

TO: Members of the Board

FROM: Bruce Steadman
Executive Director and Secretary

DATE: May 19, 2021

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, Interim Chairman
 - 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 the Authority's 2020 Comprehensive Annual Report.
2. Consideration of Approval of the Issuance of Fort Monmouth Special Liquor License Letter of Consent for the Commissary Building in District A in Oceanport.

12. **Other Items**

13. **Public Comment Regarding any FMERA Business**

- Responses to questions submitted online or in writing

14. **Adjournment**

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: May 19, 2021

SUBJECT: Monthly Status Report

Summary

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include Treasurer's Report, Update on Utilities and Infrastructure; Update on the Fort Monmouth Redevelopment; Update on Marketing; and Action Items for Next Month.

Treasurer's Report

On a quarterly basis, staff compares actual expenditures to the approved budget, as well as projecting out to year-end to monitor spending and ensure the Authority stays on or under budget. 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. As of the end of the 1st quarter, FMERA is, and is targeted to remain on or under budget through year-end.

FMERA's independent accounting firm, CliftonLarsonAllen, LLP, completed the 2020 audit and reported their findings to the Audit Committee at their May 11th meeting. The auditors issued an unmodified opinion, with regard to FMERA's financial statements, which is their highest opinion. The Annual Report and audited financial statements serve as FMERA's Comprehensive Annual Report to meet the requirements of Executive Order No. 37 and the June 2012 and October 2016 Economic Development Conveyance Agreements with the Army. Based on the Audit Committee's review, the Committee recommended the presentation of the 2020 Comprehensive Annual Report for Board approval at tonight's meeting.

Executive Director's Report

• **Update on Utilities and Infrastructure**

With the onset of spring, the facilities, environmental, and site-maintenance teams have turned our focus to grounds clean-up and summer related activities and projects.

FMERA is currently working on completing the following Deeds with the Army:

- Group 5 Deed is in draft form at the Army level. FMERA is awaiting a copy for review.
- The Army BRAC Office recently shared a draft copy of the Finding of Suitability to Lease (FOSL) for carve-out Parcel 16 with the FMERA. FMERA staff completed its review of the subject FOSL and written comments were submitted to Army staff.

Other projects in process include:

- The 5,600-foot 24" water main extension planned by New Jersey American Water (NJAW) along Avenue of Memories has been awarded. The project is scheduled to begin in May.
- NJAW will be starting the installation of the 2000-foot Phase 3A 8" water main from Anson Avenue at Oceanport Way, formally Murphy Drive, westward to Todd Avenue, then north to Avenue of Memories. This main will serve the OPort Partners parcels and tie the NJAW system in Main Street to the Phase 1 water main in Avenue of Memories, which was completed in 2018.
- A sanitary main extension tying to an Eatontown Sewerage Authority main at North Drive and Wilson Avenue is in the design stage. This extension will to serve future development in the Eatontown Borough portion of the main post.
- Work associated with the Army's landfill capping project is still ongoing. The placement of the 18" soil cap at landfill 3 is nearly complete and will be followed up with the placement of 6-inches of topsoil. Soil capping work at landfills 4, 18 and 25 is complete, minus the placement of topsoil. The Army Corp. anticipates field-work completion by year-end 2021.

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

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 fourteen properties:

- Former Patterson Army Hospital on December 13, 2013 with AcuteCare Systems.
- 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 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.
- Commissary, Post Exchange (PX) complex, Warehouse District and a 1000 Area Parking parcel, on October 16, 2020 with OPort Partners, LLC. The Commissary/PX parcel shall permit, Food Service, Flex space, Office, R&D and Instructional Schools and Studios. The Warehouse District will permit Flex Space, Medical Office, Office, and Research & Development.
- Marina, on March 22, 2021, with AP Development Partners, LLC, which will continue to operate as a marina/public boat ramp and restaurant.

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

- 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.
- Barker Circle, with Barker Circle Partnership, LLC, an approximately 19.5-acre parcel in the historic district which includes the repurposing of buildings 205-208, and 287, as well as the Main Post Firehouse and Kaplan Hall, for residential, office and other commercial 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.
- 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:

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

In **Eatontown**, FMERA has closed on the following three properties:

- Suneagles Golf Course, on December 18, 2020 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 and restaurant in the interim so it remains open to the public as the redevelopment progresses.
- Bowling Center, on March 31, 2021 with Parker Creek Partners, LLC for the renovation and expansion of the existing Bowling Center and upgrades to the kitchen, including the addition of a bar, bocce courts, pool tables, shuffleboard tables and a stage.
- New Jersey American Water Tank Parcel, located on a 3.945-acre tract on the Howard Commons parcel to install a water tank to serve NJAW's needs by providing approximately four acres of land surrounded on two sides by undeveloped preserved forest, a municipal road on another and a fourth side that encompasses soon to be built residential units which will be buffered by trees.

