

**Fort Monmouth Economic Revitalization Authority
Board Meeting
July 20, 2022
Public Meeting and Teleconference**

MINUTES OF THE MEETING

Members of the Authority and/or Designees present:

- Anthony Talerico, Jr. – Mayor of Eatontown – **V (Serving as Chair of the Meeting)**
- Teri O’Connor – Monmouth County Administrator – **V – Designee**
- Stephen Gallo – Public Member – **V**
- Jay Coffey – Mayor of Oceanport – **V**
- Tracy Buckley – Tinton Falls Borough Council President – **V - Designee**
- Janice Venables – Associate Counsel, Governor’s Authorities Unit – **V – Designee**
- Paul Ceppi – Managing Director of Business Development, NJEDA – **V - Designee**
- Elizabeth Dragon – Director, Site Remediation Program, NJ Department of Environmental Protection – **Designee**
- Robert Long – Deputy Commissioner, NJ Department of Community Affairs – **Designee**
- William Riviere – Principal Planner, NJ Department of Transportation – **Designee**

V – Denotes Voting Member

Members of the Authority and/or Designees not present:

- Wayne Smith – State Veterans Program Coordinator, NJ Department of Labor & Workforce Development – **Designee**

Also present:

- Kara Kopach, Executive Director
- FMERA staff:
 - Regina McGrade – Administrative Manager
 - Sarah Giberson – Manager of Marketing & Development
 - Upendra Sapkota – Senior Project Office, Planning & Development
 - Kristy Dantes – Director of Facilities & Infrastructure
 - Joe Fallon – Senior Environmental Officer
 - Laura Draushak – Director of Legal Affairs
- Matt Reagan, Deputy Attorney General (DAG)

The meeting was called to order by Mayor Talerico at 5:00p.m. who led the meeting in the Pledge of Allegiance.

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.

WELCOME

Mayor Talerico welcomed attendees to the Authority’s meeting. Mayor Talerico 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. Mayor Talerico 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.

Mayor Talerico stated that in his role he is required to conduct an orderly meeting and complete the meeting agenda in a reasonable time period and that FMERA continues to welcome the public’s constructive comments and ideas.

The next item of business was the approval of the June regular meeting minutes. A motion as made to approve the minutes by Steve Gallo and seconded by Paul Ceppi.

Motion to Approve: STEVE GALLO Second: PAUL CEPPI
Ayes: 7

SECRETARY'S REPORT

Kara Kopach, Executive Director, stated that there have been a series of recent power outages on Fort Monmouth and the FMERA team is working diligently to resolve them. One dealt with an osprey nest that caught fire and others were related to aging infrastructure. FMERA continues to replace the aging electrical infrastructure while the JCP&L new substation and new distribution lines are being designed and installed. We understand the community is frustrated and we are employing short term and long-term fixes to remedy the issues.

FMERA is grateful to our stakeholders from the County and the Borough of Eatontown for their landscaping and mowing assistance over the last few months. The property continues to be maintained based on their efforts.

TREASURER'S REPORT

Kara Kopach, on behalf of Jennifer Lepore, Accounting Manager, stated that with the close of the second quarter on June 30th, FMERA staff is preparing the financial and operational summary for the first half of 2022. Staff will be meeting to review the first six months of 2022 and assess the performance against the 2022 organization goals. FMERA controls spending to the extent possible and expects to be on or under budget through year end.

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:

- Work has commenced on the construction of a new sanitary pump station, east interceptor and force main along Oceanport Avenue. Approximately 25% of the materials for the project have been delivered, and 560' feet of force main conduit along Oceanport Avenue from Signal Avenue to Parkers Creek has been installed. The completed project will initially accept sanitary outfall from the Lodging Parcel, the Allison Hall parcel, and the 400 Area. The line will also accommodate offsite outfall from Horseneck Point and Riverside Avenue. Plans and specifications are being prepared for the Phase II project which includes the 'South Interceptor' and the 'Barker Circle' lines. The Phase II project will provide sanitary outfall to all development along Oceanport Way and will also connect Barker Circle and Liberty Walk.
- In Eatontown, T&M continues to design the Avenue of Memories sewer main and pump station to serve the outfall from Parcel B and properties East of the Fort's frontage.
- FMERA staff continues to work with JCP&L to prepare the proposed electrical substation parcel for redevelopment. JCP&L is completing their due diligence and their Phase 2 environmental investigation at the site and hopes to further characterize any remaining environmental issues in the Army carveout.
- FMERA has continued to repair and replace aged electrical infrastructure and is in discussions with JCP&L to replace all of the distribution lines on the Main Post to correspond with the new substation activation.
- The developer of the Fabrication Shops is currently performing a Phase 1 environmental assessment of the subject property.
- The MCR team is currently reviewing site plans submitted by the New Jersey American Water (NJAW) for the 4-acre water storage tank site located on Pinebrook Road due east of the Howard Commons parcel. NJAW plans to construct a 2-million-gallon water tank to include supporting structures and equipment at the subject parcel.

