

**Fort Monmouth Economic Revitalization Authority
Board Meeting
March 27, 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
- John Tobia – Monmouth County Director of Public Works – V
- Gary Baldwin – Tinton Falls Council President – V
- Jay Coffey – Mayor of Oceanport – V
- Dennis Connelly – Mayor of Eatontown – V
- Lauren LaRusso – 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
- Sean Gleason, Special Assistant to the Commissioner, 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 7:03p.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 21st regular meeting minutes. A motion as made to approve the minutes by Tim Lizura and seconded by Dennis Connelly.

Motion to Approve: TIM LUZURA Second: DENNIS CONNELLY
AYes: 6

Lauren LaRusso abstained from voting stating she was not at the February 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 three board actions: 1) Consideration of Approval of Environmental Consulting Services Contract Award; 2) Consideration of Approval of County of Monmouth Request for Additional Funding for the Homeless Shelter; and 3) Consideration of Approval of the First Amendment to the Conditional Access & Infrastructure Agreement with RPM Development for the Officer Housing Parcel.

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 the 2017 audit continues. The Authority's auditors, CliftonLarsonAllen, 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 April 12th meeting. 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.

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

Mayor Vito Perillo of Tinton Falls asked for the status of the Pistol Range in Tinton Falls. Mr. Perillo said he had received complaints from Tinton Falls residents about the use of the parcel as a pistol range. He asked if the transaction could be stopped.

Dave Nuse stated that in February 2016 FMERA entered into a Purchase and Sale Agreement with Kiely Realty Group for the purchase of the Pistol Range. Kiely Realty will be upgrading and expanding the current building and adding an additional facility. Kiely will also be performing upgrades to Satellite Road. FMERA anticipates closing with Kiely by the end of 2018.

Mr. Steadman added that the pistol range was an indoor range, constructed by the Army in 2005, and that the Kiely group intends to operate the range for the benefit of public agencies as well as private users.

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:

- The first phase of a new water supply system, which encompasses the Historic District on the Main Post, is substantially complete. The main trunk line is installed, pressurized, and tested; service lines and meter pits are being installed. This water main will serve the North and South Main Post Officer Housing, Triumphant Life, Family Promise, Barker Circle, the Fitness center, and future development on Sherrill and Saltzman Avenues. The project will be completed in the next week.
- Phases two and three of the new water system, which will expand the first phase to the South and to the West, are in the design stage.
- A new sanitary backbone project along Sherrill Avenue is in the final permitting process. This main will serve the North Officer Housing and buildings along the North side of the Main Post.
- The next segments of the new sanitary system are in the concept phases, and will serve the southern Main Post, as well as several Oceanport Avenue and Wilson Avenue parcels.
- In Charles Wood, FMERA is working toward setting a closing date with JCP&L on the transfer of the Charles Wood power grid and substation.

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

Currently, about 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 units, sold to RPM Development last January. RPM is in the process of renovating the 117 historic housing units. The first 48 units, including veterans preference affordable housing, will be ready for occupancy this spring;
- Main Post Chapel, sold to Triumphant Life Church;
- Russel Hall, the former Garrison Headquarters building, sold 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 last August;
- The Fitness Center, sold to Fort Partners last fall, and currently undergoing renovations;
- Monmouth County emergency homeless shelter; a 3-acre property on Murphy Drive.

Also in Oceanport, FMERA is preparing to close on:

- Dance Hall, a 16,000 square-foot building on Brewer Avenue, to Regional Development Group 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 27-acre site containing historic Squier Hall, currently under negotiations with the sole bidder, zoned for office/research, educational and open space uses;
- Lodging Area, a 15-acre site on Parkers Creek planned for new residential construction, along with the renovation of 2 historic buildings;
- Allison Hall parcel, a 12-acre site on Oceanport Avenue, planned for retail, office and hotel 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 acquire this spring to 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. Staff is in discussions regarding the following Eatontown properties:
- Parcel B, the planned site of a mixed-use town center, where FMERA has initiated negotiations with the second-ranked bidder;
- Building 1123 and adjacent land at the corner of Avenue of Memories and Wilson Avenue, which would provide facilities for the Borough of Eatontown's Department of Public Works.

In Tinton Falls, FMERA has sold 5 properties:

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

FMERA has signed contracts on another 4 projects in Tinton Falls:

- Fabrications Shops, 45,000 square feet of flex space on Pinebrook Road, anticipated to close this spring;
- Pistol Range, under contract to Kiley Realty;
- 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. The 2 parcels recently received Planning Board approval. Closings are planned for this spring.

Additionally, FMERA is about to sign a contract to sell the Charles Wood Fire Station on Corregidor Road to Commvault for commercial use.

