

**Fort Monmouth Economic Revitalization Authority  
Board Meeting  
September 25, 2020  
Via Teleconference**

**MINUTES OF THE MEETING**

**Members of the Authority present via teleconference via a roll call vote:**

- Robert W. Lucky – Vice-Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) – V
- John Tobia – Monmouth County Freeholder – V
- Jay Coffey – Mayor of Oceanport – V
- William Lucia – Eatontown Borough & Administrator – V
- Tracy Buckley – Tinton Falls Borough Council President – 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
- Kenneth J. Kloo – Director, Site Remediation Program, NJ Department of Environmental Protection
- 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:**

- Baden Almonor – Central Regional Chief, NJ Department of Labor & Workforce Development

**Also present:**

- Bruce Steadman, FMERA Executive Director and Secretary
- Laura Draushak, Deputy Attorney General (DAG)
- FMERA staff:
  - Kara Kopach – Director of Real Estate Development
  - Sarah Giberson – Manager of Marketing & Development
  - Upendra Sapkota – Senior Planning & Development Officer
  - Kristy Dantes – Director of Facilities & Infrastructure
  - Joe Fallon – Senior Environmental Officer
  - Jennifer Lepore – Accounting Manager

The meeting was called to order by Vice-Chairman Robert Lucky at 10:00a.m. who asked for a moment of silence for unity and safety in lieu of the Pledge of Allegiance to the Flag of the United States of America, given that we needed to meet remotely again.

Bruce Steadman explained the teleconference meeting protocol with regards to the Board and public's participation. He stated that due to the current worldwide health situation, and the need to curtail or eliminate in-person meetings, the FMERA Board meeting for September was being held remotely, with Board, staff, and the public participating via telephone. He stated that all Board votes would be roll-call votes, for the purpose of verifying the Board members' votes, including acceptance of the Minutes from the previous meeting. He noted that at the beginning of the Public Comment periods, he would ask members of the public who wished to make a comment or ask a question to state their name, and that he would call on each of them to make their comment or ask their question.

Mr. Steadman thanked the staff, Board members, and the public for their cooperation in accepting and following these modifications to the normal public meeting routine and noted that otherwise it was FMERA's intention to adhere to a normal meeting agenda.

Bruce Steadman announced that in accordance with the Open Public Meetings Act, notice of the meeting and notice of the change in the meeting to a teleconference 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 August 15<sup>th</sup> regular meeting minutes. A motion as made to approve the minutes by Jay Coffey and seconded by Tracy Buckley.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Abstain
Robert Lucky	X		
Jay Coffey	X		
Bill Lucia	X		
John Tobia	X		
Tracy Buckley	X		
Stephanie Brown	X		
Dave Nuse	X		

Motion to Approve: JAY COFFEY Second: TRACY BUCKLEY

AYes: 7

**WELCOME**

Vice-Chairman Robert Lucky welcomed attendees to the Authority's Annual teleconference meeting. Dr. Lucky stated that a copy of the Board package was posted to the FMERA website to give the public the opportunity to review the information in advance of the meeting. Dr. Lucky stated that the Board would consider seven board actions this evening.

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**

Mr. Steadman stated that at the Annual Meeting, there are Board Actions which occur once per year such as the appointment of the members of the Board Committees and the Chairpersons of each Committee, the appointment of the Secretary, the Treasurer and the other Officers. These actions are in addition to the regular Board action items.

The Vice-Chairman appointed Bruce Steadman as Secretary, and Kara Kopach as Treasurer.

The Vice-Chairman appointed the 2020-2021 Audit Committee Chairman and members and the Real Estate Committee Chairman and members.

The following were named as Committee members:

- Audit Committee Chairman – Robert Lucky
- Audit Committee Members – Anthony Talerico & Kenneth J. Kloo
  
- Real Estate Committee Chairman – Robert Lucky
- Real Estate Committee Members – Lillian Burry, Jay Coffey and Anthony Talerico

Mr. Steadman stated that staff continues to review executive session minutes on an annual basis and present an update to the Board at its annual meeting each September, which includes a list of matters no longer deemed confidential. Staff has determined that many items remain sensitive or unresolved, and therefore cannot be made public at this time; however, several items have been resolved and are no longer considered confidential, and these will be posted on the FMERA website.

## **TREASURER'S REPORT**

Jennifer Lepore, Accounting Manager stated that the budget process for 2021 is about to get underway. In the coming weeks, FMERA staff will hold budget sessions and begin drafting the 2021 FMERA Budget. The draft budget will then be presented to the Audit Committee for their review. The 2021 FMERA Budget is scheduled to be brought to the Board for its consideration and approval at the December meeting. FMERA controls spending to the extent possible, until land sales occur, and proceeds are received, at which point we determine which projects in our budget can be completed. With the end of the 3<sup>rd</sup> quarter approaching, FMERA is and is targeted to remain under budget in all categories through year-end.

FMERA staff and counsel have been in contact over the past few months with representatives of the County of Monmouth and the Monmouth County Improvement Authority regarding the issuance of subsequent notes relating to the financing of FMERA's purchase of the Phase 2 EDC properties from the Army. In 2016, the Monmouth County Board of Chosen Freeholders authorized a payment guaranty on the notes for five years. This will be the fifth and final year under the agreement. As of the November 14, 2020 subsequent maturity date, FMERA is estimating that it will have paid down approximately \$11,000,000 in principal of the original \$33,525,000. At tonight's meeting, FMERA is requesting that the Board authorize the issuance of subsequent notes in an amount not to exceed \$24,500,000 to cover the balance plus issuance costs and fees.

