

TO: Members of the Board

FROM: Bruce Steadman
Executive Director and Secretary

DATE: January 22, 2020

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 Utilities and Infrastructure
 - Update on Fort Monmouth Redevelopment & Marketing
 - 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 – Sean Thompson, Chairman
 - Veterans Staff Advisory Committee – Lillian Burry, Chairwoman

11. **Board Actions**

1. Consideration of Approval of Real and Personal Property Leasing; Sale of Real and Personal Property; Land Use Rules.
2. Consideration of Approval to terminate the Offer to Purchase Process for the Tinton Falls Commercial Parcel and the Issuance of a new Request for Offers to Purchase (RFOTP).

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
December 10, 2019
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
- Jay Coffey – Mayor of Oceanport – V (via phone)
- Anthony Talerico – Mayor of Eatontown – V
- Gary Baldwin – Tinton Falls Borough Council President – V
- Lillian Burry – Monmouth County Freeholder – V
- Stephanie Brown – Associate Counsel, Authorities Unit, Office of the Governor – V
- Dave Nuse – Executive VP, Real Estate & Community Development, NJ Economic Development Authority – V
- Baden Almonor, Central Regional Chief, NJ Department of Labor & Workforce Development
- Sean Thompson, Director, Division of Local Planning Services, NJ Department of Community Affairs
- William Riviere, Principal Planner, NJ Department of Transportation

V – Denotes Voting Member

Members of the Authority not present:

- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection

Also present:

- Bruce Steadman, FMERA Executive Director and Secretary
- Laura Drahushak, 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.

Assistant Secretary Kara Kopach announced that in accordance with the Open Public Meetings Act, 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 November 3rd regular meeting minutes. A motion as made to approve the minutes by Gary Baldwin and seconded by Lillian Burry.

Motion to Approve: Gary Baldwin Second: Lillian Burry
AYes: 6

Anthony Talerico abstained from voting stating that he was not at the November meeting. Vice-Chairman Lucky noted that Mr. Talerico did not have to abstain for that reason, but it was Mr. Talerico's choice.

WELCOME

Vice-Chairman Robert Lucky welcomed attendees to the Authority's 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.

Dr. Lucky noted the protocol regarding the two opportunities for the public to address the Board, with the 3-minute limit for agenda items, and the 5-minute limit for all other FMERA business.

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 continued by stating that FMERA continues to welcome the public's constructive comments and ideas.

SECRETARY'S REPORT

Bruce Steadman stated that tonight's meeting would be the last for Gary Baldwin who has resigned as the Tinton Falls Borough Council President effective December 31, 2019. Mr. Steadman stated that of the many people that he has worked with in his nine years with FMERA, he can honestly say that Gary's integrity, character and his willingness to help, support and offer good sound advice has been unquestionable. Mr. Steadman stated that Gary has always given great counsel on any issues that were brought to him, and that he always has taken the time to listen, consider, and weigh the issues, both in terms of any impact to FMERA as well as to Tinton Falls. Mr. Steadman stated there were maybe a handful of occasions that he did not agree with the way Gary positioned some issues, that Gary always presented his perspective in a fair and reasonable manner which demonstrated careful thought and consideration. Mr. Steadman thanked Gary for his help and support, both personally and on behalf of the FMERA staff.

Vice-Chairman Lucky echoed the praise for Mr. Baldwin, and thanked Gary again for his lengthy and committed service to the FMERA Board as a delegate from Tinton Falls.

Mr. Baldwin stated that his time representing Tinton Falls on the FMERA Board has been a wonderful experience and he appreciates the value of the Fort redevelopment and the great job that is being done by the FMERA staff. Mr. Baldwin said to keep up the good work.

On other business, Bruce Steadman stated that the January Board meeting may be rescheduled due to the Holiday schedule, and the Board would be notified to confirm their availability regarding different dates.

TREASURER'S REPORT

Jennifer Lepore, Manager of Accounting, stated that FMERA staff presented the 2020 FMERA Budget to the Audit Committee at their December 10th meeting. Based on their review, the Audit Committee recommended that the 2020 FMERA Budget be submitted to the Board for its approval at tonight's meeting.

The Monmouth County Improvement Authority issued \$23,560,000 in subsequent taxable notes related the financing of FMERA's 2016 purchase of the Phase 2 Economic Development Conveyance properties from the Army. The Notes were issued in one series, with a term of one year, and bearing an interest rate of 2.75% per annum. The Notes are backed by a Monmouth County guaranty which resulted in the Notes receiving the highest credit rating from the three rating agencies.

Mr. Steadman noted that we have had 2 recent closings which allowed us to make principal payments to the MCIA in December: the second portion of parcel C-1, and the Squier Hall parcel.

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:

The facilities, environmental, and maintenance teams have moved into winter mode. We regularly monitor the heat systems in buildings slated for sale or reuse, check facilities for water system or roof issues, and repair breech damage.

FMERA vehicles are maintained for optimal winter work. We regularly inspect remaining lift stations and monitor the electrical power grid to provide our developers the best possible service. In addition, we are in the process of an electrical infrastructure system reliability and hardening effort.

Our surveying contractor is currently working on several projects, including outbound surveys for Barker Circle, Expo Theatre, Parcel B, Mallette Hall, and the Nurses Quarters.

We also continue to work with the Army Corp on environmental concerns, the cleanup of carve-outs, and the landfill capping project.