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

- 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.
- 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.
- Eatontown Parks Parcel, a 3.82-acre tract known as the Nicodemus Avenue Park Parcel located on Nicodemus Avenue with the Borough of Eatontown for active recreation uses.
- Expo Theater, with Academy Sports Fields, - Eatontown, LLC, for use as an active recreation space, featuring indoor sports facilities, locker rooms, and associated administrative and storage space that will support sports & recreation and Dean Field to include a minimum of three (3) lighted multi-purpose fields, coaching areas, and the addition of up to two (2) temporary, seasonal air supported sports bubbles

FMERA issued an RFOTF on March 19, 2021 with responses due on July 30, 2021 for the following property in Eatontown:

- Parcel B, FMERA has re-envisioned the parcel in a way that leverages new and unique approaches to mixed-use development and maximizes the economic impact to the surrounding communities. The development will call for 302 residential units and a highly diverse mix of commercial components and site amenities.

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 eight properties:

- Parcel E, on January 13, 2013 with Commvault for the headquarters.
- Building 2525, on February 5, 2016 with Aaski Technologies who leases the building to other tenants for technology and office uses.
- Child Development Center, on March 18, 2016 with Trinity Hall, for the all-girl high school.
- Fort Monmouth Recreation Center and Swimming Pool, on January 6, 2017 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 on February 23, 2017 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, on May 22, 2018 transferring the property to Commvault Systems, Inc. for use as corporate office and training space.
- Parcel C1 with Lennar Corporation, on August 2, 2018 planned for 45 new single-family homes.
- Parcel C with Lennar Corporation, on August 2, 2018 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.

Also in **Tinton Falls**, FMERA is in negotiations for the sale and redevelopment of the Tinton Falls Commercial Parcel, which includes the following:

- 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

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. The on-going pandemic has caused several unanticipated delays, however, all of FMERA's projects continue to make excellent progress and several other projects are planned to come online in the coming months.

This past Monday, FMERA joined several Monmouth County leaders for the Alliance for Action's Monmouth County Chapter meeting. The Alliance for Action is made up of New Jersey's top corporate, labor, professional, academic, and governmental representatives, with the goal of improving New Jersey's economy. Representatives from the Monmouth County Commissioners, Monmouth County Division of Engineering, and Brookdale Community College, along with FMERA, provided insightful data and updates surrounding the County's current

economy, major initiatives, and on-going projects impacting the area. The redevelopment of Fort Monmouth continues to play a critical role in job creation and economic vitality in the region. This evening, the Board will review a request to approve the FMERA 2020 Annual Report, which will be available for review following this meeting. We look forward to sharing our work to-date.

As we continue to work remotely, our team remains available during normal business hours via email and cell phone. Please visit our website, www.fortmonmouthnj.com and follow us on Instagram at @fortmonmouthnj for our latest updates.

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 of Fort Monmouth Economic Revitalization Authority 2020 Comprehensive Annual Report**

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 selected its independent auditors, CliftonLarsonAllen LLP, pursuant to Executive Order No. 122 (McGreevey); and

WHEREAS, the Authority's independent auditors audited and accepted the Authority's financial statements for January 1, 2020 to December 31, 2020, and issued an unmodified opinion regarding the financial statements; and

WHEREAS, the certification and accompanying financial statements have been executed by the Executive Director and the Accounting Manager confirming that FMERA has followed its standards, procedures and internal controls; and

WHEREAS, on May 11, 2021, per its Charter, as well as section 9 of Executive Order 122 (2004), the Audit Committee reviewed the draft comprehensive annual report, including the 2020 audited financial statements prior to release and considered the relevancy, accuracy and completeness of the information presented. Also, pursuant to Executive Order 122 (2004), the independent auditor met with the Audit Committee, where it was reported that the financial audit resulted in no negative findings or internal control deficiencies. Subsequent to its review of the report, the Committee recommended that the report be presented to the Board for approval; and

WHEREAS, pursuant to Executive Order No. 37 (Corzine) the Authority is required to submit its Comprehensive Annual Report for review from its Members; and