2. Sarah Giberson, Manager of Marketing & Development gave a Development & Marketing Update.

FMERA continues to make good progress on the Fort's redevelopment, with about 86% of the Fort's 1,126 acres sold, under contract, in negotiations, or entering the request for proposals process. To date, FMERA has sold 33 parcels, and another 4 parcels are under contract or have Board approved contracts. Many projects on the Main Post are making significant progress. At the Allison Hall property, site work and demolition continue, and an official groundbreaking

ceremony is expected later this summer. At the former Lodging area, Somerset and Pulte are also continuing their construction efforts. All the blighted buildings have been demolished and large portions of their property has been cleared to make way for new residential development. Barker Circle continues to undergo historic renovation, with its office facilities nearly up and running, and the residential component is forecasted for next year. The Park Loft project is slated for completion this summer. Last in Oceanport, OPort Partners' renovation of the Commissary building is nearing completion, with its brewery planned for opening this summer and a restaurant anticipated to open in the fall. Moving west to Eatontown, the Eatontown Parks parcel is wrapping up its demolition efforts.

The remainder of FMERA's projects are in various stages of development, many of which are still in the due diligence, design, and approvals phases. We look forward to the integration of additional businesses and amenities into the Fort community.

The Mega Parcel RFOTP Proposals were due on June 6, 2022, at 12:00pm. All proposals were publicly opened in the FMERA offices beginning at 12:30pm, in accordance with Section 5.0 of the RFOTP. FMERA received four proposals from the following proposers, listed in alphabetical order: 1) Extell Acquisitions LLC; 2) Mega Parcel Development LLC; 3) Netflix, Inc. and 4) RDR Partners, LLC (Russo Development, LLC; Dinallo Development, LLC; River Development Equities, LLC).

Please be advised that no additional information will be provided at this time. Pursuant to FMERA's sales rules, N.J.A.C. 19:31C-2.19, offer documents are not public until the execution of a contract. FMERA will make no representations relative to the highest scoring proposal until such time as the staff is prepared to recommend the approval of a Purchase and Sale Agreement and Redevelopment Agreement to the FMERA Board. Please be advised that this process may take several months.

FMERA remains focused on the continued movement and progress of on-going projects and is now focusing its efforts on the redevelopment of the Mega Parcel. We are in the process of collaborating on several community initiatives, targeted for the fall, including another blood drive. Our wayfinding efforts continue, with design and fabrication work underway. We also anticipate replacing some signage on HWY 35 with some updated images and upcoming projects.

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

COMMITTEE REPORTS

1. AUDIT COMMITTEE

Kara Kopach stated that the Committee did not meet this month.

2. REAL ESTATE COMMITTEE

Kara Kopach stated that the Committee met on July 12th and discussed the following:

- Discussion regarding the Seventh Amendment to the PSARA with the Borough of Eatontown for a Department of Public Works Complex on the 1123 Parcel. The Borough requested a 6-month extension to the Approval Period to February 1, 2023, citing unexpected delays that have significantly impacted the Borough's overall timeline. The Committee reviewed the request and recommended it to the Board for approval.
- Discussion regarding the Recommendation to Approve Plan Amendment #18 Permitting an Alternative Development Scenario with respect to the Nurses Quarters Parcel in Oceanport. Staff reviewed and responded to the comments received and modified the Plan Amendment. The Committee reviewed the request and recommended it to the Board for approval.

Other Items:

1. Plan Amendment #19 – Howard Commons – Responses are due on July 21st.
2. TRWRA Design MOU

- 3. Monmouth County Wetlands Parcels LBU
- 4. NJCU
- 5. NJAW MCR
- 6. TF Commercial Parcel

ENVIRONMENTAL STAFF ADVISORY COMMITTEE (DIANE DOW, CHAIRWOMAN)

Elizabeth Dragon stated that the Committee did not meet this month but will be meeting on August 8th.

