desirous for a buyer to have a liquor license for a preexisting facility that had sold liquor under Army ownership, and in order to facilitate the property being put back into reuse, the ground lease is the pragmatic option. Mr. Steadman stated that it is difficult to find buyers who will pay market rate for the properties due to the uncertainty of the liquor license legislation.

Dave Nuse stated that staff would be supportive of the liquor license legislation if it was enacted. Mr. Nuse further stated that where there is a ground lease on the property and a special concessionaire permit is available, FMERA would convey title to that entity under the ground lease for \$1. Mr. Nuse reiterated that it would be FMERA's preference to sell properties as opposed to leasing them.

Motion to Approve: TIM LIZURA Second: DENNIS CONNELLY  
AYes: 7

D) The next item before the Board was Consideration of Approval of Modification to the Warehouse District RFOTP Boundary.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 4.

A motion was made by Jay Coffey and was seconded by Lillian Burry.

Motion to Approve: JAY COFFEY Second: LILLIAN BURRY  
AYes: 7

### **OTHER ITEMS**

Bruce Steadman announced that Kara Kopach has been promoted to Real Estate Development Manager, based on her undertaking new duties and responsibilities associated with the redevelopment process. Mr. Steadman thanked Kara for her diligence and commitment to FMERA, and noted that the promotion is an acknowledgement of her continuing efforts.

Dennis Connelly thanked FMERA staff for their negotiations on Parcel B, and stated that based on the circumstances FMERA made a good business decision to discontinue discussions with Paramount. Mr. Connelly stated that Eatontown still wants to see a good project at Parcel B, and is looking forward to moving on for the good of Eatontown.

### **PUBLIC COMMENT REGARDING ANY FMERA BUSINESS (5 minutes re: any FMERA business)**

Anthony Fortilini asked if Building 700 (former recruiting center) in Oceanport can be made available for sale.

Bill Holobowski of Tinton Falls submitted questions online asking why Tinton Falls is still obligated to construct 288 units of housing (presumably with a 20% COAH component) when the original redevelopment plan was to include housing for Soldier On, which will now be constructed off-property on 13 acres generously donated by the Borough. Mr. Holobowski stated that, in his opinion, FMERA's endorsement of a high-density development that does not deduct the Soldier On units from the 288 total is utter greed and unacceptable. He asserted FMERA's conduct



shows a complete lack of regard for local impacts. Mr. Holobowski asked if the Board has the authority to amend the Reuse Plan to lower the number of housing units dedicated to the Lennar project on Parcel C in Tinton Falls.

Mr. Steadman stated that Building 700 is in a location that the Army and NJDEP consider a problematic environmental area due to a former dry-cleaning facility located near the building. Mr. Steadman stated that the Army feels that the best way to approach clean-up of the site is to tear down the building in order to access the soil and underlying contaminants. Mr. Steadman stated that if the Army determines that the building does not need to be torn down, then FMERA will issue an RFOTP for the building, and that Mr. Fortilini's firm would be welcome to bid on it.

Bruce Steadman answered Mr. Holobowski by stating that with regards to the Lennar and Soldier On projects: FMERA is obligated to oversee construction/rehab of 1585 housing units – 288 in Tinton Falls, 720 in Oceanport, and 577 in Eatontown. This is from the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) as submitted to and approved by HUD and the US Army (submitted in 2008, approved in 2010). As called out in the Land Use Rules at 19:31C-3.23, 20% of the residential units constructed on the Fort shall be reserved for occupancy by low or moderate-income households. These are obligations that FMERA must hold to, irrespective of any development in the 3 Boroughs outside of the Fort boundaries, such as the Soldier On project.

Mr. Steadman stated that the Soldier On project is fully incremental to the Fort's Reuse Plan. There was never any agreed upon veterans housing project that was formally designated for the Fort via the Reuse Plan that then was relocated off the Fort that would affect the 288 number. The Soldier On group and others looked for sites for a veterans housing project in the Fort's Oceanport, Eatontown, and Tinton Falls sections; but a suitable site could not be found. The Reuse Plan committed FMERA to the 1585 total units, including 288 for Tinton Falls, again irrespective of any off-site development. Mr. Steadman also stated that if the Board were to amend the Reuse Plan, in the manner of reducing the number of committed-to residential units, the Plan would need to be resubmitted to HUD and the US Army for consideration and approval.

Dave Nuse stated that FMERA has introduced a Veterans housing component to perspective developers in their residential projects, encouraging developers to set aside housing units for veterans where practicable. Mr. Nuse stated that the new administration has also encouraged FMERA to provide housing opportunities to Veterans during the redevelopment.

Mr. Nuse also reminded the Board and the public that FMERA is obligated to funding the County Homeless Shelter, the 180 Turning Lives Around project, 20 permanent supportive homes in Tinton Falls, 20 permanent supportive homes in Eatontown, and the HABcore project in Oceanport, all part of the Homeless Assistance Submission (HAS) that was approved by HUD and the Department of the Army in 2010.

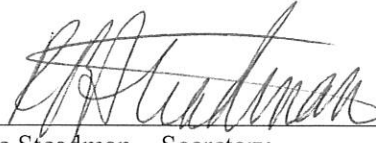
Kara Kopach noted that to introduce any reduction in the Parcel C or C1 residential unit numbers, in addition to the comments above, would require a contractual change with the developer, which contract already has been approved by the FMERA Board, and which has served as the basis for the developer's site plan presentations before the Tinton Falls Planning Board.

Lillian Burry stated that she has been very involved with the Soldier On project from them beginning and introduced Soldier On to FMERA and Tinton Falls. Ms. Burry stated that Soldier On has the support of the Veterans Association. Ms. Burry stated that Soldier On has been able to secure 13 acres in Tinton Falls to build their project. Ms. Burry stated that the typical Soldier On project is a way of life and a wonderful Veterans community, and helps Veterans re-enter the work force and contribute to their community.

Vito Perillo thanked Ms. Burry for her support of the Veterans and the Soldier On project.

There being no further business, on a motion by Lillian Burry seconded by Dennis Connelly and unanimously approved by all voting members present, the meeting was adjourned at 8:15p.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 cursive script, appearing to read "B. Steadman", written over a horizontal line.