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

There was no public comment.

## **EXECUTIVE DIRECTOR'S REPORT**

1. Kristy Dantes, Director of Facilities & Infrastructure gave the following update:

The facilities, environmental, and site-maintenance teams continue to maintain the Fort through the Covid-19 pandemic utilizing safe practices and health guidelines. Increased security, police patrols and building inspections continue.

FMERA is currently working on completing the following FOSTs and deeds with the Army:

- The Group 2 Deed has been conveyed to FMERA. FMERA is awaiting two necessary documents from the Army before recording the deed.
- The Group 3 deed, with supporting documents, has also been conveyed to the FMERA; however, the deed cannot be recorded until the Group 2 deed is recorded.
- The Group 4 Deed is expected to be completed by December of this year.
- The Group 4 FOST is in draft form and is undergoing internal Army review.

Other projects in process include:

- Outbound surveys of the OPort Partners parcels are complete.
- The Expo Theatre survey is under review.
- The Eatontown Parks parcel survey is being completed.
- A survey of Sanger Avenue, ahead of the road dedication to Monmouth County, is complete and with the County for review.
- A 2100-foot 8" water main extension from College Avenue in Eatontown, to Wilson Avenue, to Avenue of Memories, is moving forward, with an expected completion by mid-October. This New Jersey American Water project, funded by FMERA, will supply water to the Artists Barracks parcel, Eatontown DPW Parcel, the County Motor Pool, and the Bowling Center.

- FMERA is moving forward with plans to install a 2000-foot 8" water main from Anson Avenue at Murphy Drive westward to Todd Avenue, then north to Avenue of Memories. This main will serve the Denholtz parcels and tie the NJAW system in Main street to the Phase 1 water main in Avenue of Memories, which was completed in 2018.
- The installation of a 5600-foot 24" water main extension along Avenue of Memories by New Jersey American Water is still scheduled to begin in the spring of 2021.
- A sanitary main extension tying to an Eatontown Sewerage Authority main along Mill creek at North Drive at Wilson Avenue, to serve the Bowling Center and development between Wilson Avenue and Rt. 35, is scheduled following the closing for the Bowling Center.

Buildings slated for sale or reuse are regularly checked. Sanitary lift stations and generators are inspected weekly, and we closely monitor the fort's electrical power system. And, as always, the facilities team continues to assist our developers and support the real estate development team.

Also, please note: The U.S. Army has commenced the Army landfill capping project on four Army-owned solid waste landfills on the Main Post. The capping project is being executed in accordance with the NJDEP approved Record of Decision (ROD) documents. FMERA has been told that the first phase of the project involves the clearing of trees and other brush which will allow for the proper grading of each landfill before the final caps are constructed. The Army landfill project is designed to protect the integrity of the landfills, safeguard nearby human and animal activities, and provide a permanent solution to the Army's landfills, some of which are 50+ years old. Any questions regarding the Army landfill capping project should be directed to Mr. William Colvin, Base Environmental Coordinator for the Army.

2. Sarah Giberson, Marketing and Development Manager 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. FMERA is currently in negotiations with the leading scorer for the Tinton Falls Commercial Parcel, finalizing term sheet negotiations with the prospective purchaser of Howard Commons, and drafting a PSARA for the Expo Theater property, slated for recreation use. FMERA's projects are in various stages of development, many of which are still in the due diligence, design, and approvals phases. With both developers and approving entities having adapted to new ways of working, we're pleased to report that our projects continue to make excellent progress. FMERA anticipates closing on a number of properties before year-end, potentially including the District A & Warehouse Parcels, the Marina, Suneagles Golf Course, and the Bowling Center.

FMERA continues to engage with leads and prospective purchasers via teleconference while operating remotely. Our team is closely monitoring on-going projects and providing additional support to its developers to ensure the successful redevelopment of properties currently under contract.

After several virtual meetings with developers and industry professionals regarding the Parcel B property, slated as a mixed-use development in Eatontown, FMERA has refined its vision for the new Request for Offers to Purchase for Parcel B. With the delivery of goods and services having changed dramatically over the past 10 years, FMERA has re-envisioned the project in way that leverages new and unique approaches to mixed-use development and maximizes the economic impact to the surrounding communities. By targeting a broader mix of commercial uses and small-scale, complementary retail amenities, the project is poised for success as a hub for business and community engagement. FMERA anticipates releasing a new RFOTP in the final quarter of 2020.

In September, FMERA hosted two highly successful community events, including the Eatontown 5K on Labor Day weekend and the Indie Street Film Festival Drive-In screening of the HBO Max hit film, Class Action Park on September 17<sup>th</sup>. Eatontown has reported that its 5K race was its best attended to-date and the Borough continues to look forward to unveiling planned municipal projects on the Fort that residents can enjoy in the future. The Indie Street drive-in was also a great success, drawing over 90 vehicles to the Fort's grounds for a Director Seth Porges hosted a Q&A following the film. FMERA is proud to support the local municipalities and nonprofit organizations

that are working to build community within the Fort. A special thank you to the County and local police for making these events a success.