And, as always, we support the real estate development team with ROFTP's, MCR's, tours, and development plans.

Sarah Giberson, Senior Marketing Officer gave an overview on property sales and RFOTPs:

FMERA continues to make good progress on the Fort's redevelopment, with about three-quarters of the Fort's 1,126 acres sold, under contract, in negotiations, or entering the request for proposals process. To date, FMERA has sold 20 properties, and another 15 parcels are under contract or have Board-approved contracts.

So far this year, FMERA has closed on 4 properties:

- Squier Hall, slated for reuse as a satellite college campus for New Jersey City University, planning to open late 2020;
- A major redevelopment site, Parcel C in Tinton Falls, to Lennar Corporation. Lennar began site work this spring for 243 homes and about 58,000 sf of commercial space on the 40-acre site. The company is also currently constructing 45 single family homes on the 15-acre Parcel C-1 site in Tinton Falls that it purchased from FMERA last year;
- Building 501 in Oceanport, which we conveyed to a non-profit, Family Promise, which is now operating a daytime counselling and assistance center for families in need at that location;
- Telecommunications Tower and Land in Oceanport sold last month to Global Signal Acquisitions, LLC.

Staff hopes to close on the Marina and the Fabrication Shops parcels with our contract purchasers by the first quarter of 2020.

FMERA staff is currently in contract negotiations over the sale of 3 additional parcels, Parcel B, Howard Commons and the Expo Theater, all located in Eatontown.

Contracts for 2 Oceanport properties, the Commissary & PX Complex and the Nurses Quarters, were approved by the Board at the November meeting and are currently awaiting execution.

FMERA recently advertised the Tinton Falls Commercial Development Site via the Request for Offers to Purchase process. This 31-acre parcel of land includes the Pulse Power Building, Building 2719, and the Pistol Range. Proposals were due by December 2nd and are currently under review.

FMERA has also completed its review of four proposals received for the Expo Theater and has begun term sheet negotiations with the highest scoring proposer. FMERA hopes to bring a contract to the Board sometime in the first quarter of the new year. The Expo Theater is envisioned for commercial redevelopment as an arts, entertainment or recreation facility.

At last month's Board meeting, FMERA's Board approved a request to make the 400 Area available through the RFOTP process. In January, FMERA plans to host a redevelopment showcase to discuss its vision for the 400 Area, inviting prospective purchasers and related professionals to participate in a discussion and tour of the site. Further information will be distributed via email. Planned as Oceanport's town center, this future, transit-oriented development is envisioned as a pedestrian-friendly neighborhood with water views, a dynamic mix of amenities, and attractive residential living.

Lastly, FMERA is currently accepting donations for both the Ronald McDonald House and Family Promise. If you would like to make a donation for the holidays, please reach out to our office for a list of requests. Any contribution is highly appreciated.

Please visit our website, www.fortmonmouthnj.com, or follow us on Instagram at @fortmonmouthnj for our latest updates and latest development opportunities.

Mr. Steadman stated that the closing of Squier Hall was a collaborative effort by all those involved and totaled some 2000 collective hours of efforts. He thanked the FMERA staff, our legal representatives at the Office of Attorney General, our outside legal counsel, and our many stakeholders involved.

Mr. Steadman thanked Mr. Kloo of the NJDEP, Mr. Riviere of the NJDOT, Mr. Thompson of the NJDCA and Mr. Almonor of the NJDOL, and Ms. Stephanie Brown of the Governors Authorities Unit for their support of the redevelopment of the Fort.

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

Mr. Steadman also noted that this is the first FMERA Board meeting at which Dave Nuse is in attendance in his new role as liaison to FMERA from the NJEDA. He welcomed Mr. Nuse back to FMERA in his new role and thanked him for his continuing support of the FMERA mission.

Bruce Steadman gave an update on FMERA action items:

Action Items for Next Month.

- a) Continued work with the N.J. Department of Environmental Protection and U.S. Army to identify and resolve environmental issues of concern
- b) Continued meetings and tours with interested prospective employers and investors
- c) Continued outreach to our stakeholders in the 3 host municipalities, the County and others
- d) Continued collaboration with the NJEDA Trenton Office on marketing and business development opportunities
- e) Continued work on the water, sewer, and electric system improvements.
- f) Continued drafting and revisions of documents for the 30+ projects underway

Lillian Burry stated that the FMERA newsletter is very well done and gives a very clear picture of the progress of the redevelopment, and congratulated Sarah Giberson, FMERA Senior Marketing and Development Officer for her work on it.

Gary Baldwin asked for the status of the Tinton Falls Commercial Development RFOTP. Mr. Steadman stated that there were two proposals received and they are currently being evaluated for compliance. Mr. Steadman stated that staff hopes to bring a recommendation to the Board at the February meeting.

COMMITTEE REPORTS

1. AUDIT COMMITTEE (ROBERT LUCKY, CHAIRMAN)

Robert Lucky stated that the Committee met on December 10th and discussed the following:

- The Committee was given a presentation by Clifton Larson Allen for the Authority's 2019 Audit.
- Discussion regarding FMERA's Draft 2020 Budget. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Discussion regarding the selection of PFM Financial Advisors in response to the Financial Advisory Services RFP. PFM will be engaged to provide financial planning and related services to the FMERA staff to facilitate identifying, soliciting, and securing a lender, for the purpose of establishing a credit facility that will allow FMERA to borrow sufficient funds with acceptable repayment terms. The Committee reached a consensus and agreed to recommend to the Board for approval.