Bruce Steadman – Secretary

**ADOPTED**  
**February 21, 2018**

Resolution Regarding  
**Transmittal to Host Municipalities of Proposed Tenth Plan Amendment Permitting  
Alternative Development Scenario in Eatontown**

**WHEREAS**, the FMERA Act, P.L. 2010, c.51, in N.J.S.A. 52:27I-26(c), and the Land Use Rules, in 19:31C-3.27(c), authorize FMERA to amend the plan from time to time as development progresses; and

**WHEREAS**, pursuant to the Land Use Rules, FMERA must transmit any proposed Reuse Plan amendment to the governing body of the three municipalities for a 45-day comment period and then consider any comments prior to the Board approving or disapproving the amendment; and

**WHEREAS**, the Reuse Plan envisions the redevelopment of the Eatontown Reuse Area for approximately 1.96 million square feet of non-residential uses and 577 residential units; and

**WHEREAS**, the redevelopment of the Eatontown Reuse Area included development of a conference hotel and golf course, a lifestyle mixed-use center/technology incubator campus and municipal complex, and expansive green space including the Suneagles golf course; and

**WHEREAS**, the proposed Amendment #10, prepared by the Authority's contracted professional planner Phillips Preiss Grygiel, encompasses approximately 171 acres in the Eatontown Reuse Area, that comprises Suneagles Golf Course; and

**WHEREAS**, the Reuse Plan envisioned the retention of the 140+ acre, 18-hole golf course, the renovation of historic Gibbs Hall as a banquet and conference facility, and the development of a 150-room hotel that would replace 24 of the existing 42-unit Megill Housing complex, with the remaining Megill units being retained for longer stay clientele of the conference center; and

**WHEREAS**, the land uses proposed in Amendment #10 maintains the Plan's land use concepts and plans while permitting development scenarios for the parcel that would result in the development of up to 75 new housing units on the property, with approximately 60 units constructed on the 10-acre Megill Housing area, and with approximately 15 units located on the property's Maxwell Avenue frontage and twenty percent of the 75 total units would be affordable to low- and moderate-income households; and

**WHEREAS**, the proposed amendment contemplates that the golf course would be maintained and improved, that Gibbs hall would be renovated as a banquet hall and conference center, with an added porch, and that the existing pool would be removed; and

**WHEREAS**, staff has reviewed the proposed Amendment #10 with regard to the criteria for reviewing a proposed amendment and reached the following conclusions: (1) this Amendment potentially changes the total number of residential units planned in Eatontown as the development of 75 units at Suneagles would require an increase of the total number of residential units planned for Eatontown to 635; (2) this Amendment affects only the Eatontown Reuse Area, and the preserving and upgrading of Gibbs Hall and the 18-hole golf course will contribute to the creation of a vibrant, mixed-use community envisioned for the Eatontown reuse, and the development of new dwelling units will proved tax rateables for Eatontown and housing opportunities to families and individual; (3) this Amendment would maintain the overarching land use concepts, objectives and principles of the Reuse Plan; (4) this Amendment is consistent with the Authority's BRAC obligations and the negotiations related to the Phase 2 Economic Development Conveyance Agreement with the Army; and (5) this Amendment includes changes to circulation plans envisioned in the Reuse Plan to improve access to the southern portion of the Eatontown area of the Fort; and

**WHEREAS**, the Real Estate Committee has reviewed the proposed plan change Amendment #10, and recommends approval of the transmittal of the proposed amendment to the governing body of each host municipality.

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Authority approves the transmittal to the governing body of each of the three host municipalities of the proposed attached Amendment #10 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario in the Eatontown Reuse Area.

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: February 21, 2018**

**EXHIBIT 1**

**ADOPTED**  
**February 21, 2018**

Resolution Regarding  
**Approval of a Purchase and Sale Agreement & Redevelopment Agreement (PSARA) with  
Commvault for the Charles Wood Fire Station Parcel in Tinton Falls**

**WHEREAS**, on May 6, 2016, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) with a response date of July 8, 2016, in connection with the planned redevelopment of the Charles Wood Fire Station Parcel in Tinton Falls; and

**WHEREAS**, the Charles Wood Fire Station Parcel is an approximately 2.3-acre parcel that contains the former fire station (Building 2560) plus the adjacent tract to the east of the Charles Wood Fire Station which includes an additional 1.7 acres of unimproved land; and

**WHEREAS**, the Fort Monmouth Reuse Plan envisioned the 2.3-acre parcel would be used for an institutional or civic function and after two rounds of unsuccessful RFOTPs, FMERA added an adjacent 1.7-acre tract to address bidders' concerns with parking limitation and to expand potential uses to include commercial and recreational uses; and

**WHEREAS**, after the issuance of the RFOTP, the FMERA Board adopted Amendment #3 to the Reuse plan which permits Building 2560 to be reused for commercial use rather than civic use and the amendment permits a commercial and/or accessory parking use on the approximately 1.7-acre tract located to the east of the Charles Wood Fire Station; and

**WHEREAS**, FMERA received five compliant proposals for the Charles Wood Fire Station parcel; the proposals were scored independently by an evaluation committee, and Commvault received the highest score and submitted the highest price proposal; and

**WHEREAS**, Commvault proposes to adaptively reuse the Fire Station as corporate office space and may include swing space for Commvault's existing corporate campus and recreation uses on the open space on the property and Commvault may improve the property with additional square footage to accommodate additional office space, contingent on-site constraints including by no limited to floodplain and stream encroachment restrictions, and subject to the Reuse Plan and Land Use Rules; and

**WHEREAS**, the terms of the proposed PSARA include Commvault's payment of \$1,970,000 million for the property; closing will occur on the later of March 14, 2018 or thirty (30) days after Seller obtains approval from its Board and the consent of the NJEDA Board and FMERA will convey the property to Commvault in as-in condition, but with clear title and subject to the Army's on-going obligations under CERCLA to address any pre-existing conditions that may exist on the property; and

**WHEREAS**, Commvault will incur a minimum investment of approximately \$1,000,000 to complete the project and will be obligated to create 40 permanent, full-time jobs at the property within twenty-four months of obtaining a certificate of occupancy or pay a penalty for each

position not filled; and

**WHEREAS,** the Real Estate Committee has reviewed the proposed PSARA and recommends Board approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the selection of Commvault as the purchaser of the Charles Wood Fire Station Parcel in Tinton Falls pursuant to the May 6, 2016 RFOTP, on terms substantially consistent to those set forth in the attached memorandum and the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA) and with final terms in substantially the same form acceptable to the Executive Director and the Attorney General's Office, and authorizes the Executive Director to execute the PSARA and take any necessary actions to effectuate the selection of Commvault as the purchaser.

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: February 21, 2018**

**EXHIBIT 2**



**ADOPTED**  
**February 21, 2018**

Resolution Regarding  
**Making the Bowling Center in Eatontown Available through the Offer to Purchase Process**

**WHEREAS**, on June 7, 2017, FMERA issued and publicly advertised a Request for Sealed Bids (“RFB”) with a response date of July 10, 2017, in connection with sale of the 2.8-acre Bowling Center Parcel in Eatontown.