Our team continues to work remotely and is available during normal business hours via email and cell phone. Please visit our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com) and follow us on Instagram at @fortmonmouthnj for our latest updates.

### 3. Additional Comments by the Executive Director

Mr. Steadman thanked the EDA, specifically Tim Sullivan, Lori Matheus, and Dave Nuse for their support. Mr. Steadman thanked the Boroughs of Eatontown, Tinton Falls, and Oceanport, and the County of Monmouth for their continued support and help on various day-to-day operating issues while working remotely; and noted the outstanding support and help received from our key state stakeholders: the Governor's Authority Unit, Attorney General Office, NJEDA, DEP, the DOT, the DOL, the DCA, and many others.

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 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.

## **COMMITTEE REPORTS**

### 1. AUDIT COMMITTEE (ROBERT LUCKY, CHAIRMAN)

Robert Lucky stated that the Committee met on September 15<sup>th</sup> and discussed the following:

- Discussion regarding approval of the Loan Agreement and Note with the Monmouth County Improvement Authority for financing through the issuance of subsequent notes in an amount not to exceed \$24,500,000 through MCIA relating to the financing of FMERA's 2016 purchase of the Phase 2 EDC properties from the Army. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Discussion regarding the 2020 & 2021 Cash Flow Projections.

### 2. REAL ESTATE COMMITTEE (ROBERT LUCKY)

Robert Lucky stated that the Committee met on September 15<sup>th</sup> and discussed the following:

- Discussion regarding a PSARA with the Borough of Eatontown for a Parks & Recreation Complex on the Nicodemus Avenue Park Parcel. The purchase will be made through the Board approved Local Beneficial Use conveyance. The Committee reached a consensus and agreed to recommend it to the Board for approval.
- Discussion regarding the transmittal of Plan Amendment #16 with respect to the Barker Circle and the Nurses Quarters in Oceanport. The Committee reached a consensus and agreed to recommend it to the Board for approval.
- Discussion regarding an Agreement with NJAW to install new water mains new water service on the Main Post to service the Commissary & PX Complex, the Warehouse District & Post Office Area and future development at a total cost estimated to be \$450,782.14. The Committee reached a consensus and agreed to recommend it to the Board for approval.
- On September 22<sup>nd</sup>, the Committee was asked to approve the 1<sup>st</sup> Amendment to the Reinstated Amended and Merged PSARA with OPort Partners, LLC for the Warehouse, Post Office, Commissary/PX and the Parking lot in Oceanport. The Committee approved the request via email on September 23<sup>rd</sup>.

- Other Issues
  - Parcel B
  - Howard Commons
  - Expo Theater
  - Tinton Falls Commercial Parcel RFOTP
  - Liquor License Legislation
  - SHPO & NJ Trust Site visits
  - MCIA Update

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

Kenneth J. Kloo stated that the Committee met on September 14<sup>th</sup> and discussed the following:

- FMERA staff provided an update on the Group 2 & 3 Deeds and Group 4 Findings of Suitability to Transfer (FOSTs):
  - The Group 2 Deed, which includes 11 environmental carve-out parcels for a total of 17.7 acres has been signed by the Army and returned to FMERA for recording; FMERA now holds title to this property.
  - The Group 3 Deed, which includes 10 environmental carve-out parcels for a total of 9.3 acres has been signed by the Army and returned to FMERA for recording.
  - The Group 4 FOST, which contains Parcel 57 is expected to be completed by October.
- FMERA staff provided an update on the RFOTPs.
  - Parcel B: FMERA will be reissuing the RFOTP after Board approval in October
  - Howard Commons: FMERA continues negotiations with the developer.
- FMERA staff provided an update on the Myer Center:
  - A. Neutralization Pit:
    - The Army completed two rounds of chemical injections and has also completed post injection ground water sampling.
    - The Army submitted a pilot test report of the chemical injections to the NJDEP on June 4<sup>th</sup>. The Army is proposing to install two additional monitoring wells and proposing monitored natural attenuation as the final remedy with a classification exception area component.
    - Per the NJDEP's suggestion, the Army has agreed to install the third well in order to triangulate and remediate the area more aggressively.
  - B. Kerosene Tank:
    - The Army has removed the tank and contaminated soils have been excavated and disposed. The Perchloroethylene (PCE) and ground water have been delineated. FMERA is awaiting the Army's report on the tank and a plan to address the remaining contamination.
- FMERA staff provided an update on the Golf Course Parcel:
  - Stormwater Management & Wetlands: The developer plans to expand the water feature (hole #10 pond) on the site to serve as a storm water collection basin for the new housing. The freshwater wetland permits have been filed and the NJDEP has determined that the wetland delineation was bigger than expected and areas around the water feature are considered disturbed wetlands. The developer will now file a redevelopment transition waiver for the wetlands.
- FMERA staff provided an update on the OPort Partners (Commissary, Warehouses, & Post Office Parcels):
  - Commissary: The Army has delineated the PAHs on the site and submitted a Remedial Investigation Report to the NJDEP. The NJDEP issued a No Further Action (NFA) letter for the site in August 2020. The Mandatory Conceptual Review (MCR) has been received and will be reviewed by the ESAC at the next meeting.
- FMERA staff provided an update of the M8 Landfill Capping Project vis-à-vis Eagle Foraging Area:
  - M8 Landfill Capping Project: The Army submitted a permitted equivalency application to the NJDEP for the nine Army owned landfills which included the M8 landfill. The NJDEP asked the Army to remove the M8 landfill from the application due to the Eagle Foraging Area along the riparian zone on the site. The Army and the NJDEP will be discussing alternatives for the long-term disposition of the M8 landfill.
- FMERA staff provided an update on the Former Dry-Cleaning Facility:
  - Former Dry-Cleaning Facility: The Army has completed two rounds of chemical injections and will submit a Remedial Investigation/Feasibility Study report to the NJDEP after final review by the Army.