Mr. Steadman noted that the external audit also includes an annual audit for the Army in compliance with the BRAC requirements. FMERA must show how each dollar received via real or personal property sales or lease is accounted for. BRAC law requires an annual audit and stipulates how each dollar of proceeds may be reinvested into the Fort

footprint in one or more of twelve different expense categories, as laid out in the Economic Development Conveyance (EDC). FMERA must reinvest those proceeds accordingly within the seven-year period immediately following the last deed transfer to FMERA from the Army.

2. REAL ESTATE COMMITTEE (ROBERT LUCKY)

Robert Lucky stated that the Committee met on December 10th and discussed the following:

- Discussion regarding Fort Monmouth Special Liquor License Award Recommendation to establish objective criteria for the selection of qualified Fort Monmouth projects seeking recommendations for special liquor licenses to be awarded by the host municipalities. The Committee reached a consensus and agreed to recommend it to the Board for approval.
- Other Issues
 - a. Squier Hall
 - b. Parcel B
 - c. Howard Commons
 - d. Parcel C-1
 - e. Fitness Center
 - f. Tinton Falls Commercial Parcel RFOTP responses
 - g. Expo Theater RFOTP
 - h. Financial Advisor RFP

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

Bruce Steadman, on behalf of Kenneth J. Kloo stated that the Committee did not meet this month but is scheduled to meet on January 6th.

4. HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (JAY COFFEY, CHAIRMAN)

Jay Coffey stated that the Committee did not meet this month.

5. HOUSING STAFF ADVISORY COMMITTEE (SEAN THOMPSON, CHAIRPERSON)

Sean Thompson stated that the Committee did not meet this month but is scheduled to meet in January.

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

Lillian Burry stated that the Committee did not meet this month.

BOARD ACTIONS

1. The first item before the Board was Consideration of Approval of FMERA's Draft 2020 Budget.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 1.

A motion was made by Lillian Burry and was seconded by Dave Nuse.

Bruce Steadman conducted a roll call vote.

NAME	YES	NO	ABSTAIN
Robert Lucky	X		
Jay Coffey	X		
Gary Baldwin	X		
Anthony Talerico	X		
Lillian Burry	X		
Stephanie Brown	X		
Dave Nuse	X		

Motion to Approve: LILLIAN BURRY Second: DAVE NUSE
 AYes: 7

2. The second item before the Board was Consideration of Approval of a Financial Advisor Services Contract.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 2.

A motion was made by Gary Baldwin and was seconded by Jay Coffey.

Anthony Talerico thanked the staff for acknowledging his comments at the Audit Committee regarding the Financial Advisor contract.

Motion to Approve: GARY BALDWIN Second: JAY COFFEY
 AYes: 7

3. The third item before the Board was Consideration of Fort Monmouth Special Liquor License Award Recommendation Criteria.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 3.

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

Mr. Steadman thanked Mr. Riviere, Mr. Thompson, and Mr. Almonor for their participation as a Board designee. Mr. Steadman stated that he and the FMERA staff appreciate their involvement and responsiveness to FMERA when called upon to help on any issues.

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

There was no public comment.

There being no further business, on a motion by Lillian Burry and seconded by Gary Baldwin and unanimously approved by all voting members present, the meeting was adjourned at 7:38p.m.

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



Bruce Steadman – Secretary

ADOPTED
December 18, 2019

**Resolution Regarding
Draft 2020 Budget**

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

WHEREAS, the Draft 2020 Budget illustrates the Authority's progress in implementing the approved Phase 1 and Phase 2 Economic Development Conveyance (EDC) Agreements and embarking on the economic redevelopment of the former Fort property. This year's budget includes the EDC Budget, representing the projected 2020 financial activity under the approved Phase 1 and Phase 2 EDC Agreements; and

WHEREAS, the Draft 2020 Budget summary illustrates the Budget based on the 2020 projected parcel sales to be sold with six parcels projected to be sold with net earnings from parcel sales. The Land Costs for the parcel sales include payments on Notes due to Monmouth County and the Homeless Accommodation under the terms of the EDC Agreement; and

WHEREAS, the Audit Committee has reviewed the draft 2020 Budget and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the draft 2020 Budget, as described in the attached memorandum.
2. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

Dated: December 18, 2019

EXHIBIT 1

ADOPTED
December 18, 2019

**Resolution Regarding the
Approval of Award of Financial Advisory Services**

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 for Financial Advisory Services on October 11, 2019 to solicit Technical Proposals and Fee Proposals from qualified firms interested in providing financial planning and related services to FMERA; and

WHEREAS, proposals were due on November 22, 2019 and two compliant proposals were received; and

WHEREAS, the two 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 and the technical ranking ranged from a high of 168 points to a low of 159 points, and

WHEREAS, FMERA staff evaluated the fee proposals and determined that fees of the selected firm are within 10% of the non-selected firm, and for a reasonable range in accordance with the RFP, and the range for the first year of the engagement would be from \$15,000 to \$150,000; and

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

WHEREAS, the Audit Committee has reviewed the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Board approves the selection of PFM Financial Advisors as FMERA’s Financial Advisory 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 two (2) additional twelve (12) months 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: December 18, 2019