**WHEREAS**, the Bowling Center, also known as Building 689 is an approximately 17,599 sf, 20-lane bowling alley on 2.3-acre parcel which also includes Building 682, a 4,720-sf wood frame building to be demolished by the selected bidder; and

**WHEREAS**, Fort Monmouth B.E.C., LLC (“FMBEC”) submitted the sole response to the RFB and proposed to purchase the improvements on the property for a price exceeding FMERA’s minimum bid and ground lease the underlying land and FMERA staff evaluated the proposals and recommended at the Authority’s August 2017 meeting that FMERA enter into a Purchase and Sale Agreement (PSA) and ground lease with FMBEC; and

**WHEREAS**, subsequent to Board approval, FMBEC notified FMERA that it is was not prepared to close on the property within the timeframes specified in the RFB and further negotiations between the parties failed to result in an agreement between the parties, and

**WHEREAS**, FMBEC subsequently withdrew its offer to purchase the property; and

**WHEREAS**, Staff recommends proceeding with the offer to purchase process and issuing a Request for Offers to Purchase (“RFOTP”) for the Bowling Center rather than an RFB because potential purchasers have expressed interest in acquiring and renovating the property for recreation, entertainment and related uses, and the building’s current footprint and floorplan may no longer represent the Property’s highest and best use; and

**WHEREAS**, Staff believes the RFOTP process may allow greater flexibility for selecting the scenario that would maximize the development potential and economic value and that negotiations with respondents may be necessary to ensure that FMERA’s objectives are met, and that the value of the property is maximized; and

**WHEREAS**, staff recommends that the RFOTP give bidders the option of proposing to purchase the improvements and ground lease the land, rather than purchasing both the land and improvements and ground leasing from FMERA would make the lessee potentially eligible to obtain a special concessionaire permit from the State of New Jersey, Division of Alcoholic Beverage Control to serve alcohol on the premises; and

**WHEREAS**, the Real Estate Committee met on February 13, 2018 and reviewed staff’s request to make the Bowling Center available through the offer to purchase process and recommended that it be presented to the Board for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority authorizes making the Bowling Center Parcel in Eatontown available through the offer to purchase process.
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: February 21, 2018**

**EXHIBIT 3**

**ADOPTED**  
**February 21, 2018**

Resolution Regarding  
**Modification to Authorization for Making the Warehouse District Available through the Offer to Purchase Process**

**WHEREAS**, in accordance with Section 19:31C-2.5(a) of FMERA's Rules for the Sale of Real and Personal Property, "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 Board authorized the issuance of Request for Offers to Purchase (RFOTP) in December 2017 for three abutting parcels in the Oceanport Reuse Area including the Commissary and PX, the Warehouse District, the Post Office Area, and the 1000 Parking Area, a 6± acre tract, for off-street parking as an optional sub-parcel; and

**WHEREAS**, the Fort Monmouth Revitalization Planning Authority's (FMERPA) obligations under the Base Realignment and Closure Law, in 2008 proposed to transfer Building 270 to the Affordable Housing Alliance for operation of HABcore as supportive housing for the homeless, and

**WHEREAS**, due to the location of Building 270 within an area now planned for private development, FMERA offered Buildings 912 & 913, as a replacement for Building 270 and HABcore has advised FMERA that it does not wish to utilize Buildings 912 & 913 as they are not adaptable to their intended use, making the buildings available for redevelopment; and

**WHEREAS**, the Affordable Housing Alliance and HABcore and FMERA will now jointly seek to identify another mutually acceptable location within the Oceanport Reuse Area, and

**WHEREAS**, given the proximity to the Warehouse District, staff recommends incorporating Buildings 912 & 913 to the Warehouse District to allow the parcel's eastern boundary to extend to Murphy Drive, enabling bidder to better access and utilize the larger parcel; and avoid FMERA's retention of an otherwise unbuildable parcel located between the Warehouse and the future site of Monmouth County's Emergency Homeless Shelter; and

**WHEREAS**, the proposed addition of Buildings 912 & 913 will increase its land area by approximately one (1) acre and the area of the buildings to be demolished or redeveloped by approximately 9,400sf; and

**WHEREAS**, the Real Estate Committee has reviewed the request for the modification of its prior authorization for FMERA staff to make the Warehouse District available through the offer to purchase process to include Buildings 912 & 913 within the planned Request for Offers to Purchase, it to the full Board of the Members for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves making the modification to the authorization for FMERA staff to make the Warehouse District available through the offer to purchase process to include Buildings 912 & 913 within the planned Request for Offers to Purchase, in accordance with FMERA's approved Sales Rules.

2. The Authority authorizes the Executive Director to take all necessary actions to effectuate the issuance of the Requests 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: February 21, 2018**

**EXHIBIT 4**

**MEMORANDUM**

TO: Members of the Board

FROM: Bruce Steadman  
Executive Director

DATE: March 27, 2018

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 Requests for Proposals (RFPs) and Other Contracts; Update on Requests for Offers to Purchase (RFOTPs); Update on Marketing Effort; and Action Items for Next Month.

**Treasurer's Report**

1. 2017 Comprehensive Annual Report

The 2017 audit continues. The auditors will report on the Authority's financial statements and accompanying notes, as well as report on the Authority's internal controls and compliance with Government Auditing Standards. The auditors will report their findings to the Audit Committee at the Committee's next meeting on April 12. Subject to the Audit Committee's recommendation, the 2017 Comprehensive Annual Report including the audited financial statements will be forwarded to the Board for their review in April.

**Executive Director's Report**

1. Update on RFPs and Contracts

• Utilities:

- The new water line extension project, that encompasses Main Post Historic District, is substantially complete. The main trunk line loop is installed, pressurized, and tested. The contractor is now installing the last meter pits that will connect certain occupied buildings to the new system. The project will be completely wrapped up in the next few weeks.
- RPM Development, in conjunction with Two Rivers Water Reclamation Authority, is moving toward installing a new sanitary main from the Officer Housing area to the Two Rivers meter. Final permitting is expected within 60 days.
- FMERA still anticipates closing soon with JCP&L on the transfer of the Charles Wood substation.



- Requests for Proposals: FMERA issued two RFPs on February 2, 2018 for Surveying Services and Environmental Consulting Services. Responses were due by 12:00p.m. on March 2, 2018. FMERA received 15 compliant Surveying Services proposals and 11 compliant Environmental Consulting Services proposals. An evaluation committee has evaluated the Environmental Services proposals and FMERA will make a recommendation to award a contract at tonight's Board meeting. Surveying Services proposals will be evaluated in the coming weeks.

## 2. Update on RFOTPs

The following is a town-by-town summary of the status of our redevelopment projects.

In **Oceanport**, FMERA closed on the Fitness Center on September 26, 2017 enabling Fort Partners, LLC, to renovate and expand the facility to emphasize basketball, fitness, and swimming programs, medically based fitness and wellness programs, and individualized and group training and classes, along with related and ancillary uses including a pro shop and health café. On August 16, 2017 FMERA closed on a 13-acre parcel on Murphy Drive in Oceanport, where the Borough purchased the property for their new municipal complex. FMERA closed on the Russel Hall building and associated property on June 23, 2017. TetherView Property Management, LLC, a private cloud computing services company relocated from New York to the 40,000 square-foot former Garrison Headquarters building. The company had been occupying the building under a lease prior to the closing and has already completed extensive renovations for new and current tenants. Russel Hall currently houses a variety of businesses including tech companies, medical offices, and an architecture firm, among others. FMERA closed on the Main Post Chapel on February 27, 2017 when Triumphant Life Assembly of God Church purchased the approximately 16,372 square foot building for use as a house of worship. FMERA also closed on the Officer Housing parcels on January 13, 2017 with RPM Development. The company is renovating the 117 historic housing units, creating 68 market-rate for sale units, and 48 rental units; twenty (20%) percent of the total units will be available to low- and moderate-income households. Rental units are expected to go on the market in early 2018.