- FMERA staff provided an update on the Water projects:
  - Phase 2 water line project will serve the Eatontown DPW Complex and Monmouth County's DPW complex, the Artist Barracks and the Bowling Alley. Work is expected to begin this month.
  - Phase 3A water line project will serve the Commissary & PX Complex, the Warehouse District & Post Office Area. Work is expected to begin in 30 days.

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 will be meeting in October.

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

Bruce Steadman, on behalf of Lillian Burry stated that the Committee did not meet this month.

**BOARD ACTIONS**

1. The first item before the Board was the Transmittal to Host Municipalities of Proposed Plan Amendment #16 Permitting an Alternative Development Scenario with respect to Barker Circle and the Nurses Quarters in Oceanport.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 1.

A motion was made by Jay Coffey and was seconded by Tracy Buckley.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Abstain
Robert Lucky	X		
Jay Coffey	X		
Bill Lucia	X		
John Tobia	X		
Tracy Buckley	X		
Stephanie Brown	X		
Dave Nuse	X		

Motion to Approve: JAY COFFEY  
AYes: 7

Second: TRACY BUCKLEY

Mr. Steadman noted that this issue required a Super Majority of 7 YES votes to carry, and 7 YES were in fact received, so the motion carried.

2. The second item before the Board was the Consideration of Approval of Organizational Matters
  - i. Assistant Secretaries of the Authority
  - ii. OPRA Records Custodian and Ethics Liaison
  - iii. Meeting Schedule for October 2020 – September 2021

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 2.

A motion was made by Jay Coffey and was seconded by Bill Lucia.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Abstain
Robert Lucky	X		
Jay Coffey	X		
Bill Lucia	X		
John Tobia	X		
Tracy Buckley	X		
Stephanie Brown	X		
Dave Nuse	X		

Motion to Approve: JAY COFFEY Second: BILL LUCIA  
AYes: 7

3. The third item before the Board was the Consideration of Approval of Staff Advisory Committee Membership.

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 Bill Lucia.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Abstain
Robert Lucky	X		
Jay Coffey	X		
Bill Lucia	X		
John Tobia	X		
Tracy Buckley	X		
Stephanie Brown	X		
Dave Nuse	X		

Motion to Approve: JAY COFFEY Second: BILL LUCIA  
AYes: 7

4. The fourth item before the Board was the Authorization to Rollover Notes through the Monmouth County Improvement Authority in connection with FMERA's Purchase of the Phase 2 Properties.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 4.

A motion was made by JAY COFFEY and was seconded by BILL LUCIA.



Bruce Steadman conducted a roll call vote.

<b>NAME</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>
Robert Lucky	X		
Jay Coffey	X		
Bill Lucia	X		
John Tobia			X
Tracy Buckley	X		
Stephanie Brown	X		
Dave Nuse	X		

John Tobia abstained from voting.

Motion to Approve: JAY COFFEY                      Second: BILL LUCIA  
AYes: 6

5. The fifth item before the Board was the of a Purchase and Sale & Redevelopment Agreement with the Borough of Eatontown for a Parks & Recreation Complex on the Nicodemus Avenue Park Parcel.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 5.

A motion was made by Jay Coffey and was seconded by Bill Lucia.

Bruce Steadman conducted a roll call vote.

<b>NAME</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>
Robert Lucky	X		
Jay Coffey	X		
Bill Lucia	X		
John Tobia	X		
Tracy Buckley	X		
Stephanie Brown	X		
Dave Nuse	X		

Motion to Approve: JAY COFFEY                      Second: BILL LUCIA  
AYes: 7

6. The sixth item before the Board was an Agreement with New Jersey American Water Company to install new water mains on the Main Post.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 6.

A motion was made by Jay Coffey and was seconded by Bill Lucia.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Abstain
Robert Lucky	X		
Jay Coffey	X		
Bill Lucia	X		
John Tobia			X
Tracy Buckley	X		
Stephanie Brown	X		
Dave Nuse	X		

John Tobia abstained from voting.

Motion to Approve: JAY COFFEY Second: BILL LUCIA  
AYes: 6

- 7. The seventh item before the Board was the First Amendment to the Reinstated Amended and Merged Purchase and Sale & Redevelopment Agreement with OPort Partners, LLC for the Warehouse, Post Office, Commissary/PX & Parking Lot in Oceanport.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 7.

A motion was made by Jay Coffey and was seconded by Bill Lucia.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Abstain
Robert Lucky	X		
Jay Coffey	X		
Bill Lucia	X		
John Tobia	X		
Tracy Buckley	X		
Stephanie Brown	X		
Dave Nuse	X		

Motion to Approve: JAY COFFEY Second: BILL LUCIA  
AYes: 7

**OTHER ITEMS**

Bill Lucia thanked FMERA for all of their support and for the nice working relationship with the Borough of Eatontown.