EXHIBIT 2

**Resolution Regarding
Fort Monmouth Special Liquor License Letter of Consent Criteria**

WHEREAS, on August 17, 2018, Governor Murphy signed an amendment to New Jersey's Alcoholic Beverage Law that expanded the number of on-site retail consumption licenses available in Eatontown, Tinton Falls, and Oceanport; restricted for use within the boundaries of formally owned or operated military installations. The legislation called for twelve special liquor licenses ("licenses") to be distributed among Fort Monmouth's three host municipalities as follows: two licenses for Tinton Falls, six licenses for Eatontown; and four licenses for Oceanport. The additional liquor licenses are intended to attract new businesses, generate jobs, and support the overall economic revitalization of the region; and

WHEREAS, the issuance of licenses will be a cooperative effort by both the FMERA Board and the Boroughs, however, each Borough will be responsible for establishing its own award criteria and sale prices in accordance with the terms set forth by N.J.S.A. 33:1-12.52. FMERA will be responsible for identifying Fort Monmouth projects that qualify for the license and recommending them to the Boroughs for award of a license; and

WHEREAS, using Board-approved objective criteria, the FMERA staff will recommend to the Board qualified projects and request the Board pass a resolution supporting the issuance of a letter of consent. The Borough(s) must receive FMERA's letter of consent prior to issuing a liquor license for any Fort Monmouth project; and

WHEREAS, each request for a special license must identify the specific use for the request ("Proposed Special License Use"). A redeveloper may request multiple licenses for different proposed special license uses, but each use will be scored separately, and a letter of consent must be issued for each license; and

WHEREAS, FMERA proposes the objective criteria to evaluate projects' suitability for a liquor license as described in the attached memorandum; and

WHEREAS, the decision by the FMERA Board to provide a letter of consent shall be based upon consideration of whether the proposed special license will advance the conversion, redevelopment, or revitalization of the project area in accordance with FMERA's plan for the project area and based upon objective criteria established by the FMERA Board. FMERA may request any additional information for the applicant that it deems necessary to evaluate above criteria; and

WHEREAS, if it is determined by FMERA staff that a project and the proposed special license use meets the above-mentioned criteria, FMERA staff shall make a recommendation to the FMERA Board to pass a resolution expressing its support of award.

WHEREAS, the letter of consent does not constitute an approval for a special license. The applicant remains subject to all qualifying criteria of the statute which shall be reviewed by the host borough and the Division of Alcoholic Beverage Control, including but not limited to, completion of the Mandatory Conceptual Review process, property transfers and qualification as a plenary retail consumption licensee pursuant to Title 33. License shall not be transferrable to other sites outside the Fort boundary until the dissolution of FMERA; and

WHEREAS, should any material change regarding the applicant or project or the proposed special license use occur after the letter of consent has been submitted, the applicant must inform FMERA and must resubmit for consideration; and

WHEREAS, the Real Estate Committee has reviewed the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

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

Attachment

Dated: December 18, 2019

EXHIBIT 3

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: January 22, 2020

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 Utilities and Infrastructure; Update on Requests for Offers to Purchase (RFOTPs); Update on Marketing Effort; and Action Items for Next Month.

Treasurer's Report

FMERA staff is beginning to prepare the Authority's 2019 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, CliftonLarsonAllen, LLP, 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 with Government Auditing Standards. Field work is scheduled to begin the last week of February.

Executive Director's Report

1. Update on Utilities and Infrastructure

The facilities, environmental, and maintenance teams are in full winter mode. Buildings slated for sale or reuse are regularly monitored, sanitary lift stations are frequently checked, and the electrical power grids are monitored to provide developers the best possible service. FMERA is working closely with New Jersey American Water and the Two Rivers Water Reclamation Authority on several critical infrastructure projects that will serve future development. Facilities continues to work with the Army Corp on environmental concerns, the cleanup of carve-outs, and the landfill capping project. And, as always, we continue to assist our developers with utility and environmental questions, and support the real estate development team with RFOTP's, MCR's, tours, and development plans.

2. Update on the Fort's Redevelopment

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

In **Oceanport**, FMERA has closed on the following nine properties:

- Officer Housing Parcels on January 13, 2017 with RPM Development, LLC. The company renovated the 116 historic housing units, creating 68 market-rate for sale units, and 48 rental units; twenty (20%) percent of the total units are available to low- and moderate-income households.
- Main Post Chapel on February 27, 2017 with Triumphant Life Assembly of God Church who purchased the approximately 16,372 sq. ft. building for use as a house of worship.
- Russel Hall on June 23, 2017 with TetherView Property Management, LLC, a private cloud computing services company who occupies the 40,000 sq. ft. building. Russel Hall currently houses a variety of businesses including tech companies, medical offices, and an architecture firm.
- 13-acre parcel on Murphy Drive on August 16, 2017, where the Borough of Oceanport purchased the property for their new municipal complex.
- Fitness Center on September 26, 2017 enabling Fort Partners Group, LLC, to renovate and expand the facility to emphasize basketball and medically based fitness and wellness programs, and individualized group training and classes.
- Dance Hall parcel on April 4, 2018 to The Loft Partnership, LLC. The developer plans to renovate the Dance Hall as a microbrewery, coffee house, and banquet facility.
- Building 501, on April 24, 2019 with Family Promise of Monmouth County, an approximately 1.7-acre site, via a Legally Binding Agreement (LBA).
- Telecommunications Tower and Land on October 25, 2019 with Global Signal Acquisitions, LLC for an approximately 0.58 parcel of land containing the Telecommunications Tower and adjacent land.
- Squier Hall Complex, on December 18, 2019 with KKF University Enterprises, LLC, an approximately 31-acre site. The developer has secured a commitment from New Jersey City University for use of the site as a satellite campus and anticipates opening in Fall 2020.