Also in Oceanport, FMERA has executed contracts on 2 parcels:

- Dance Hall, a 16,000 square-foot former recreation building on Brewer Avenue, to Regional Development Group, for commercial and retail uses, including entertainment and restaurant purposes. FMERA anticipates closing on the Dance Hall property in 1Q of 2018.
- Building 501, an approximately 1.7-acre site identified for conveyance to Family Promise of Monmouth County via a Legally Binding Agreement (LBA). The finalized LBA, a supporting Administrative Letter and a Purchase and Sale Agreement with the company were approved by the Board at the September 2017 meeting.

FMERA is in negotiations for the sale and redevelopment of the following 6 properties:

- Nurses Quarters, a 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital.
- Marina, approved for exclusive negotiations with AP Development Partners, LLC, and currently operating as a marina/public boat ramp and restaurant.
- Squier Hall Complex, an approximately 31-acre site currently under negotiations with the sole bidder, where the RFOTP called for office/research, institutional/civic (including educational) and/or open space/recreation uses. The future developer has secured a commitment from a state university for use of the site, contingent upon an executed PSARA with FMERA. Squier Hall is listed on the National Register of Historic Places and will be retained.



- Lodging Area, a 15-acre site located on Parkers Creek currently under negotiations with the lead bidder, where the RFOTP called for medium density residential, institutional/civic and/or office/research & development uses.
- Allison Hall, the 13-acre parcel which includes the reuse of the historic building, as well as retail, office/research & development and open space/recreation uses.
- Barker Circle, an approximately 19.5-acre parcel in the historic district which includes the repurposing of buildings 205, 206, 207, 208, and 287, as well as the Main Post Firehouse and Kaplan Hall, for residential, office and other commercial uses.

FMERA intends to issue the following RFOTPs:

- The Commissary, the 53,700± sf former Army supermarket; and the Post Exchange (PX) complex, a series of four circa 1970 wood-frame buildings totaling 45,626± sf, along with Building 812, a 5,563± sf building constructed in 1941 for use by the Army Service Corps;
- The Warehouse District, consisting of five general purpose administrative buildings (Buildings 909 through 913) constructed in 1943 and two circa 1954 warehouse buildings (975 and 976) totaling 77,589± sf; and
- The Post Office Area, including the 7,641± sf former Post Office (Building 1005), constructed in 1971; Tickets & Tours (Building 1010), a 2,600± sf building constructed in 1970; Building 800, a 14,964± sf administration and classroom building dating to 1942; and Building 801, the 9,267± sf recreation equipment checkout facility built in 1941.
- Parties bidding on the Commissary and PX and/or the Warehouse District will have the option of also bidding on the 1000 Area Parking parcel, a 6± acre lot that will provide off-street parking for the buildings that adjoin it.

In **Eatontown**, FMERA has initiated negotiations with the second-ranked bidder on Parcel B. The Authority's RFOTP called for the development of a mixed-use town center along Route 35 totaling approximately 250,000 square feet of retail and 302 housing units.

Also in Eatontown, FMERA has approved or executed contracts on 3 parcels:

- Howard Commons, where American Properties at Monmouth, LLC, plans to build up to 251 residential units on approximately 64 acres on Pinebrook Road. American Properties will first be responsible for demolishing the existing housing units on the property.
- Eatontown Barracks, 6 buildings on Semaphore Avenue on an approximately 4.4-acre parcel, where FMERA entered into a PSARA with Kenneth Schwartz for the development of a commercial arts-related project, including studio, performance and gallery space, as well as short-term residential units for artists.
- Suneagles Golf Course, where FMERA has executed a PSARA with Martelli Development, LLC, to maintain and upgrade the existing Golf Course, renovate historic Gibbs Hall, and construct 75 new housing units. Martelli will continue to operate the course in the interim so it can remain open to the public as the redevelopment progresses.

Staff is in discussions with the Borough of Eatontown for potential reuse of Building 1123, a former general office building at Saltzman and Wilson Avenues, by the Borough's Department of Public Works. Staff expects to present a recommendation to the Board at an upcoming meeting.

FMERA intends to issue the following RFOTPs:

- Expo Theater, an 18,883sf entertainment facility built in 1968, previously used as a live theater and cinema; and adjacent properties, including Dean Field and portions of the M3, M5, and M8 landfills,

as optional sub-parcels. At the December 2017 meeting, the Board authorized FMERA staff to make Expo Theater and adjacent properties available through the offer to purchase process.

- The Bowling Center, an approximately 2.8-acre parcel including Building 689, is an approximately 17,599 sf, 20-lane bowling and Building 682, a 4,720-sf wood frame building .to be demolished by the selected bidder.

In **Tinton Falls**, FMERA closed on Parcel F-3 on February 23<sup>rd</sup>. The Monmouth County Park System purchased the property to develop in conjunction with the adjacent Fort Monmouth Recreation Center and Swimming Pool. The former gas station and convenience store site, located along Hope Road, will allow the County to expand services and public open space amenities currently offered at the Recreation Center. FMERA closed on the Fort Monmouth Recreation Center on February 23<sup>rd</sup>, which had previously been leased by Monmouth County.

FMERA has approved or executed contracts on another four projects in Tinton Falls:

- Parcels C and C1, with Lennar Corporation, approved for 288 residential units over the two parcels, and up to 58,000 square feet of retail development, was recently approved by the Borough's Planning Board.
- Fabrications Shops (Pinebrook Road Commerce Center), 45,000 square feet of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC, which is slated to close imminently.
- Pistol Range and Satellite Road Parcel, with Kiely Realty Group for the reuse and upgrading of the former Pistol Range, and additional office and commercial uses on the combined approximately 5-acre parcel.
- Charles Wood Fire Station, with Commvault Systems, Inc. for the adaptive reuse of the Fire Station as corporate office space and swing space for Commvault's existing corporate campus and recreation uses on the open space on the property.

On June 26, 2017, the New Jersey Economic Development Authority (NJEDA) issued an invitation to bid on the abatement, demolition and site improvements for the former Myer Center and the adjacent building 2705. Bids were due on July 28<sup>th</sup> and 9 bids were received. NJEDA reviewed the submitted bids and has selected Tricon to provide remediation and demolition services. On September 20<sup>th</sup>, 2017, the Board approved a Purchase and Sale Agreement with NJEDA for the approximately 36-acre parcel. Work began in January 2018. Information regarding the abatement and demolition of the former Myer Center and Building 2705 is available on our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com).

FMERA intends to issue the following RFOTPs:

- Pulse Power, a special purpose facility consisting of 15,690 sf of administrative offices and 10,786 sf of dry lab and testing space, and Building 2719, consisting of 6,574 sf of administrative space and a 2,448 high-bay garage constructed in 2006. At the October 2017 Board meeting, the Board authorized FMERA to make the Pulse Power Building and Building 2719 available through the offer to purchase process. Complete RFOTP details will be posted on our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com)

### 3. Marketing Update

FMERA continues to work collaboratively with the Riddle Team on advancing the redevelopment of the Fort. Currently, the team is in the process of designing Fort-wide maps to highlight completed projects, projects that are underway, and property that will soon be made available for purchase. Once

completed, these maps will showcase the variety of businesses and amenities that are currently operating or planned as a part of the Fort's live-work-play community. Maps will be made available to the public at [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com).