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

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

4. HOUSING STAFF ADVISORY COMMITTEE (ROBERT LONG, CHAIRMAN)

Robert Long stated that the Committee did not meet this month.

5. VETERANS STAFF ADVISORY COMMITTEE (LILLIAN BURRY, CHAIRWOMAN)

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

BOARD ACTIONS

- 1. Consideration of Approval of the Seventh Amendment to the Purchase and Sale & Redevelopment Agreement with the Borough of Eatontown for a Department of Public Works Complex on the 1123 Parcel.

Laura Drahushak read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 1.

A motion was made by Paul Ceppi and was seconded by Steve Gallo.

Kara Kopach conducted a roll call vote.

| NAME | YES | NO | ABSTAIN/RECUSE |
|------------------|-----|----|----------------|
| Anthony Talerico | X | | |
| Teri O'Connor | X | | |
| Steve Gallo | X | | |
| Jay Coffey | X | | |
| Tracy Buckley | X | | |
| Janice Venables | X | | |
| Paul Ceppi | X | | |

Motion to Approve: PAUL CEPPI Second: STEVE GALLO
 Ayes: 7

- 2. Consideration of Approval of a Recommendation to Approve Plan Amendment #18 Permitting an Alternative Development Scenario with respect to the Nurses Quarters Parcel in Oceanport.

Laura Drahushak read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 2.

A motion was made by Steve Gallo and was seconded by Jay Coffey.

Kara Kopach conducted a roll call vote.

| NAME | YES | NO | ABSTAIN/RECUSE |
|------------------|-----|----|----------------|
| Anthony Talerico | X | | |
| Teri O'Connor | X | | |
| Steve Gallo | X | | |
| Jay Coffey | X | | |
| Tracy Buckley | X | | |
| Janice Venables | X | | |
| Paul Ceppi | X | | |

Motion to Approve: STEVE GALLO
Ayes: 7

Second: JAY COFFEY

OTHER ITEMS

There were no other items before the Board.

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 Jay Coffey and seconded by Teri O'Connor and unanimously approved by all voting members present, the meeting was adjourned at 5:20p.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.

Kara Kopach

Kara Kopach – Secretary

**ADOPTED
July 20, 2022**

**Resolution Regarding
Seventh Amendment to the Purchase and Sale Agreement & Redevelopment Agreement with the Borough of
Eatontown for a Department of Public Works Complex on the 1123 Parcel**

WHEREAS, on May 18, 2016, the Board approved Evaluation Scoring for Local Beneficial Use Requests for the Borough's request to purchase a 7.2-acre tract known as the 1123 Parcel ("the Property") including Buildings 1123, 1124, 1108, 1109 and 1110 located on Echo Avenue, in Eatontown, New Jersey for municipal uses including the relocation of Eatontown's Department of Public Works; and accordingly, the Borough's proposed use of the Property was reviewed and scored by FMERA staff utilizing the Board approved LBU criteria, resulting in a 40% price reduction and sale price of \$886,461.00; and

WHEREAS, on January 16, 2019, the Board authorized the execution of the PSARA between FMERA and the Borough for the Property, and the PSARA was executed on May 8, 2019; and

WHEREAS, pursuant to the terms of the PSARA, the Borough was provided a ninety-day Due Diligence Period commencing on the Effective Date of the PSARA; 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, with Closing to occur within thirty days of satisfaction or waiver of the Conditions Precedent to Closing; and

WHEREAS, under the terms of the First Amendment, executed September 2, 2019, Purchaser agreed to: i) amend the Approval Period to run for a total period not to exceed six months, beginning at the expiration of the Due Diligence Period; and ii) Close within thirty days of the expiration of the amended six month Approval Period, subject to receipt of a NFA letter from the NJDEP for the two environmental carve-out parcels located within the Property and regardless of whether other Conditions Precedent to Closing have been waived or satisfied; and

WHEREAS, under the terms of the Second Amendment to the PSARA, the Executive Director agreed to retroactively extend the Approval Period under his Delegated Authority for five months or until October 30, 2020; the Second Amendment was executed on July 30, 2020; and