Bill Lucia left the meeting at 10:50a.m.

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

Erin Feeley, 10 Russel Avenue, East Gate, Oceanport submitted the following questions via email: (Mr. Steadman's written answers in italics are provided below each of the questions.)

1. How do we obtain a list of approved events on the Greeley Helipad?  
*FMERA does not publish a list. A handful of events have been held that used the former helipad asphalt area. If the event is anything other than impromptu, FMERA generally mentions it at the board meeting and/or includes it in the FMERA newsletter.*
2. When a non-approved event is occurring or individuals congregating on the Helipad do we contact FMERA or the Oceanport police?  
*If/when a local resident believes that an event is "non-approved", that resident should contact the FMERA offices for notification and inquiry.*
3. To discourage non-approved events on the Helipad can FMERA and/or the town increase patrols or put up cones to discourage use of the Helipad?  
*FMERA's security contractor and the Oceanport Police Department know to contact FMERA when it appears that any non-approved events are using Fort property.*
4. When individuals who reside outside of Liberty Walk and East Gate, are congregating for exchanges and transactions on Sherill Ave., do we call the Oceanport Police or FMERA? This is specific to meetings and exchanges occurring on Sherill Ave. (usually nearer to Squier Hall).  
*It is unclear what is meant by this question, so I would direct the questioner to the answers provided above.*

Via telephone during the Public Comment, Ms. Feeley referred to Question #2 and asked who should be contacted at FMERA and are there ways to act? Ms. Feeley asked if she calls the FMERA office after hours, will someone be answering the phone. Mr. Steadman stated yes, and he can also be contacted on his cell phone number at 609-273-5032. Mayor Coffey also stated that Ms. Feeley can contact him.

Mr. Steadman stated that Greeley Field is a public area and there will be activity on the field, and that FMERA encourages members of the public to use Greeley Field for recreational, sports, and other activities. Mr. Steadman stated that if there are complaints regarding any specific activities, then FMERA will follow up immediately.

Ms. Feeley stated that she will be speaking to Mayor Coffey regarding Question #4.

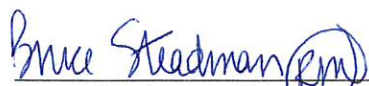
Sandy Craig, 22 Russel Avenue, Oceanport submitted the following question via email:

Are the residents in East Gate allowed to put up fencing/tents in our back yards as Liberty Walk is? Are we all under the same historic guidelines – which state we cannot block the view of the parade grounds?

(Mr. Steadman's written answer follows in italics.) *You should contact the East Gate HOA with regards to installation of improvements in the East Gate area. With regards to Liberty Walk, Mr. Steadman has asked the FMERA staff to review the Historic Guidelines and take photos of any installations or improvements, and we will respond after the staff's review.*

There being no further business, on a motion by Jay Coffey and seconded by Dave Nuse and unanimously approved by all voting members present, the meeting was adjourned at 11:00a.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**  
**September 25, 2020**

**Resolution Regarding the  
Appointment of the Assistant Secretaries, Reaffirmation of OPRA Records Custodian and  
Ethics Liaison, and Approval of October 2020 – September 2021 Meeting Dates**

**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 Authority’s By-Laws provide that an annual reorganization meeting be held in September of each year.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the designation of the Accounting Manager and the Office Administration Manager as Assistant Secretaries.
2. The Authority affirms the re-appointment of Fred Cole as Ethics Liaison Officer and Marcus Saldutti as OPRA Records Custodian.
3. The Authority approves the October 2020 – September 2021 Meeting Dates attached hereto.
4. 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: September 25, 2020**

**EXHIBIT 1**

**ADOPTED**  
**September 25, 2020**

**Resolution Regarding  
Staff Advisory Committee Membership Criteria**

**WHEREAS**, the Authority has established four staff advisory committees: Environmental, Historical Preservation, Housing and Veterans; and

**WHEREAS**, these Committees (“Staff Advisory Committees” or “SACs”) were established to assist FMERA, such as by providing advice to FMERA staff on how best to move Fort Monmouth’s redevelopment effort forward within the context of their area of expertise; and

**WHEREAS**, while the SACs provide important insight and information to the staff for the benefit of the staff as it manages the issues associated with the redevelopment of the Fort property, there is no formal action taken at SAC meetings; and

**WHEREAS**, each SAC is chaired by a FMERA board member; and

**WHEREAS**, FMERA staff developed SAC membership criteria in 2012, which helped to standardize and focus experience and expertise requirements for prospective SAC members; and

**WHEREAS**, the objective is to ensure that FMERA has a knowledgeable and balanced SAC membership, capable of providing timely and sound advice to FMERA regarding the subject matter of the Committee.

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached Board memorandum, the Authority reaffirms the Staff Advisory Committee (SAC) membership criteria attached to the Board memorandum, selects the identified committee chairs, and authorizes the FMERA Executive Director and the SAC Chairs to fill the membership of each Committee accordingly, which membership shall be at the pleasure of the Board.