FMERA will also begin marketing three key parcels in 2018; the McAfee Complex, the 400 Area, and the Myer Center parcel, which FMERA anticipates will serve as optimal sites for a green-tech campus and additional commercial anchors.

Please refer to our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com), for more information and to sign up for our monthly digital newsletters.

4. Action Items for Next Month.

- Continued work with the N.J. Department of Environmental Protection and U.S. Army 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



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Approved By: Bruce Steadman

Prepared by: Sarah Giberson



**ADOPTED**  
**March 27, 2018**

Resolution Regarding the  
**Approval of Award of Environmental Consulting Contract**

**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 Proposals (the “RFP”) for Environmental Consulting Services on February 2, 2018 to solicit Technical Proposals, and Fee Proposals from qualified firms interested in performing Environmental Consulting Services tasks as determined to be needed from time to time during the term of the contract, to facilitate the conveyance of Fort Monmouth property from the Authority to interested purchasers; and

**WHEREAS**, proposals were due on March 2, 2018 and eleven compliant proposals were received; and

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

**WHEREAS**, cost proposals were analyzed by the RFP Coordinator; and

**WHEREAS**, the Evaluation Committee met to review the scoring of the technical proposals. The technical evaluation scoring is based upon a comparative ranking with an emphasis on relevant experience and management approach. The technical ranking ranged from a high of 398 points to a low of 234 points, with the highest technically ranked firm being Langan Engineering and Environmental, LLC; and

**WHEREAS**, FMERA staff opened and evaluated the fee proposals, which included hourly rates ranging from \$56 to \$310 per hour; and

**WHEREAS**, FMERA staff then entered into negotiations with Langan in order to secure a fair and reasonable price in accordance with the RFP. Staff was able to negotiate the hourly fees to a range which is in line with the industry norm; and

**WHEREAS**, FMERA staff determined Langan’s proposal to be the most favorable to the Authority, price and other factors considered; and

**THEREFORE, BE IT RESOLVED THAT:**

1. The Board approves the selection of the Langan Engineering and Environmental, LLC as FMERA’s Environmental Consultant for a term of twelve (12) months with FMERA’s option to extend the contract for up to an additional twenty-four (24) months, with a total maximum not to exceed cost of \$300,000, in accordance with the Request for Proposals.

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: March 27, 2018

**EXHIBIT 1**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director

**RE:** Award of Environmental Consulting Services Contract

**DATE:** March 27, 2018

Summary

I am requesting that the Board approve the selection of Langan Engineering and Environmental Services, Inc. (“Langan”) pursuant to a Request for Proposals (RFP) to provide environmental consulting services to the Authority.

Background

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

FMERA issued a Request for Proposals (“RFP”) for Environmental Consulting Services on February 2, 2018 to solicit Technical Proposals and Fee Proposals from qualified firms interested in performing Environmental Consulting Services as determined to be needed from time to time during the term of the contract, to facilitate the conveyance of Fort Monmouth property from the Authority to interested purchasers. The proposals were due on March 2, 2018. Eleven compliant proposals were received.

The eleven technical proposals were distributed to the Evaluation Committee. The Committee was made up of four New Jersey Economic Development Authority employees, all of which are assigned to the FMERA Office. The technical proposals were scored independently by each of the evaluators. The scores were then compiled and the Evaluation Committee met to review the scoring of the technical proposals. The technical evaluation scoring is based upon a comparative ranking with an emphasis on relevant experience and management approach. The technical ranking ranged from a high of 398 points to a low of 234 points, with the highest technically ranked firm



being Langan. FMERA staff then evaluated the fee proposals, which included hourly rates ranging from \$56 to \$310 per hour, and entered into negotiations with Langan in order to secure fair and reasonable pricing and fees in accordance with the RFP. Staff was able to negotiate the hourly rates to a reasonable range which is in line with the industry norm, as set forth in the attached fee schedule addendum for Langan. Ultimately, staff determined Langan's proposal to be the most favorable to the Authority, price and other factors considered. Therefore, the evaluation committee recommends that the Board approve the selection of Langan as FMERA's Environmental Consultant for a term of twelve (12) months commencing on the date of appointment. The Authority reserves the right to extend the terms of the engagement for up to an additional twenty-four (24) months. Whether under the original or extended term, the total cost of FMERA's engagement with Langan is not to exceed \$300,000.

Recommendation

In summary, I am requesting the Board approve the selection of Langan Engineering and Environmental Services, Inc. with a total cost not to exceed \$300,000 pursuant to a Request for Proposals to provide environmental consulting services to the Authority.



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Bruce Steadman

Attachment: Fee Schedule  
Prepared by: Regina McGrade

**ADOPTED**  
**March 27, 2018**

Resolution Regarding

**Approval of the County of Monmouth Request for Additional Funding for the Homeless Shelter**

**WHEREAS**, in September 2008, the Fort Monmouth Economic Revitalization Planning Authority (FMERPA), the predecessor to FMERA, submitted a Homeless Assistance Submission along with the Reuse Plan to the U.S. Department of Housing and Urban Development (HUD) which included a Legally Binding Agreement (LBA) providing for an emergency shelter for the County of Monmouth (County), which was subsequently approved by HUD in 2010; and

**WHEREAS**, in 2012 the existing County shelter on Fort Monmouth in the Oceanport Reuse Area was evacuated due to flooding by Superstorm Sandy, and the County temporarily relocated the shelter to an offsite County-owned facility; and

**WHEREAS**, the County has since sold this facility and has pursued the option to relocate the facility back on Fort Monmouth per the LBA and FMERA's obligation to provide an emergency shelter for the County; and

**WHEREAS**, FMERA initially presented an option for the reuse of Building 901 in the Oceanport Reuse Area and the County ultimately rejected this site based on the cost of renovations; and

**WHEREAS**, FMERA identified another location totaling approximately 3 acres and including two buildings, Buildings 906 and 908, and the accompanying paved and parking areas, which are slated for demolition in the Reuse Plan, and the parcel is envisioned as open space; and

**WHEREAS**, FMERA and the County negotiated final terms of an Administrative Letter (to supplement the LBA) and Purchase and Sale and Redevelopment Agreement ("PSARA") for the transfer and long-term use of the property to include the demolition of the two buildings and construction of a new homeless shelter facility; and

**WHEREAS**, the PSARA calls for FMERA to convey the 3-acre parcel on Murphy Drive to the County in exchange for \$1.00 plus the County's satisfaction of the covenants and obligations set forth in the LBA, as supplemented by the Administrative Letter, with additional terms included in the PSARA; and

**WHEREAS**, FMERA agreed to pay the County up to \$1.5 million to reimburse the County for allowable expenditures incurred by the County in the demolition of existing buildings and construction of the new facility with payment to the County subject to the availability of funds in the FMERA Homeless Trust; and

**WHEREAS**, the County has notified FMERA that the costs for delivery of the homeless shelter will substantially exceed the \$1.5 million amount previously agreed to by the County based on their updated engineering and construction estimates, by as much as an additional \$900,000 for professionals retained by the County; and therefore, the County has requested that FMERA consider funding a portion of the cost overruns from FMERA's Homeless Fund; and