Also in **Oceanport**, FMERA has executed or approved contracts on the following ten properties:

- Barker Circle, with Regional Development Group, LLC, 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.
- Allison Hall, with Fort Monmouth Business Center, LLC, a 13-acre parcel which includes the reuse of the historic building, as well as retail, office/research & development and open space/recreation uses.
- Lodging Area, with Somerset Development, LLC, a 15-acre site located on Parkers Creek, to be developed with up to 185 new and renovated housing units.
- Marina, with AP Development Partners, LLC, currently operating as a marina/public boat ramp and restaurant.
- Warehouse District, with OPort Partners, LLC, consisting of five general purpose administrative buildings and two warehouse buildings, and the Post Office Area, including the former Post Office; Tickets & Tours, building; Building 800, and Building 801.
- Commissary, with OPort Partners, LLC, which includes the former Army supermarket, the Post Exchange (PX) complex, a series of four wood-frame buildings along with Building 812, and a 1000 Area Parking parcel, a 5± acre lot that will provide off-street parking for the buildings that adjoin it.
- Nurses Quarters, with RPM Development, LLC for the 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital.

FMERA intends to issue RFOTPs for the following Oceanport properties in the coming months:

- 400 Area, an 80± acre site east of Oceanport Avenue, zoned for housing and commercial uses.
- McAfee Center, a 90,000± sf R&D building with several related support buildings on a 47-acre site

In **Eatontown**, FMERA has approved or executed contracts on the following four parcels:

- 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 continues to operate the course in the interim so it remains open to the public as the redevelopment progresses.

- Building 1123, a former general office building at Avenue of Memories and Wilson Avenue with an executed PSARA with the Borough of Eatontown for the reuse by the Borough's Department of Public Works.
- Bowling Center, an approximately 2.8-acre parcel including Building 689, a 20-lane bowling alley and Building 682, a wood frame building to be demolished, where FMERA executed a PSARA with Parker Creek Partners, LLC.

Also in **Eatontown**, FMERA is in negotiations for the sale and redevelopment of the following property:

- Parcel B for the development of a mixed-use town center along Route 35 totaling approximately 250,000 sq. ft. of retail and 302 housing units.
- Expo Theater, an entertainment facility, previously used as a live theater and cinema; and adjacent properties, including Dean Field and portions of the M3, M5, and M4 landfills, as optional sub-parcels.

FMERA intends to issue the following RFOTPs in Eatontown:

- Vail Hall, a 36,000± sf building on Avenue of Memories planned for office and/or commercial use
- Mallette Hall, a 57,000± sf office building across from Vail Hall slated for reuse or replacement

In **Tinton Falls**, FMERA has closed on the following five properties:

- Fort Monmouth Recreation Center and Swimming Pool, with the Monmouth County Park System and being used for programs which include arts & crafts, sports, exercise classes and a variety of amenities including classrooms, gymnasium and a game room.
- Parcel F-3 with the Monmouth County Park System in conjunction with the adjacent Recreation Center and Swimming Pool. Located along Hope Road, the County has expanded its services and public open space amenities currently offered at the Recreation Center.
- Charles Wood Fire Station, transferring the property to Commvault Systems, Inc. for use as corporate office and training space.
- Parcel C1 with Lennar Corporation, planned for 45 new single-family homes.
- Parcel C with Lennar Corporation, approved for 243 residential units and up to 58,000 sq. ft. of retail development.

FMERA has approved or executed a contract on two properties in Tinton Falls:

- Fabrications Shops (Pinebrook Road Commerce Center), 45,000 sq. ft. of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC, which is slated to close imminently.
- Parcel F-1 – Myer Center and Building 2705, an approximately 36-acre parcel in Tinton Falls where RWJ Barnabas Health (RWJBH) plans to create a health campus. On September 20, 2017, the Board approved a Purchase and Sale Agreement (PSA) with EDA for the parcel. On June 12, 2018, the EDA Board authorized the execution of an Agreement to Assign of the PSA among EDA, FMERA and RWJBH. At the Authority's June 2018 meeting, the Board approved the execution of an Agreement to Assign among FMERA, EDA and RWJBH providing for the assignment of a PSA between FMERA and EDA for the property. At the Authority's September 2018 meeting, the Board approved the First Amendment to the PSA and an Agreement and Assumption Agreement. At the March 2019 meeting, the Board approved the First Amendment to the Agreement to Assign for Parcel F-1.

On September 27th, FMERA issued an RFOTP for the Tinton Falls Commercial Parcel, which includes the following. Two proposals were received.

- Pulse Power, a special purpose facility consisting of 15,690 sf of administrative offices and 10,786 sf of dry lab and testing space.
- Building 2719, consisting of 6,574 sf of administrative space and a 2,448 high-bay garage constructed in 2006.
- Pistol Range, consisting of Building 2627, situated on approximately 1 acre; the Fire and Police Training Area, including Building 2628, situated on approximately 2.3 acres; and the Satellite Road Parcel, an approximately 1.5-acre tract of land.