WHEREAS, the Audit Committee has reviewed the 2020 Comprehensive Annual Report and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Members of the Authority approve the Authority's 2020 Comprehensive Annual Report and approve submitting the Report to the Governor's Authorities Unit, the United States Department of the Army and posting it on the Authority's website.
2. The Executive Director and/or any individual authorized to execute documents pursuant to the Operating Authority is authorized to do and perform all acts necessary to effectuate the above.
3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

Dated: May 19, 2021

EXHIBIT 1

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: 2020 Comprehensive Annual Report

DATE: May 19, 2021

Request

I am requesting that the Board approve the Authority's 2020 Comprehensive Annual Report, as required under Executive Order No. 37 (2006) and the June 2012 Phase 1 and October 2016 Phase 2 Economic Development Conveyance (EDC) agreements with the Army.

Background

The Authority presents the Annual Report of accomplishments and activities in support of the revitalization and redevelopment of Fort Monmouth. To meet the requirements of Executive Order No. 37 (2006), the Annual Report is combined with the audited financial statements and serves as FMERA's comprehensive annual report for 2020.

Per the EDC agreements, FMERA is required to submit annual financial statements to the United States Department of the Army, certified by an independent Certified Public Accountant (CPA) that account for the annual gross and net revenues received by FMERA from all sales and leases, or equivalent use of the Phase 1 and 2 parcels and the reinvestment of EDC proceeds during the conveyance period.

The audited financial statements for the year ended December 31, 2020 were prepared by FMERA staff pursuant to Generally Accepted Accounting Principles for a government entity. The financial statements include information for operational and EDC activities. The independent accounting firm of CliftonLarsonAllen LLP has issued an unmodified opinion with regard to the 2020 financial statements, which is its highest opinion.

On May 11, 2021, per its Charter, as well as section 9 of Executive Order 122 (2004), the Audit Committee reviewed the draft comprehensive annual report, including the 2020 audited financial statements prior to release and considered the relevancy, accuracy and completeness of the information presented. Also, pursuant to Executive Order 122 (2004), the independent auditor met with the Audit Committee, where it was reported that the financial audit resulted in no negative findings or internal control deficiencies. Subsequent to its review of the report, the Committee recommended that the report be presented to the Board for approval.

Under Executive Order No. 37 (2006), the Authority is required to obtain approval of a comprehensive annual report from its Board. Upon approval, the report will be posted on the Authority's website and submitted to the Governor's Authorities Unit and the United States Department of the Army.

The Audit Committee has reviewed the 2020 Comprehensive Annual Report and recommends it to the Board for approval.

Recommendation

In summary, I am requesting that the Board approve the 2020 Comprehensive Annual Report as required under Executive Order No. 37 (2006) and the June 2012 and October 2016 EDC agreements with the Army in order to submit the report to the Governor's Authorities Unit and the United States Department of the Army, and post to the Authority's website.

Bruce Steadman

Prepared by: Jennifer Lepore

DRAFT

**Resolution Regarding
Issuance of Fort Monmouth Special Liquor License Letter of Consent for the Commissary Building in
District A in Oceanport.**

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; and

WHEREAS, the issuance of licenses will be a cooperative effort by both the FMERA Board and the Boroughs; but, 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 and 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 is to 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, on December 18, 2019, the FMERA Board approved the objective criteria to evaluate projects' suitability for a special license; and

WHEREAS, on March 24, 2021, the FMERA Board amended the General Requirements of the Liquor License Letter of Consent criteria to include: A complete Mandatory Conceptual Review (MCR) submission and receipt of an MCR approval letter issued by FMERA; and

WHEREAS, on April 8, 2021, FMERA received an application from the contract purchaser for the Commissary Building in District A, OPort Partners, LLC; and

WHEREAS, a panel of three (3) FMERA staff were selected and independently reviewed and scored applications for Liquor License Letters of Consent for the Commissary building in District A, planned for renovation as described in the attached memorandum; and

WHEREAS, using the approved evaluation criteria, the three (3) evaluators unanimously agreed that the project significantly impacts the conversion, redevelopment, and revitalization of Fort Monmouth and has the potential to further its economic impact in conjunction with the use of a special license; the Commissary building in District A received an average score of 185; 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 issuance of a Liquor License Letter of Consent for the Commissary building in District A in Oceanport.
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: May 19, 2021

EXHIBIT 2

DRAFT

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Issuance of Fort Monmouth Special Liquor License Letter of Consent for the Commissary Building in District A in Oceanport.