**WHEREAS**, FMERA staff has evaluated its obligations for the FMERA Homeless Fund, and believe that when FMERA has sold 90% of the developable land within the Fort Monmouth boundaries, there may be a fund balance of unobligated monies in the homeless fund of up to \$1,000,000; and

**WHEREAS**, the existing agreement with the County was predicated on the County's initial estimate and FMERA's obligation in the LBA involves the transfer of the property with a newly constructed shelter facility and while the County agreed in the Administrative Letter that the transfer of property and the \$1.5 million contribution satisfied FMERA's obligation, it would be appropriate and prudent to reimburse Monmouth County for up to \$450,000 or 50% of the unobligated monies in the Homeless Fund, whichever amount is lower, at such time as 90% of the developable land within the Fort Monmouth boundaries have been sold, for approved costs directly associated with the County's engineering and construction of the Homeless Shelter, in substantially the same terms and formula as outlined in the PSARA, LBA, and Administrative Letter; and

**WHEREAS**, the remaining unobligated balance would remain uncommitted and available for FMERA to use as needed over time in light of its other LBA obligations; and

**WHEREAS**, the amendment is in substantially final form, with final documents subject to the approval of FMERA's Executive Director and the Attorney General's Office; and

**WHEREAS**, the Real Estate Committee has reviewed the request and recommends that the Board authorize the additional funding for the homeless shelter.

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Board approves the Amendment to the Administrative Letter with the County to provide for FMERA's reimbursement of additional monies to the County of Monmouth, up to \$450,000 or 50% of FMERA's unobligated Homeless Fund, whichever is lower, at such time in the future as 90% of FMERA's developable acreage within the Fort are sold, above and beyond that amount the Board already approved, and which subsequently FMERA has agreed by contract to reimburse, for costs incurred by Monmouth County in its design and construction of the homeless shelter.

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: March 27, 2018

**EXHIBIT 2**

**MEMORANDUM**

**TO:** Members of Board

**FROM:** Bruce Steadman  
Executive Director

**DATE:** March 27, 2018

**RE:** County of Monmouth Request for Additional Funding for Homeless Shelter

**Summary**

I am requesting Board approval of FMERA's reimbursement of additional monies, above and beyond that amount the Board already approved, and which subsequently FMERA has agreed by contract to reimburse, for costs incurred by Monmouth County in its design and construction of the homeless shelter. As explained more fully below, currently FMERA is obligated by contract to reimburse the County for approved costs up to \$1.5 million for the design and construction of the homeless shelter. The County is now asking for up to another \$450,000, subject to certain terms and conditions.

**Background**

In September 2008 the Fort Monmouth Economic Revitalization Planning Authority (FMERPA) submitted a Homeless Assistance Submission (HAS), along with the Fort Monmouth Reuse and Redevelopment Plan (the Reuse Plan), to the U.S. Department of Housing and Urban Development (HUD) which included a Legally Binding Agreement (LBA) (Exhibit b14) providing for an emergency homeless shelter for the County of Monmouth. This shelter will replace the shelter on Fort Monmouth that had been utilized by the County under an agreement with the U.S. Army. The HAS was subsequently approved by HUD in 2010. In 2012 the existing shelter in the Oceanport section of the Fort was evacuated due to flooding caused by Superstorm Sandy. The County of Monmouth temporarily relocated the shelter to an off-site County owned facility. Plans were undertaken to renegotiate the LBA to provide a permanent shelter that would fulfill FMERA's LBA obligation for the County Homeless Shelter within the Oceanport section of the Fort.

In order to meet its LBA obligation, FMERA identified another location on the Fort suitable for the County's long-term needs. Located on Murphy Drive, the agreed upon parcel depicted on the attached map totals 3 acres and includes two buildings, Buildings 906 and 908, and the accompanying paved and parking areas. These buildings were slated for demolition in the Reuse Plan, and the parcel originally was envisioned as open space.

FMERA subsequently approved Reuse Plan Amendment #6, which permits the County's long-term use of the 3-acre site for an emergency homeless shelter. FMERA and the County negotiated an Administrative Letter (to supplement the LBA) and PSARA for the transfer and long-term use of the property to include the demolition of the two buildings and construction of a new homeless shelter facility. These documents satisfy FMERA's obligations under the HAS and the LBA; FMERA sold the Murphy Avenue property to the County in November 2016.





### ***Purchase and Sale & Redevelopment Agreement***

The PSARA, executed by FMERA and the County, called for FMERA to convey the 3-acre parcel on Murphy Drive to the County in exchange for \$1.00 plus the County's satisfaction of the covenants and obligations set forth in the LBA, as supplemented by the Administrative Letter. Subject to its receipt of reimbursement payments from FMERA, the County will demolish Buildings 906 and 908 and construct a new 4,080 sf homeless shelter facility. The facility design, to entail the use of modular units, was agreed upon by the parties prior to PSARA execution, with the inclusion of brick coloring or façade prior to project completion. Upon the Army's issuance of a Finding of Suitability to Transfer and FMERA's receipt of title from the Army, FMERA will convey a small environmental carve-out known as Parcel 68 (UST 906A) constituting a portion of the 3-acre site to the County at a subsequent closing for no additional consideration.

### ***Legally Binding Agreement for Homeless Provider Services***

The LBA, executed by FMERA and the County, outlines the eligible services to be provided by the County at its cost and expense, specifically operation of an adult homeless shelter for both single men and women with a capacity, at a minimum, to accommodate thirteen (13) men and ten (10) women daily. The shelter will operate year-round and provide both shelter and social services to the homeless individuals. The shelter will provide temporary housing, with the average stay for any one person expected to be no longer than forty-five (45) days. The social services provided will include comprehensive linkages to housing, transportation, and financial assistance. The LBA also stipulates the facility specifications and requirements to be met by the County.

### ***Administrative Letter***

The Administrative Letter, executed by FMERA and the County, supplements the LBA by providing detail on FMERA's planned payments from its Homeless Fund in support of the development of the County homeless shelter. In addition to the conveyance of the 3-acre property to the County for \$1.00, FMERA agrees to provide payment(s) to the County of up to \$1.5 million to reimburse the County for allowable expenditures incurred by the County in the demolition of existing buildings and construction of the new facility. Payments to the County will be subject to the availability of funds in the FMERA Homeless Trust that allow for reimbursement of the County's allowable expenditures as well as payments for the other three LBA obligations that FMERA has assumed. The determination of availability of funds will be at FMERA's sole discretion, but in no event will FMERA be obligated to withdraw more than 10% of the available funds in the FMERA Homeless Trust to satisfy the County's requests for reimbursement. FMERA agreed to make an initial payment to the County an amount not to exceed \$170,000 from funds previously accumulated in the FMERA Homeless Trust, subject to the County's submission of one or more payment requests. Subsequent to FMERA's payment to the County of the initial amount, FMERA will provide the County notice within sixty days of each closing by FMERA with a third-party purchaser on a parcel or parcels of land on the Fort. Within thirty days of receipt of each such notice, the County may request payment from the FMERA Homeless Fund.