WHEREAS, under the terms of the Third Amendment to the PSARA, an additional five-month extension to the Approval Period, or until April 1, 2021 was approved and the PSARA reinstated; Third Amendment was executed November 29, 2020; and

WHEREAS, under the terms of the Fourth Amendment to the PSARA, the Project as set forth in the PSARA was amended to permit the demolition of Building 1124; the Fourth Amendment was executed April 8, 2021; and

WHEREAS, on March 30, 2021, via letter correspondence, the Borough requested an additional extension to the Approval Period, set to expire on April 1, 2021, indicating that the Borough needed additional time to respond to its incomplete Mandatory Conceptual Review (MCR) letter and resubmit a revised MCR package for FMERA's review; the Borough was granted an additional four (4) month extension to the Approval Period at the FMERA Board's April 2021 meeting and the Fifth Amendment was executed June 7, 2021; and

WHEREAS, on July 8, 2021, via letter correspondence, the Borough requested a one year or twelve-month extension to the Approval Period, set to expire on August 1, 2021, citing outstanding environmental approvals from the NJDEP; the Borough indicated that any potential environmental issues that may arise and/or require additional funding to investigate or resolve would pose financial concerns for the approved 2021 budget and would be considered in the next fiscal year; and

WHEREAS, at FMERA's July 2021 Board meeting, the Borough requested and was granted an additional one (1) year or twelve (12) month extension to the Approval Period and the Sixth Amendment was executed on October 14, 2021; and

WHEREAS, on June 22, 2022, via letter correspondence, the Borough requested a six (6) month extension to the Approval Period, set to expire on August 1, 2022, citing unexpected delays that have significantly impacted the Borough's overall timeline; the Borough indicated that it has experienced numerous delays on the DPW project, beginning with pandemic related challenges that prevented the Borough from adhering to its anticipated timeline; and

WHEREAS, although the Borough has continued to proceed in good faith, these delays have caused the existing improvements, which are intended for reuse, to deteriorate significantly; and

WHEREAS, the Borough wishes to further investigate the condition of the buildings and reevaluate the costs associated with remediation and renovation of these facilities. Should those costs exceed the current budget for the Project, the Borough will need additional time to approve such expenses. FMERA staff has reviewed this request and recommends an extension to the Approval Period by six (6) months to February 1, 2023; and

WHEREAS, all other terms of the PSARA will remain unchanged. The attached Seventh Amendment to the PSARA is in substantially final form. The final terms of the amendment will be subject to the approval of FMERA's Executive Director, the Borough of Eatontown, and as to form by the Attorney General's Office. 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 Seventh Amendment to the PSARA with the Borough of Eatontown for the 1123 Parcel for an extension of the Approval Period 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: July 20, 2022

EXHIBIT 1

**Resolution Regarding
Approval of Plan Amendment #18 Permitting Alternative Development Scenario in Eatontown**

WHEREAS, the FMERA Act, P.L. 2010, c.51, in N.J.S.A. 52:27I-26(c), and the Land Use Rules, in N.J.A.C. 19:31C-3.27, authorize FMERA to amend the Reuse 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 proposed Amendment #18, prepared by Upendra Sapkota, FMERA's Senior Project Officer of Planning and Development, envisions redevelopment of the Oceanport Reuse Area for approximately 1.75 million square feet of non-residential space and 720 residential units. The development 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, in accordance with the FMERA Act and the Land Use Rules, the Board approved transmitting the proposed Reuse Plan Amendment #18 to the host municipalities at its March 16, 2022 meeting; and

WHEREAS, the 45-day comment period commenced on April 4, 2022; and

WHEREAS, the comment period expired on May 18, 2022, and correspondence was received from Eatontown, Oceanport and Tinton Falls; and

WHEREAS, FMERA staff reviewed the correspondences and provided responses to all comments in the attached report; and

WHEREAS, the Real Estate Committee has reviewed the responses to the comments from the three host municipalities for the Reuse Plan Amendment #18 and recommends adoption of Amendment #18 to the Board.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority adopts the responses contained in the attached memorandum, to the comments from the Boroughs of Eatontown and Oceanport, Tinton Falls.
2. As expressed in the attached memorandum, the Authority approves Amendment #18 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario in the Oceanport Reuse Area.
3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

Dated: July 20, 2022

EXHIBIT 2