FMERA plans to issue 5 Requests for Offers to Purchase this spring, covering property in Eatontown and Oceanport. Please visit FMERA's website, 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. 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, the maps will showcase the variety of business 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. Ms. Giberson stated that FMERA is designing way-finding signs what will be installed in the three boroughs.

Gary Baldwin stated that there is a Tinton Falls town ordinance regarding the installation of signs. Mr. Steadman noted that it was FMERA's intent to comply with the sign ordinance, and to solicit input from Tinton Falls before placing any signs.

Mr. Steadman thanked Kenneth J. Kloo and the NJDEP for their help on the number of environmental projects that NJDEP is working on with the Army.

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 John Tobia for the County DPW's consistent help, and stated that he is one of the finest public servants that FMERA has worked with. Mr. Steadman asked Mr. Tobia to extend to Freeholder Burry FMERA's best wishes for a quick return from her medical absence.

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

a) AUDIT COMMITTEE (ROBERT LUCKY, CHAIRMAN)

Robert Lucky, stated that the Committee did not meet this month but will be meeting on April 12th to review the 2017 auditor's findings.

b) REAL ESTATE COMMITTEE (ROBERT LUCKY)

Robert Lucky stated that the Committee met on March 13th and discussed the following:

- Discussion regarding the Environmental Consulting Services contract pursuant to a Request for Proposals (RFP) to provide Environmental Consulting Services to the Authority. FMERA staff evaluated the eleven technical proposals received and scored the proposals based upon a comparative ranking with an emphasis on relevant experience, qualifications, and management approach. Staff then evaluated the fee proposals and entered into negotiations with the lead proposer in order to secure fair and reasonable pricing and fees in accordance with the RFP. The Committee reached a consensus and agreed to recommend staff's recommendation for the selection of Langan Engineering & Environmental, LLC to the Board for approval.
- Discussion regarding County of Monmouth request for additional funding for the Homeless Shelter. 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. FMERA has agreed to amend the Administrative Letter with the County to provide FMERA's reimbursement of additional monies to the County for up to \$450,000 or 50% of the FMERA Homeless Fund unobligated balance, at such time when 90% of the redevelopable acreage is sold at some time in the future. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Discussion regarding the first amendment to the conditional access & infrastructure agreement with RPM Development for Officer Housing Parcel. RPM offered to take on the obligation to construct and install the section of sewer main for cost and future partial reimbursement by FMERA through one of three options. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Other items of discussion:
 - Allison Hall
 - Barker Circle
 - Parcel B
 - Howard Commons
 - Golf Course
 - Upcoming closings
 - Dance Hall
 - Charles Wood Fire Station
 - Parcels C & C1
 - Eatontown Barrack
 - Update on RFOTPs

Tim Lizura stated that while the Committee was disappointed that Paramount withdrew their proposal for Parcel B, the Board has asked that FMERA staff be clear during negotiations with the second highest bidder that Parcel B is to be developed as an Eatontown town center as indicated in the Reuse Plan.

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

Kenneth J. Kloo stated that the Committee met on March 26th and discussed the following:

- FMERA staff opened the meeting with an update on the Finding of Suitability to Transfer (FOST) for the 13 Group 2 Environmental Carve-out sites for which the Army has secured a No Further Action (NFA) determination from the NJDEP. The parcels will be included in the FOST which will be posted for the 45-day comment period. Once the FOST is approved, the Army will deed the thirteen parcels to FMERA.