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: September 25, 2020**

**EXHIBIT 2**

**ADOPTED**  
**September 25, 2020**

**Resolution Regarding**  
**Authorization to Rollover Notes through the Monmouth County Improvement Authority in connection with**  
**FMERA's Purchase of Phase 2 Properties with respect to 2020 Notes**

**WHEREAS**, at the October 2016 meeting, the Board authorized financing for the purchase of the Phase 2 properties through the Monmouth County Improvement Authority ("MCIA"); the financing structure entailed MCIA's issuance of short-term, fixed-rate, taxable notes to provide the consideration to be paid to the Army, along with the cost of issuance; and

**WHEREAS**, the original principal amount of the notes was \$33,525,000, divided between two series, 2016A in the amount of \$10,155,000 which was callable in whole or in part, after six months, and 2016B, in the amount of \$23,370,000; and

**WHEREAS**, at the November 15, 2017 initial note maturity date, FMERA paid down approximately \$9,800,000 in principal of the 2016A Notes as a result of the sale of three parcels: Officer Housing, Russel Hall and the Fitness Center, and so the amount of the subsequent notes issued in November 2017 was \$23,735,000, divided between two series, 2017A in the amount of \$16,735,000 and 2017B in the amount of \$7,000,000 which was callable in whole or in part, after eighteen months with interest on the notes and expenses payable by FMERA on a current basis, with the notes expected to be rolled over annually as one-year or multiple-year obligations; and

**WHEREAS**, at the November 14, 2019 subsequent note maturity date, FMERA paid down approximately \$175,000 in principal of the 2017 Note as a result of the sale of two parcels: Dance Hall and Cell Tower; and

**WHEREAS**, as of the November 12, 2020 subsequent note maturity date, FMERA is estimating that it will pay down approximately \$1,300,000 in principal of the 2019 Notes as a result of the sales of two parcels: Squier Hall and the Commissary/PX, Parking, Warehouse District & Post Office Parcel; and

**WHEREAS**, the County of Monmouth's Board of Chosen Freeholders has authorized a payment guaranty for the notes for five (5) years, i.e. through November 2021, and the County holds a mortgage against the Phase 2 parcels which is released on a parcel by parcel basis as and when FMERA is ready to convey individual parcels to third party purchasers; and

**WHEREAS**, during the five-year term of the County's guaranty, the Notes are expected to be rolled over so that principal payments are made by FMERA from and only to the extent that sale proceeds are available, and if any principal balance remains at the end of the five-year loan term, the balance will become a general obligation of the Authority and FMERA's options will be to either: (i) renegotiate and extend the guarantee; (ii) refinance the balance through a third-party lender; or (iii) pay off the balance from cash on hand; although the County and the MCIA could determine to further roll-over the Notes if the Notes are not paid in full and

**WHEREAS**, upon expiration of the notes, MCIA has to take action to issue subsequent notes to refund the notes that mature and cover issuance costs, and based on FMERA's anticipated redemption of \$1,300,000 in notes by November, the amount of the subsequent notes to be issued in November 2020 is anticipated to total approximately \$22,260,000 million plus the cost of issuance, but not to exceed \$24,500,000; and

**WHEREAS**, staff is recommending that one series of notes be issued on a taxable basis for a one-year term; the documents are essentially the same as those approved by the Board in 2016 and the Loan Agreement approved in 2019; and

**WHEREAS**, although FMERA will not be a signatory to the official statement and contract of purchase, it is necessary to review those documents and confirm the accuracy of any statements in the official statement so as to comply with federal securities laws. The official statement and contract of purchase will be finalized closer to the date of issuance; and

**WHEREAS**, FMERA staff is requesting that the Board approve the Loan Agreement and Note with the Monmouth County Improvement Authority ("MCIA") for financing through the issuance of up to \$24,500,000 in subsequent notes through the MCIA related to the financing of FMERA's 2016 purchase of the Phase 2 Economic Development Conveyance properties from the Army, and delegate to the Executive Director authority to approve the Preliminary Official Statement and the Official Statement and to execute any related financing documents required by MCIA, the County of Monmouth or U.S. Bank National Association in connection with the rollover. Final versions of the documents will be subject to the approval of FMERA's Executive Director, the Attorney General's Office, and special counsel, Robert Tuteur of Eckert Seamans; and

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

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the Loan Agreement and Note with the Monmouth County Improvement Authority for financing through the issuance of notes in an amount not to exceed \$24,500,000 through the Monmouth County Improvement Authority related to the financing of FMERA's 2016 purchase of the Phase 2 Economic Development Conveyance properties from the Army and delegation to the Executive Director authority to approve the Preliminary Official Statement and the Official Statement execute any related financing documents required by MCIA, the County of Monmouth or U.S. Bank National Association in connection with the rollover. Final versions of the documents will be subject to the approval of FMERA's Executive Director and the Attorney General's Office.

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.