3. Marketing Update

At FMERA's November Board meeting, the Board approved a request to make the 400 Area available through the RFOTP process. Planned as Oceanport's town center, this future, transit-oriented development is envisioned as a pedestrian-friendly neighborhood with water views, a dynamic mix of amenities, and attractive residential living. Next week, FMERA is hosting a redevelopment showcase to discuss its vision for the 400 Area with prospective purchasers and related professionals. Over 100 people have responded to the event and registration is now closed. Please note, due to fire code and room capacity FMERA will only be able to accommodate pre-registered guests. An RFOTP is anticipated in the first quarter of the year.

FMERA also continues its work with NJII, an affiliate of NJIT, to advance our redevelopment efforts related to the future McAfee Innovation Campus. NJII is continuing its research and development efforts with the intention of creating a model for a viable, on-site incubator as well as attracting targeted industries to the property. Additionally, NJII is collaborating and advising FMERA on communicating our vision for an R&D/Technology/Innovation campus via the RFOTP process.

This Friday, FMERA will host a panel ("Transforming Fort Monmouth's Innovation Legacy: Repurposing One of NJ's Top Assets") at the New Jersey Planning Conference focusing on both the Fort's overall redevelopment and FMERA's plans for establishing an innovation district. This is another significant opportunity for Fort Monmouth to increase awareness and raise the profile of the Fort and its redevelopment efforts. Special thanks to our Marketing Consultant, Catherine Timko of the Riddle Company for securing this placement, along with our panel participants, Steve Denholtz of Denholtz Properties, Chelsea Koglmeier of New Jersey Innovation Institute, and Upendra Sapkota of FMERA.

Please visit our website, www.fortmonmouthnj.com, or follow us on Instagram at @fortmonmouthnj for our latest updates and latest development opportunities.

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
- Continued work on the water, sewer, and electric system improvements
- Continued drafting and revisions of documents for the 30+ projects underway



Bruce Steadman

Prepared by: Regina McGrade

Resolution Regarding
Approval to Closing out the Offer to Purchase Process for the Tinton Falls Commercial Parcel and Issuance of a
New Request for Offers to Purchase

WHEREAS, the Tinton Falls Commercial Development Parcel is an approximately 31.25± acre parcel of land containing nine buildings located at Pearl Harbor Avenue and Pinebrook Road in the Tinton Falls Reuse Area of the Charles Wood Area of the Fort (“the Property”); and

WHEREAS, the Reuse Plan contemplates continued research & development use at the Pulse Power building, the demolition of Buildings 2719 and 2704 for the creation of passive or active open space, and the continued use of the Pistol Range and Fire Training Area and the Property is in the Tinton Falls Mixed-Use Technology Office / R & D Business Campus development district in the Land Use Rules and the district allows for office/research and institutional uses in a campus-like setting; and

WHEREAS, based on staff’s recommendation, and with the Real Estate Committee’s concurrence, the Board authorized proceeding with the offer to purchase process for the Tinton Falls Commercial Parcel at the August 2019 meeting of the Authority; and

WHEREAS, the August 2019 Board memorandum noted that, pursuant to the Reuse Plan and its subsequent amendments, the highest and best use of the site would be achieved by deviating from the plan and offering a larger parcel for redevelopment as either office/R&D or an alternate commercial use consistent with or complementing the planned uses in the area and allow either reuse of the buildings (exclusive of those specifically identified for demolition under the RFOTP) or demolition and redevelopment of the parcel; and

WHEREAS, this approach would require staff to evaluate proposals with an emphasis on planning and design considerations, because the surrounding area is substantially redeveloped with a mix of commercial and residential uses, as well as capital investment and job creation triggered by the redevelopment of the parcel in support of FMERA’s mission to generate jobs and reinvigorate the local economy; and

WHEREAS, on September 27, 2019, FMERA publically issued an RFOTP for the Tinton Falls Commercial Parcel with proposals due on December 2, 2019; and

WHEREAS, proposals were received from two entities; both entities proposed a significant portion of the parcel as unplanned/undefined open space, leaving the majority of the Property undeveloped for an undetermined timeframe; and

WHEREAS, N.J.A.C. 19:31C–2.13 authorizes FMERA “to reject all sealed bid(s) and offer(s) to purchase and to either re-advertise or terminate an advertised solicitation . . . for any other reason in the best interests of the Authority or the redevelopment plans for Fort Monmouth as determined by the Authority”; and

WHEREAS, in light of the proposals leaving large swaths of land without an open space deed restriction and/or without specifically defining future development, FMERA staff believes that the RFOTP does not contain the required specificity to fulfill FMERA’s purpose to oversee the development of the Fort in “a manner that will promote, develop, encourage, and maintain employment, commerce, economic development, and the public welfare” as well as to “promote and advance the economic use of the facilities located at Fort Monmouth.” C.52:27I-24; and

WHEREAS, staff believes the issuance of a new RFOTP that provides further clarification regarding the highest and best use of the Property will generate responses that provide a defined and succinct redevelopment plan that is reflective of FMERA’s vision and provides clear evidence of the related economic and community impacts; and

WHEREAS, staff is requesting authority to issue a new RFOTP for the Tinton Falls Commercial Development Parcel in order to achieve FMERA’s goal of developing a well-defined, commercial project that is complementary to the surrounding uses and furthers the economic growth of Fort Monmouth, and the new RFOTP will place greater emphasis on

qualities necessary to achieve the type of redevelopment that was envisioned in the Reuse Plan and as a result of existing and on-going redevelopment and recommend that the proposals consider incorporating additional information as described in the attached memorandum; and

WHEREAS, the Real Estate Committee has reviewed the request to terminate the Tinton Falls Commercial Parcel Request for Offer to Purchase process and the issuance of a new RFOTP for the Tinton Falls Commercial Development Parcel and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves: (i) authorizing FMERA staff to terminate the Offer to Purchase process with respect to the Tinton Falls Commercial Redevelopment Parcel in Fort Monmouth's Tinton Falls Reuse Area without awarding a purchase contract and return the deposits to the bidders; and (ii) authorize the issuance of the new Request for Offers to Purchase the Tinton Falls Commercial Development Parcel consistent with the objectives outlined above.