### **Current Situation**

The County has notified FMERA that its costs for delivery of the homeless shelter will substantially exceed the previously established \$1.5 million budget, based on their updated engineering and construction estimates, by as much as an additional \$900,000. The additional amount is due to revised quotes from the professionals retained by the County based on advance design and engineering. Therefore, the County has requested that FMERA consider funding a portion of the cost overruns from FMERA's Homeless Fund.

FMERA staff has evaluated its obligations for the FMERA Homeless Fund, and we believe that when FMERA has sold 90% of the developable land within the Fort Monmouth boundaries (which is forecasted to take from 5 years to 10 years to complete), there may be a fund balance of unobligated monies in the homeless fund of up to \$1,000,000. FMERA and the Army set the amount of contribution to the Homeless Fund in the Phase 1 Economic Development Conveyance Agreement based on estimated costs for FMERA

to fulfil its obligations under all the LBAs. Similarly, the existing agreement with the County was predicated on the County's initial estimate. FMERA's obligation in the LBA, however, involves the transfer of property with a newly constructed shelter facility. While the County agreed in the Administrative Letter that the transfer of property and the \$1.5 million contribution satisfied FMERA's obligation, to ensure that the shelter is built as required under the LBA, it would be appropriate and prudent to reimburse Monmouth County for up to \$450,000 or 50% of the unobligated monies in the Homeless Fund, whichever amount is lower, for approved costs directly associated with the County's engineering and construction of the Homeless Shelter, in substantially the same terms and formula as outlined above from the PSARA, LBA, and Administrative Letter. This includes paying only upon submission by the County of a detailed written explanation of the proposed allowable expenditure accompanied by a project update. All obligations to contribute funds remain subject to the availability of funding in the Homeless Fund.

To clarify, the maximum County cost overrun amount reimbursable by FMERA would be the lesser of \$450,000 or 50% of the FMERA Homeless Fund unobligated balance, and only when 90% of the redevelopable acreage is sold at some time in the future. The remaining unobligated balance would remain uncommitted and available for FMERA to use as needed over time in light of its other LBA obligations. Attached is a form of the Amendment to the Administrative Letter, which the County has not yet reviewed. The final terms of the Amendment, in substantially the same form as the attachment, are subject to the approval of FMERA's Executive Director and the Attorney General's Office.

**Recommendation**

I am requesting that the Board approve the Amendment to the Administrative Letter with the County to provide for FMERA's reimbursement of additional monies to the County of Monmouth, up to \$450,000 or 50% of FMERA's unobligated Homeless Fund, at such time in the future as 90% of FMERA's developable acreage within the Fort are sold, above and beyond that amount the Board already approved, and which subsequently FMERA has agreed by contract to reimburse, for costs incurred by Monmouth County in its design and construction of the homeless shelter.



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

Attachments: Parcel Map  
Amendment to County Admin. Letter  
Prepared by: Bruce Steadman







**ATTACHMENT**

[The attachment that the preceding memo refers to has been removed from this full agenda.]



**ADOPTED**  
**March 27, 2018**

**Resolution Regarding  
First Amendment to Conditional Access & Infrastructure Agreement with RPM  
Development**

**WHEREAS**, in April 2015, the FMERA Board authorized staff to enter into a Purchase and Sale Agreement & Redevelopment Agreement (PSARA) with RPM Development, LLC (RPM), for the Officer Housing parcel (the “Property”) in the Oceanport Reuse Area of Fort Monmouth; and

**WHEREAS**, the terms of the PSARA included RPM’s payment of \$7,859,817 and contribution of up to \$700,000 toward on- and off-site infrastructure obligations; and

**WHEREAS**, RPM closed on the Property on January 17, 2017 and as a condition precedent to closing with RPM, the parties negotiated a Conditional Access & Infrastructure Agreement to detail the obligations of both the Purchaser (RPM) and Seller (FMERA) for utility upgrades and installations, as well as provide the access rights granted to the Purchaser to begin improvements to the buildings and land; and

**WHEREAS**, after closing on the Property, RPM initiated the infrastructure improvements internal to the North Post site where RPM was to bear the costs of all infrastructure improvements within the Property and FMERA would be responsible for negotiating a transfer of the Phase 2 electrical utility services to Jersey Central Power & Light, installing a new water main up to the Property and entering into an agreement with Two Rivers Water Reclamation Authority (“TRWRA”) to design and install new sanitary sewer infrastructure within the RPM Property and ensure proper connection; and

**WHEREAS**, FMERA was to enter into a Memorandum of Understanding (“MOU”) with TRWRA for the design and engineering of upgrades to the sanitary sewer system and pumping system, but due to the delays with the potential purchaser of Squier Hall, the mechanism for constructing and installing the sewer main adjacent to the Property was also delayed; and

**WHEREAS**, RPM offered to take on the obligation to construct and install the adjacent sewer main for cost and future partial reimbursement by FMERA through either a credit against the earliest future sale of FMERA property to RPM or future reimbursement by FMERA at a future date; and

**WHEREAS**, after closing on the Property, RPM initiated their marketing efforts for the North and South Post and noticed that the East Gate brick structures at the Fort’s entrance on Oceanport Avenue required some renovation and improvement and offered to complete these renovations subject to reimbursement by FMERA through a credit at the closing on the earliest future sale of FMERA property to RPM or by direct payment as further described in the First Amendment, attached hereto; and

**WHEREAS**, the negotiations between RPM and FMERA for the First Amendment to the Conditional Access & Infrastructure Agreement have led to the attached First Amendment agreement (the “First Amendment”) with the material terms for the construction and installation of the sewer main as described in the attached memorandum; and

**WHEREAS**, the Real Estate Committee has reviewed this request and recommends that it be forwarded to the Board for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the First Amendment with RPM Development for the Officer Housing Parcel in Oceanport, on terms substantially consistent to those set forth in the attached memorandum and with final terms acceptable to the Executive Director and the Attorney General’s Office, and authorizes the Executive Director to execute the Agreement.

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: March 27, 2018

**EXHIBIT 3**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director

**RE:** First Amendment to the Conditional Access Agreement & Infrastructure Agreement with RPM Development for Officer Housing Parcel

**DATE:** March 27, 2018

**Request**

I am requesting that the Board approve the First Amendment to the Conditional Access Agreement & Infrastructure Agreement (“Conditional Access & Infrastructure Agreement”, or “Agreement”) with RPM Development (“RPM”) for the Officer Housing Parcel in the Oceanport Reuse Area.

**Background**

FMERA issued a Request for Offers to Purchase (“RFOTP”) in connection with the planned redevelopment of the Officer Housing Parcel (the “Property”) in January 2013. The Property includes 117 historic residential units in single, duplex and four-plex configurations, surrounding and adjacent to the Parade Ground. Specifically, it consists of Gosselin Avenue non-commissioned officer residences and officer family housing units on Russel, Carty and Allen Avenues; the latter range in size from 3,700 to over 6,000 sf. The historic residential units are located on two parcels of 27.5 acres and 9 acres. The Fort Monmouth Reuse and Redevelopment Plan (“Reuse Plan”) calls for the housing to be reused as residential units. Also, the Property is located within the Fort Monmouth National Register Historic District and redevelopment is restricted accordingly.