**Dated: September 25, 2020**

**EXHIBIT 3**

**ADOPTED**  
**September 25, 2020**

**Resolution Regarding**  
**Authorization to enter into a Purchase and Sale & Redevelopment Agreement with the Borough of**  
**Eatontown for a Parks & Recreation Complex on the Nicodemus Avenue Park Parcel**

**WHEREAS**, on May 18, 2016, the Board approved Evaluation Scoring for Local Beneficial Use Requests. The Borough of Eatontown (“Borough”) requested that this conveyance be administered as a Local Beneficial Use (“LBU”) transaction. Accordingly, the Borough’s proposed use of the Property was reviewed and scored by FMERA staff utilizing the Board approved LBU criteria. This scoring is used to determine the discounted purchase price of the Property; and

**WHEREAS**, using the Fort’s appraisal for the land area in the Main Post, the fair market value of 3.82 acres for open space recreation use, net of the demolition costs, results in an estimated value of \$198,565 for the Property. The scoring of the Borough's proposed use of the Property is 807, which entitles the Borough to the maximum discount of 40% and resulting in a purchase price of \$119,139.00; and

**WHEREAS**, negotiations with the Borough have resulted in the following terms: The Borough will pay \$119,139.00 for the approximately 3.82-acre property for recreation uses associated with Eatontown’s Recreation Department. Per the PSARA, Purchaser will have a sixty day Due Diligence Period commencing on the Effective Date of the PSARA with an option to extend Due Diligence for one additional sixty day period; an Initial Approval Period of twelve months commencing at the end of the Due Diligence period; and a six month Approval Extension Period, subject to FMERA approval. Closing will occur within thirty days satisfaction or waiver of the Conditions Precedent to Closing; and

**WHEREAS**, FMERA will convey the Property to the Borough in as-is condition, but with clear title and subject to the Army’s on-going obligations under CERCLA to address any pre-existing contamination that may exist on the Property. There is one existing environmental carve-out parcel located within the Property. The environmental carve-out parcel will be conveyed to Purchaser for \$1.00 after the Army completes its remedial actions. In addition, Purchaser will create approximately two construction related, temporary part-time and/or full-time jobs at the Property by twelve months after project completion or pay a penalty of \$1,500 per job not created; and

**WHEREAS**, the Borough will expend a minimum amount of \$250,000 to complete their reuse and redevelopment project. The project includes the development of an Eatontown Borough park for active recreation uses and will consist of the demolition of Buildings 787, 788, and 790 and the renovation or demolition of 770 within the timelines set forth under the PSARA as well as upgrading the existing outdoor area to a standard suitable for public use as a municipal park; and

**WHEREAS**, at a later date, the Borough may approach FMERA to complete an optional Phase Two of the Project which may consist of the construction of an administrative building of up to 20,000 SF to be used for related administrative and/or active recreation purposes. A Phase Two project would require a separate redeveloper’s agreement and FMERA Board approval. Purchaser shall be responsible for commencing demolition of Buildings 787, 788, and 789, and remove the debris from the Parcel within ninety days of closing. Purchaser may reuse Building 770, provided it is painted, repaired, and landscaped appropriately within thirty days of closing and shall complete the Project within eighteen months from Commencement of the Construction of the Project, or twenty-one months after Closing. Purchaser shall be responsible for all demolition and related costs including but not limited to the costs of any required asbestos and lead-based paint remediation and disposal; and

**WHEREAS**, there is one environmental carve-out parcel located within the Property. ECP Parcel 98 consists of an area where former Army housing existed and Buildings 787, 788, and 789 are currently located. PCBs were identified and removed by the Army. FMERA has received an “Unrestricted Use,” NFA determination from the NJDEP in a letter dated May 21, 2018 and a Finding of Suitability to Transfer from the Army in May 2020. ECP 98 is anticipated as a part of the Group 3 deed and is planned for transfer to FMERA in 2020. In the event the property



is not transferred in accordance with the above anticipated timeline, there may be an Initial Closing of the Property excluding the Carve-out Parcel and up to one subsequent closing for Carve-out Parcel ECP 98 within forty-five days of Army completing environmental investigations and remedial actions and conveying the Environmental Carve-out Parcel to FMERA; and

**WHEREAS**, regarding infrastructure and utility improvements, the Borough has agreed to the terms as described in the attached memorandum; and

**WHEREAS**, the attached PSARA between FMERA and the Borough of Eatontown is in substantially final form. The final terms of the PSARA are subject to the approval of FMERA's Executive Director, the Attorney General's Office and the Borough of Eatontown's Council. 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 Purchase and Sale & Redevelopment Agreement with the Borough of Eatontown for a Parks & Recreation Complex on the Nicodemus Avenue Park Parcel 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: September 25, 2020**

**EXHIBIT 4**

**ADOPTED**  
**September 25, 2020**

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

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

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

**WHEREAS**, the Reuse Plan envisions the redevelopment of the Oceanport Reuse Area for approximately 1.75 million square feet of non-residential space and 720 residential units which would include a high-tech/green-industry cluster, education/medical campus, a neighborhood center, a boutique hotel and spa, and expansive green space including the historic Parade Ground; and

**WHEREAS**, with respect to the Barker Circle parcel, the Reuse Plan contemplates mixed-income apartment residential uses at Buildings 205, 207, and 287. Reuse Plan Amendment #6 moved the civic/institutional uses envisioned for Buildings 206, 208, and 282 to a 13-acre parcel along Murphy Drive. Amendment #6 also included the change in use of Buildings 206 and 208 for residential and/or office/research & development uses, as well as retail or office/research & development uses of Building 282, the former Fire House. Amendment #6 relocated 32 residential units from Oceanport Municipal Complex parcel to Buildings 206 and 208 in the Barker Circle. The Reuse Plan envisions a museum/art center civic/institutional use for Building 275, known as Kaplan Hall, the former theater and museum of the Fort and open space in the form of a wetland preservation park along Oceanport Creek; and

**WHEREAS**, with respect to the Nurses Quarters parcel, the Reuse Plan contemplates the reuse of Buildings 1077 & 1078 as mixed-income apartments. Under the Land Use Rules, the Property is included in the Oceanport Education/Mixed-Use Neighborhood Development District, which permits low-and medium-density residential, mixed-use, retail, office/research, institutional/civic, and open space/recreational uses.