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: January 22, 2020

EXHIBIT 2

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Closing out the Offer to Purchase Process for the Tinton Falls Commercial Parcel and Issuance of a New Request for Offers to Purchase the Property

DATE: January 22, 2020

Request

I am requesting that the Board authorize the Fort Monmouth Economic Revitalization Authority (FMERA) staff to: (i) terminate the Offer to Purchase process with regard to the Tinton Falls Commercial Parcel on Fort Monmouth's Charles Wood Area without awarding a purchase contract and return the deposits to the bidders; and (ii) issue a new Request for Offers to Purchase (RFOTP) for the Tinton Falls Commercial Parcel, in accordance with FMERA's approved sales rules.

Background

The Tinton Falls Commercial Development Parcel is an approximately 31.25± acre parcel of land containing nine buildings (Buildings 2627, 2628, 2704, 2707, 2708, 2709, 2710, 2629, and 2719) located at Pearl Harbor Avenue and Pinebrook Road in the Tinton Falls Reuse Area of the Charles Wood Area of the Fort ("the Property").

Under the RFOTP issued September 27, 2019, FMERA sought to sell the Property to a Potential Purchaser that would use the Property for either office and/or research & development or an alternate commercial use consistent with or complementing the planned uses in the area, which could include an array of commercial and light industrial uses. Further, the RFOTP indicated that FMERA would not accept Offers that proposed the majority of the site be used for warehouse use over 25% or more of the site; heavy industrial uses, other commercial uses that emit potentially disruptive sounds or substances; temporary or short-term residential facilities unless such temporary or short-term residential facilities are assisted living and/or nursing home facilities; or residential uses. Uses contemplated by the Reuse Plan would also be considered. The minimum purchase price proposal for the Property was Four Million Five Hundred Thousand (\$4,500,000) Dollars.

The Reuse Plan contemplates continued research & development use at the Pulse Power building, the demolition of Buildings 2719 and 2704 for the creation of passive or active open space, and the continued use of the Pistol Range and Fire Training Area. The Property is in the Tinton Falls Mixed-Use Technology Office / R & D Business Campus development district in the Land Use Rules. This district allows for office/research and institutional uses in a campus-like setting.

Based on staff's recommendation, and with the Real Estate Committee's concurrence, the Board authorized proceeding with the offer to purchase process for the Tinton Falls Commercial Development Parcel at the August 2019 meeting of the Authority. The Board's decision took into account that FMERA staff had shown the property

to several interested parties, and that staff believed that the issuance of an RFOTP rather than sealed bids would facilitate the selection of a developer committed to developing the site with the highest and best use based on both the surrounding development and the allowable uses under the Reuse Plan. The August 2019 Board memorandum noted that, pursuant to the Reuse Plan and its subsequent amendments, the highest and best use of the site would be achieved by deviating from the plan and offering a larger parcel for redevelopment as either office/R&D or an alternate commercial use consistent with or complementing the planned uses in the area and allow either reuse of the buildings (exclusive of those specifically identified for demolition under the RFOTP) or demolition and the redevelopment of the parcel. This approach would require staff to evaluate proposals with an emphasis on planning and design considerations, because the surrounding area is substantially redeveloped with a mix of commercial and residential uses, as well as capital investment and job creation triggered by the redevelopment of the parcel in support of FMERA's mission to generate jobs and reinvigorate the local economy.

Accordingly, on September 27, 2019, FMERA publicly issued an RFOTP for the Tinton Falls Commercial Development Parcel, with proposals due on December 2, 2019. Proposals were received from two entities. An internal review of proposals was conducted for the Tinton Falls Commercial Parcel to ensure compliance with the RFOTP. Both entities proposed a significant portion of the parcel as unplanned/undefined open space, leaving the majority of the Property undeveloped for an undetermined timeframe. N.J.A.C. 19:31C-2.13 authorizes FMERA "to reject all sealed bid(s) and offer(s) to purchase and to either re-advertise or terminate an advertised solicitation . . . for any other reason in the best interests of the Authority or the redevelopment plans for Fort Monmouth as determined by the Authority." In light of the proposals leaving large swaths of land without an open space deed restriction and/or without specifically defining future development, FMERA staff believes that the RFOTP does not contain the required specificity to fulfill FMERA's purpose to oversee the development of the Fort in "a manner that will promote, develop, encourage, and maintain employment, commerce, economic development, and the public welfare" as well as to "promote and advance the economic use of the facilities located at Fort Monmouth." C.52:27I-24. Allowing the parcel to be awarded without the required specificity would not be in the best interest of the redevelopment of parcel as it would allow for proposals that do not meet FMERA's standard for advancing the economic position of the host municipality. N.J.A.C. 19:31C-2.13. Staff believes the issuance of a new RFOTP that provides further clarification regarding the highest and best use of the Property will generate responses that provide a defined and succinct redevelopment plan that is reflective of FMERA's vision and provides clear evidence of the related economic and community impacts.