In accordance with FMERA’s Rules for the Sale of Real and Personal Property (N.J.A.C. 19:31C-2 et seq.) (the “Sales Rules”), an evaluation committee scored the sole compliant proposal independently and agreed that the proposal from RPM was compliant with the Reuse Plan, and recommended that FMERA proceed to exclusive negotiations. RPM, a New Jersey-based real estate development organization with over two decades of experience in historic and affordable housing development, submitted a proposal for 68 market-rate, for-sale units north of the Parade Ground (the “North Post”) and 48 rental units south of the Parade Ground (the “South Post”). The South Post units are proposed to be a mix of market-rate rentals and affordable rentals, with the affordable rentals meeting the project’s required 20% affordable housing set aside. RPM plans to

restore the exteriors and renovate the interiors of the North Post and South Post homes, as well as providing landscaping. A recreational area is proposed for the North Post along Parker's Creek.

The FMERA Board approved a substantially final PSARA with RPM in April 2015 and the PSARA was executed on July 29, 2015. RPM closed on the Property in January 17, 2017. The Parties subsequently amended the PSARA on June 30, 2016 and January 3, 2017.

### **Conditional Access Agreement & Infrastructure Agreement**

As a condition precedent to closing with RPM, the parties negotiated and executed both a Conditional Access Agreement and Infrastructure Agreement. The final Agreement was approved by the FMERA Board at the December 2016 Board meeting and executed on January 13, 2017. The Agreement detailed the obligations of both the Purchaser (RPM) and Seller (FMERA) for utility upgrades and installations, as well as provided the access rights granted to the Purchaser to begin improvements to the building and land.

After closing on the Property, RPM initiated the infrastructure improvements internal to the North Post site. RPM was to bear the costs of all infrastructure improvements within the Property. FMERA would be responsible for, among other items, negotiating a transfer of the Phase 2 electrical utility service to Jersey Central Power & Light, installing a new water main up to the Property from Oceanport Avenue, and entering into an agreement with Two Rivers Water Reclamation Authority ("TRWRA") to design and install new sanitary sewer infrastructure up to the Property, as well as ensuring any newly constructed sewer infrastructure within the RPM Property is properly connected to the sewer system ultimately to be installed throughout the Fort. FMERA was to enter into a Memorandum of Understanding with TRWRA for the design and engineering of upgrades to the sanitary sewer system and pumping system. After RPM initiated the design of the North Post sewer main, FMERA informed RPM that negotiations were delayed with the potential purchaser of Squier Hall and, therefore the mechanism for constructing and installing the sewer main adjacent to the Property was also delayed. RPM offered to take on the obligation to construct and install the adjacent sewer main for cost and future partial reimbursement by FMERA through either a credit against the earliest future sale of FMERA property to RPM or future reimbursement by FMERA at an outside date.

The negotiations between RPM and FMERA for the First Amendment to the Conditional Access & Infrastructure Agreement, have led to the attached First Amendment agreement (the "First Amendment") with the following material terms for the construction and installation of the sewer main:

1. As a condition of the TRWRA accepting RPM's design permitting the installation by RPM of the sewer main infrastructure out of the roadways and within the grassy areas in front of the North Post residences (the "North Post Component Sewer Main"), RPM has agreed to complete, at RPM's sole expense (subject to partial reimbursement by FMERA as further described below), full installation of the new sewer main infrastructure consisting of approximately 2,200 linear square feet (the "Permanent Sewer Main") beyond the Property's western boundary to the sewer meter chamber in accordance with the plans attached to the First Amendment as Exhibit A. RPM shall be responsible to obtain all necessary and/or required approvals for the performing of the foregoing Permanent Sewer Main work, including



but not limited to the approval of the US Army and all other neighboring land owners as to which access over their respective land would be required and the approvals of any governmental entities from which approval would be required. Notwithstanding RPM's ultimate responsibility in obtaining the foregoing approvals, FMERA shall reasonably assist RPM in securing the necessary approvals of the US Army.

2. FMERA agrees, that it shall reimburse RPM for the incremental additional labor costs which may be incurred by RPM in constructing the Permanent Sewer Main which exceeded the cost savings for installing the North Post Component Sewer Main. The Sewer Main Reimbursement Amount is initially estimated to be \$ 491,207.57 plus the actual costs incurred in constructing and installing the sewer main in the landfill site(s) and less RPM's cost savings of installing the North Post Component Sewer Main. The Sewer Main Reimbursement Amount shall not exceed FMERA's net proceeds of the earliest future sale of FMERA property to RPM or \$731,207.57, whichever amount is lower. The Sewer Main Reimbursement Amount, subject to availability of funds, shall be payable by FMERA within 60 days of satisfaction of the following:
  - a. RPM has provided FMERA with a detailed calculation of the Sewer Main Reimbursement Amount, which delineates costs incurred, and proof that all vendors have been paid in full;
  - b. RPM has provided FMERA with a detailed calculation of the cost savings of installing the North Post Component Sewer Main;
  - c. The calculations have been approved by the FMERA staff and Board.
  - d. The Permanent Sewer Main has been approved by TRWRA; and
  - e. Closing has occurred as to one or more of the development sites as set forth in Exhibit D of the First Amendment.

Post-closing and while RPM initiated their marketing efforts for the North and South Post, RPM noticed that the East Gate brick structures at the Fort's entrance on Oceanport Avenue required some renovation and improvement. RPM offered to complete these renovations subject to reimbursement by FMERA. These negotiations have resulted in the following material terms regarding the East Gate Upgrades:

1. FMERA agrees, that subject to the terms of the First Amendment, it shall reimburse the costs which may be incurred by RPM in renovations to the East Gate brick structure.
2. The East Gate Reimbursement Amount shall not exceed \$17,500.00. .
3. The East Gate Reimbursement Amount shall be payable by FMERA as a closing credit against the earliest future sale of FMERA property to RPM after satisfaction of the following preconditions:
  - a. RPM has provided FMERA with a detailed calculation of the East Gate Reimbursement Amount, which delineates costs incurred related to labor paid at the Prevailing Wage rates, and proof that all vendors have been paid in full;
  - b. The calculations of the East Gate Reimbursement Amount have been approved by FMERA staff and Board; and
  - c. The earliest future sale of FMERA property to RPM and the closing credit have been approved by FMERA staff and Board.
4. In the event that the earliest future sale of FMERA property to RPM and the closing credit are not approved by FMERA staff and Board, the East Gate Reimbursement amount shall

be payable by FMERA, subject to availability of funds, as a direct payment on a date thereafter so long as the preconditions set forth in Section 4(b)(iii)(1) and (2) are satisfied.

The attached First Amendment is not in substantially final form as it is still subject to review by outside counsel and the Attorney General's Office. The final terms of the First Amendment will be subject to the approval of FMERA's Executive Director and the Attorney General's Office.

**Recommendation**

In summary, I am requesting that the Board Approve the First Amendment to the Conditional Access Agreement & Infrastructure Agreement with RPM Development for the Officer Housing Parcel in the Oceanport Reuse Area.



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Bruce Steadman

Attachment: First Amendment to the Conditional Access Agreement & Infrastructure Agreement

Prepared by: Kara A. Kopach

**ATTACHMENT**

[The attachment that the preceding memo refers to has been removed from this full agenda.]