**WHEREAS**, the Amendment, prepared by Upendra Sapkato, FMERA's Senior Project Officer of Planning and Development and FMERA's planning consultant, Phillips Preiss (PPG) would permit those uses as described in the attached memorandum; and

**WHEREAS**, the attached Amendment #16 is in substantially final form and the final terms of Amendment #16 are subject to the approval of the Executive Director and the Attorney General's office; and

**WHEREAS**, the Real Estate Committee has reviewed the proposed plan change Amendment #16 and recommends Board approval of the transmittal of the proposed amendment to the governing body of each host municipality.

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached memorandum, the Authority approves the transmittal to the governing body of each of the three host municipalities of the proposed attached Amendment #16 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario in the Oceanport Reuse Area.

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

**ATTACHMENT**

**Dated: September 25, 2020**

**EXHIBIT 5**

**ADOPTED**  
**September 25, 2020**

**Resolution Regarding**  
**Approval of an Agreement with New Jersey American Water Company to install new water mains on the**  
**Main Post**

**WHEREAS**, the water mains which service the Main Post of Fort Monmouth are outdated and not suitable for future water usage requirements, and, therefore, new mains must be installed to provide potable water service for current and future property owners. Further, the Purchase and Sale & Redevelopment Agreements (“PSARAs”) for the Commissary & PX Complex, the Warehouse District & Post Office Area and future development require that FMERA provide water service at or near the property borders; and

**WHEREAS**, in June 2018, the Board approved an interagency agreement between FMERA and the Borough of Eatontown to contract for the Borough’s Engineer to design the water mains for Phases II and III (A & B), which will serve both sold properties and prospective purchasers on the Main Post. Phase 3A specifically serves the Commissary & PX Complex, the Warehouse District & Post Office Area and future development; and

**WHEREAS**, the Borough’s Engineer prepared plans and a scope of work (the “Plans”) for the Phase 3A, and these Plans included surveying services, field reconnaissance, test pits, certification applications for Soil and Erosion Control, typical NJDOT Lane Closure Plans, and NJDOT Permit Application for Utility Opening (MT17A); and

**WHEREAS**, upon receipt of the plans for Phase 3A, FMERA prepared the application for the proposed new water main construction. However, in order to submit the plan to NJAW along with an Extension Deposit Agreement (“EDA”) and an Amendment to the EDA, FMERA must receive Board approval to also transmit the required \$10,000 deposit and ultimately make an estimated payment of Four Hundred and Fifty Thousand Seven Hundred and Eighty-Two Dollars and Fourteen Cents (\$450,782.14) (“Initial Estimate”) for the full balance of the estimate cost for the project; and

**WHEREAS**, upon Board approval and after the ten-day Governor’s veto period, FMERA will provide the \$10,000 deposit, EDA and EDA Amendment to NJAW and NJAW will put the proposed new water main construction out to bid in order to facilitate the construction and installation of the water main to serve the Commissary & PX Complex, the Warehouse District & Post Office Area and future developments; and

**WHEREAS**, once bids are received, NJAW will amend its Initial Estimate to a Revised Estimated, reflecting the price of the winning submission; and

**WHEREAS**, staff requests that the Board authorize the payment of the \$10,000 deposit and the anticipated full balance of the Initial Estimate for the project, and staff further recommends that the Board approve the use of delegated authority to make additional payments up to 20% of the total Initial Estimate should the Revised Estimate or later cost over-runs exceed the Initial estimate; and

**WHEREAS**, FMERA anticipates a contribution for a portion of the costs of the water main under an existing Purchase and Sale and Redevelopment Agreement (“PSARA”) for an estimated \$338,085.00. The Purchaser is expected to close by September 30, 2020, or should the Reinstated PSARA be amended by mid-October; and

**WHEREAS**, NJAW’s standard form of agreement is attached. The agreement will be amended by the attached amendment to clarify the following terms: (1) The only physical work required as a condition of the agreement is the markout locations and cut and cap existing pipes. All other physical work will be done at a later time at FMERA’s discretion; (2) Any additional over-run costs beyond the 20% approved by the Board will

require FMERA Board approval. The final terms of the agreement are subject to the approval of FMERA's Executive Director and the Attorney General's Office; and

**WHEREAS**, the attached NJAW EDA for Phase 3A and the Amendment to the EDA are in substantially final form. The final terms of the amendment will be subject to the approval of FMERA's Executive Director and the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval; and

**THEREFORE, BE IT RESOLVED THAT:**

1. For the reasons expressed in the attached agreement, an agreement with New Jersey American Water Company to install new water service on the Main Post to service the Commissary & PX Complex, the Warehouse District & Post Office Area and future development at an estimated total upfront cost to FMERA of \$450,782.14.

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.

**Dated: September 25, 2020**

**EXHIBIT 6**