Staff is requesting authority to issue a new RFOTP for the Tinton Falls Commercial Development Parcel in order to achieve FMERA's goal of developing a well-defined, commercial project that is complementary to the surrounding uses and furthers the economic growth of Fort Monmouth. The new RFOTP will place greater emphasis on those qualities we think necessary to achieve the type of redevelopment that was envisioned in the Reuse Plan and as a result of existing and on-going redevelopment. For example, we recommend that proposals consider incorporating the following:

- A defined redevelopment plan that includes the commercial development and/or committed open space of a majority of developable acreage that is predominantly consistent with or complementary to the adjacent uses, including light industrial/fabrication, office, healthcare, and/or technology uses.
- Utilizing existing wetlands and non-developable area as complementary, ancillary open space, rather than as a primary use.
- Proposed open space that includes a commitment to accept a deed restriction to further the Reuse Plan's goal of achieving up to 40% open space Fort-wide.
- A roadway design concept that supports the adjacent parcel, as required by the RFOTP, and allows for the maximum redevelopment potential of the site.
- A price proposal that meets the minimum bid of Four Million Five Hundred Thousand Dollars (\$4,500,000) and has no associated contingencies based on the environmental condition of the site, utility and/or infrastructure requirements, or other, as the Property is being sold in "As Is" condition.

The Real Estate Committee was notified via email on January 17, 2020 to review the recommendation to terminate the Tinton Falls Commercial Parcel Request for Offer to Purchase process and issue a new RFOTP for the Tinton Falls Commercial Development Parcel. The Real Estate Committee has reviewed this request and staff has received a majority approval to recommend approval of the matter to the full Board.

Recommendation

In summary, I am requesting that the Board: (i) authorize FMERA staff to terminate the Offer to Purchase process with respect to the Tinton Falls Commercial Redevelopment Parcel in Fort Monmouth's Tinton Falls Reuse Area without awarding a purchase contract and return the deposits to the bidders; and (ii) authorize the issuance of the new Request for Offers to Purchase the Tinton Falls Commercial Development Parcel consistent with the objectives outlined above.



Bruce Steadman

Attachments: Tinton Falls Commercial Parcel Map
Prepared by: Sarah Giberson

ADOPTED
January 22, 2020

**Resolution Regarding
Real and Personal Property Leasing; Sale of Real and Personal Property; Land Use**

WHEREAS, on February 21, 2019, the Fort Monmouth Economic Revitalization Authority rules for Real and Personal Property at N.J.A.C. 19:31C-1, Sale of Real and Personal Property at N.J.A.C. 19:31C-2, and Land Use at N.J.A.C. 19:31C-3 expired; and

WHEREAS, the rules, which remain part of the New Jersey Administrative Code, must be proposed as new rules subject to the sixty-day comment period, and in the interim, FMERA will continue to apply the rules and is not proposing changes to the rules and requests that they be approved in their prior form; and

WHEREAS, staff is requesting approval of the expired rules proposed for Real and Personal Property Leasing, Sale of Real and Personal Property; Land Use as new rules; and to authorize staff to submit the attached notice for promulgation in the New Jersey Register, subject to final review and approval by the Office of the Attorney General and the Office of Administrative Law (OAL); and

WHEREAS, the Real Estate Committee has reviewed the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the expired rules proposed for Real and Personal Property Leasing, Sale of Real and Personal Property; Land Use as new rules; and authorizes staff to submit the attached notice for promulgation in the New Jersey Register, subject to final review and approval by the Office of the Attorney General and the Office of Administrative Law (OAL).

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: January 22, 2020

EXHIBIT 1

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: January 22, 2020

SUBJECT: Real and Personal Property Leasing; Sale of Real and Personal Property; Land Use
Proposed New Rules: N.J.A.C. 19:31C-1, 19:31C-2, 19:31C-3

Request

I am requesting that the Board approve the expired rules proposed for Real and Personal Property Leasing, Sale of Real and Personal Property; Land Use as new rules; and to authorize staff to submit the attached notice for promulgation in the New Jersey Register, subject to final review and approval by the Office of the Attorney General and the Office of Administrative Law (OAL).

Background

On February 21, 2019, the Fort Monmouth Economic Revitalization Authority rules for Real and Personal Property at N.J.A.C. 19:31C-1, Sale of Real and Personal Property at N.J.A.C. 19:31C-2, and Land Use at N.J.A.C. 19:31C-3 expired. The rules, which remain part of the New Jersey Administrative Code, must be proposed as new rules subject to the sixty-day comment period. In the interim, FMERA will continue to apply the rules. FMERA is not proposing changes to the rules and requests that they be approved in their prior form.

Recommendation

In summary, I am requesting that the Board approve the expired rules proposed for Real and Personal Property Leasing, Sale of Real and Personal Property; Land Use as new rules; and to authorize staff to submit the attached notice for promulgation in the New Jersey Register, subject to final review and approval by the Office of the Attorney General and the Office of Administrative Law (OAL).



Bruce Steadman

Attachment: Real and Personal Property Leasing, Sale of Real and Personal Property; Land Use

ATTACHMENT

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