DATE: May 19, 2021

Request

I am requesting that the Board approve the issuance of Liquor License Letters of Consent for one (1) qualified Fort Monmouth project seeking a special liquor license from the Borough of Oceanport.

Background

On August 17, 2018, Governor Murphy signed an amendment to New Jersey's Alcoholic Beverage Control Act that expanded the number of on-site retail consumption licenses available in Eatontown, Tinton Falls, and Oceanport within the boundaries of formally owned or operated military installations. The legislation called for twelve (12) special liquor licenses ("License(s)") to be distributed among Fort Monmouth's three host municipalities as follows: two (2) Licenses for Tinton Falls, six (6) Licenses for Eatontown; and four (4) Licenses for Oceanport. The additional liquor licenses are intended to attract new businesses, generate jobs, and support the overall economic revitalization of the region.

The issuance of Licenses is to 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 is responsible for identifying Fort Monmouth projects that qualify for the License and recommending them to the Boroughs for award of a License.

Using Board-approved objective criteria, the FMERA staff is to 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 License for any Fort Monmouth project.

Application and Fort Monmouth Liquor License Recommendation Criteria

Developers seeking special liquor licenses for the Project area must submit an application to FMERA requesting a Liquor License Letter of Consent. 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.

The FMERA Board approved the following objective criteria to evaluate projects' suitability for a License:

General requirements:

- Requests for letter of consent are exclusively reserved for first generation Fort Monmouth redevelopers and/or their assignee(s), until such time as all Licenses are awarded;

- After April 1, 2023, or the statutory timeframe set forth in N.J.S.A. 33:1-12.52 for transfer of Licenses among the municipalities, FMERA may consider second generation developers;
- A Purchase and Sale Agreement and Redevelopment Agreement ("PSARA") with a defined "Project" must be approved by FMERA and the New Jersey Economic Development Authority;
- The Project must be contained within the Project area as defined by N.J.S.A. 33:1-12.52(a);
- Use of the License must be consistent with Reuse Plan (as amended), the Request for Offer to Purchase ("RFOTP") for the subject property, and the approved and executed PSARA; and
- A Mandatory Conceptual Review (MCR) approval letter must have been issued by FMERA after submission of a complete MCR application by the redeveloper.

Evaluation Criteria:

- The proposed special license will advance the conversion, redevelopment, or revitalization of Fort Monmouth for the benefit of the host municipalities;
- The grant of a special license is linked to Project's intended use and financial feasibility;
- The grant of the special license will facilitate the highest and best use of the property;
- The Project does not include a hotel containing at least 110 rooms;
- The RFOTP and/or PSARA does not provide an option to obtain a state concessionaire permit;
- The Project includes 150,000 square-feet of retail space;
- The primary use of Project involves the production and/or consumption of alcohol.

The decision by the FMERA Board to provide a letter of consent shall be based upon consideration of whether the Proposed Special License Use 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 the above criteria.

If it is determined by FMERA staff that a project and the proposed special liquor 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.

The letter of consent does not constitute an approval for a special liquor 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 property transfers and qualification as a plenary retail consumption licensee pursuant to Title 33. If awarded, the License shall not be transferrable to other sites outside the Fort boundary until the dissolution of FMERA.

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.

Evaluation and Scoring

FMERA received an application from OPort Partners, LLC ("OPort") on April 8, 2021, the contract purchaser for the Commissary Building in District A.

A panel of three (3) FMERA staff were selected and independently reviewed and scored the application for Liquor License Letters of Consent for the Commissary Parcel. The Proposed Special License Use is for a renovated craft production facility and food service establishment. This Proposed Special Use is permitted under the RFOTP issued on July 11, 2018, and the PSARA executed February 5, 2020, as amended. The NJEDA approved OPort as the redeveloper of the parcel on September 9, 2020. FMERA issued an MCR letter of approval for Phase I of the Project on November 18, 2020.

Using the approved evaluation criteria, the three (3) evaluators unanimously agreed that the Proposed Special License Use significantly impacts the conversion, redevelopment, and revitalization of Fort Monmouth and has the potential to further its economic impact in conjunction with the use of a special license. OPort Partners, LLC received an average score of 185.

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

Recommendation

In summary, I am requesting that the Board approve a Liquor License Letter of Consent for the Commissary Building in District A in Oceanport.

Bruce Steadman

Prepared by: Regina McGrade

DRAFT