- FMERA staff provided an update on the Environmental Condition of Property (ECP) parcels and the Underground Storage Tank parcels throughout the Fort where the Army has secured an NFA determination from the NJDEP. These include the following:
 - ECP site - Parcel 97 located at the East electrical substation
 - ECP site - Parcel 108 located at Building 108 in the 400 Area in the Oceanport section
 - UST site - Parcels 701A & 701B located in the Oceanport section
 - UST site - Parcel 702 located at Lane Hall in the Oceanport section
 - UST site - Parcel 1004 located at the former PX site in the Oceanport section
- The Committee was apprised of a mineral oil discharge which occurred at the Suneagles Golf Course. A pole-mounted transformer, which contained mineral oil, was struck during maintenance at the course. The developer of Suneagles followed all procedures in notifying the NJDEP and hired a Licensed Site Remediation Professional (LSRP) for site clean-up.
- FMERA staff provided an update on the Carve-out parcels and landfill capping:
 - Myer Center Lime Pit, located in the courtyard, which is a former neutralization pit for the building - Army submitted a Remedial Investigation / Feasibility Study (RI/FS) to the NJDEP to remove the concrete vault and excavate the soils. The NJDEP has approved the RI/FS and the Army has hired a contractor for the removal and monitoring.
 - Former Dry-Cleaning facility in Oceanport - 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 plume.
 - Landfill capping - The Army will be awarding a contract to begin the capping of all nine landfills following the removal of some PCB hot-spots in landfills M2 and M8. The contract is expected to be awarded this summer with capping activities expected to be completed in approximately one year.
 - FMERA staff provided a summary of the Emergency Planning, Community Right-to-Know (EPCRA) report, Tier II Submission for the Phase II property. FMERA, as the owners of the property, submitted the EPCRA report to the required state and local officials. The EPCRA includes safety data sheets with information on chemicals stored on-site.
- The Committee discussed the presence and location of the active and inactive osprey nests located on the Main Post.
- The Committee discussed the progress of the Myer Center demolition. Through the NJEDA, T&M Associates has been contracted 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. The abatement activities began in January 2018 and are scheduled to be completed within 6 to 9 months. The demolition activities are scheduled to begin by May 2018 and be completed by February 2019.
- An environmental consultant has performed additional testing at Howard Commons and FMERA and the developer have met to review the results. FMERA and the developer will conduct additional meetings regarding the redevelopment of the site.
- A portion of the Squier Hall parcel in Oceanport is within an environmental carve-out, and the Army will be conducting remediation at the site so FMERA can secure a deed from the Army and sell the property to the prospective developer this fall.
- To close the meeting, FMERA staff provided an update on the upcoming Requests for Offers to Purchase (RFOTPs) that will be issued in 2018.

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

Jay Coffey stated that the Committee met on March 15th and discussed the following:

- Discussion regarding Suneagles Golf Course.
 - Per FMERA's Programmatic Agreement, Gibbs Hall is considered eligible for the National Register of Historic Places ("NRHP"). To qualify for federal historic tax credits, property must be listed on the NRHP, either individually or as a contributing property in a historic district. The purchaser, Martelli Development,

LLC, intends to reuse Gibbs Hall and rehabilitate in accordance with the Secretary of the Interior's Standards for Rehabilitation. Martelli seeks FMERA and Army concurrence to nominate Gibbs Hall to the NRHP.

- Martelli has also requested to remove the pool at Suneagles as it has no special architecture features or particular historical significance, and does not appear to meet the National Register criteria. Removing the pool and replacing with gardens would complement Gibbs Hall and allow for an unobstructed view of Gibbs Hall and the historic stone wall.
- The Committee reached consensus and agreed to recommend the addition of Gibbs Hall to the National Register and to remove Building 2020 (the Pool) from the Historic Preservation Covenant.
- Discussion regarding the two brick monuments located at the East Gate on the Main Post in Oceanport. RPM Development, the purchaser of the Officer Housing, would like to upgrade and restore the monuments. The Committee discussed options for the signage and the appearance of the monuments post-restoration.
- Discussion regarding Russel Hall. The purchaser of Russel Hall, Tetherview, has been advised by the Oceanport Planning Board that their site plan will need to include the planting of trees along the Parade Ground. Russel Hall is located within the historic district and per the Reuse Plan and the Historic District Design guidelines, views of the Parade Ground from Russel Hall should be maintained and not be obstructed by permanent landscaping. The Committee reached consensus and recommended that staff notify the Planning Board and the Russel Hall purchaser that trees are not permitted between the Parade Ground and Russel Hall.
- Discussion regarding RFOTPs, contracts and closings including:
 - Barker Circle
 - Allison Hall
 - Buildings 270 & 271 located within the Lodging Area
 - Squier Hall

e) HOUSING STAFF ADVISORY COMMITTEE (SEAN THOMPSON, CHAIRPERSON)

Bruce Steadman, on behalf of Sean Thompson, stated that the Committee met on March 20th and discussed the following:

- Discussion regarding Parcels C & C1. FMERA has executed a PSARA with Lennar Corporation.
 - Parcel C1 has received approval from the Tinton Falls Planning Board. Parcel C1 will be developed with up to 49 residential units.
 - Parcel C requires one more approval from the Tinton Falls Planning Board. Parcel C which will be developed to accommodate up to 239 residential units and up to 58,000 sq. ft. of retail development. 20% affordable housing results in 57 units on Parcel C which includes the affordable units for Parcel C1 as well.
- Discussion regarding Howard Commons status.
- Discussion regarding Parcel B. Paramount Realty has withdrawn their proposal and FMERA staff is in negotiations with the second highest proposer. Parcel B will include retail and/or commercial development on the parcel with the number of housing units at 302, with 20% affordable (60 units).
- Discussion regarding Officer Housing. RPM is in the process of renovating the units creating 68 market rate units and 49 rental units which include the 20% affordable (22 units).
- Discussion regarding the Nurses Quarters. The buildings will be developed as 24 to 34 one and two-bedroom apartments with 20% affordable.
- Discussion regarding Suneagles Golf Course. Martelli Signature Homes proposed redevelopment includes the reuse of the Golf Course; construction of up to 75 residential units within the 10-acre former Megill Housing, of which 15 units will be affordable.
- Discussion regarding Barker Circle. FMERA staff is in negotiations with the lead proposer. Barker Circle includes the development of 75 housing units with 20% affordable units.
- Discussion regarding the Lodging Area in Oceanport, currently under negotiations with the lead bidder, for 185 townhomes with 20% affordable, and the reuse of the two historical buildings.
- Discussion regarding Allison Hall, a 13-acre parcel which includes the reuse of the historic building, as well as retail, office/research & development and open space/recreation uses.
- Discussion regarding the FMERA Homeless Fund, and current and future obligations.

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

John Tobia, on behalf of Lillian Burry, stated that the Committee did not meet this month. Mr. Tobia stated that on April 5th at 8:00a.m. Freeholder Burry will be holding a ceremony at Russel Hall for the opening of a Veterans Services office.

BOARD ACTIONS

A) The next item before the Board was Consideration of Approval of Environmental Consulting Services Contact Award.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 1.

A motion was made by Tim Lizura and was seconded by Jay Coffey.

Motion to Approve: TIM LIZURA Second: JAY COFFEY
AYes: 7

B) The next item before the Board was Consideration of Approval of County of Monmouth Request for Additional Funding for the Homeless Shelter.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 2.

A motion was made by Tim Lizura and was seconded by Gary Baldwin.

Motion to Approve: TIM LIZURA Second: GARY BALDWIN
AYes: 7

C) The next item before the Board was Consideration of Approval of the First Amendment to the Conditional Access & Infrastructure Agreement with RPM Development for the Officer Housing Parcel.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 3.

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

Jay Coffey asked what the costs were to install the TRWRA sewer main.

Bruce Steadman stated that the estimated cost would be approximately \$160K, based on 400lf at \$400 per lf (the range being \$200 to \$400 per lf). Bruce Steadman stated that the Army installed a meter pit along the creek which connects directly into the TRWRA sewer line. In order to access the meter pit, we will have to transverse the landfill for approximately 400 feet. The plans that were submitted to the NJDEP for review will create a clean utility corridor thru the landfill for the 400 feet to get to the meter pit. Mr. Steadman stated that the unknown piece of the associated costs is the labor and time to create the clean corridor, depending on any debris encountered within the landfill.

Jay Coffey asked for the timing of the phase 1 water main completion, the agreement with TRWRA to design and install new sanitary sewer infrastructure and the negotiations of a transfer of the Phase 2 electrical utility service to JCP&L.

Mr. Steadman stated that the phase 1 water main should be completed in one month, the negotiations with TRWRA for the design and install are proceeding beyond the design and installation discussions, and the negotiations with JCP&L are in the early stages of discussion.

Jay Coffey asked what the timing for electrical service would be for the Officer Housing residents.

Kristy Dantes stated that the housing will be sub-metered and FMERA will be responsible for reading the electric meters on the North Post Housing. RPM will be responsible for operation of the electrical system within the RPM parcel boundary. The South Post Housing will have one meter for all the residences.

Motion to Approve: DENNIS CONNELLY Second: TIM LIZURA

AYes: 7

OTHER ITEMS

There were no other items before the Board.

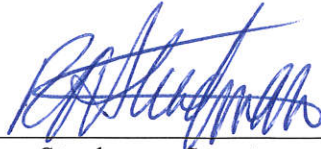
PUBLIC COMMENT REGARDING ANY FMERA BUSINESS (5 minutes re: any FMERA business)

Mayor Vito Perillo of Tinton Falls asked how many homeless are currently residing at the County Homeless Shelter. He also asked how the FMERA homeless obligations had been determined.

Bruce Steadman stated that the original County homeless shelter was designed to have twenty-three residents, 16 men and 7 women at their facility with a thirty day maximum stay. Mr. Steadman explained that during the development of the Reuse Plan 10 years ago, FMERPA had to follow the prescription set forth by the BRAC process and by HUD that dictated how the homeless obligations would be calculated. He noted that FMERA has Legally Binding Agreements (LBAs) that have been established, and approved by HUD, based on the formulas that were contained in the BRAC process.

There being no further business, on a motion by Tim Lizura seconded by Dennis Connelly and unanimously approved by all voting members present, the meeting was adjourned at 8:10p.m.

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



Bruce Steadman – Secretary

ADOPTED
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

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

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