

**Fort Monmouth Economic Revitalization Authority
Board Meeting
March 15, 2023
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 Vice-Chairperson)**
- Lillian Burry – Monmouth County Commissioner – **V**
- Stephen Gallo – Public Member – **V**
- Jay Coffey – Mayor of Oceanport – **V**
- Tracy Buckley – Tinton Falls Councilwoman – **V - Designee**
- Jamera Sirmans – Associate Counsel, Governor’s Authorities Unit – **V – Designee**
- Jorge Santos – Chief Real Estate Development Officer, NJEDA – **V – Designee – Arrived at 5:04p.m.**
- Elizabeth Dragon – Assistant Commissioner Community Investment and Economic Revitalization - Designee
- Robert Long – Deputy Commissioner, NJ Department of Community Affairs – Designee
- William Riviere – Principal Planner, NJ Department of Transportation – Designee
- Wayne Smith – State Veterans Program Coordinator, NJ Department of Labor & Workforce Development – Designee

V – Denotes Voting Member

Members of the Authority and/or Designees not present:

Also present:

- Kara Kopach, Executive Director
- FMERA staff:
 - Regina McGrade – Administrative Manager
 - Jennifer Lepore – Accounting Manager
 - Sarah Giberson – Senior Project Officer Marketing & RE Development
 - Upendra Sapkota – Senior Project Officer, 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 Anthony Talerico, Jr. at 5:01p.m. and followed by 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

Anthony Talerico, Jr. welcomed attendees to the Authority’s meeting. Mr. 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. Mr. Talerico stated that there are 2 public comment periods, the first being public comment regarding any of the Board actions and the second being any FMERA business.

The first item of business was the approval of the February 15th regular meeting minutes. A motion was made to approve the minutes by Lillian Burry and seconded by Steve Gallo.

Kara Kopach conducted a roll call vote.

NAME	YES	NO	ABSTAIN
Anthony Talerico	X		
Lillian Burry	X		
Jay Coffey	X		
Steve Gallo	X		
Tracy Buckley	X		
Jamera Sirmans	X		
Jorge Santos	X		

Motion to Approve: LILLIAN BURRY Second: STEVE GALLO

Ayes: 7

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

There was no public comment.

EXECUTIVE DIRECTOR/SECRETARY’S REPORT & UPDATE

Over the years, the FMERA team has worked so incredibly hard to make this a community that we can be proud of. We certainly have faced our fair share of complications, but this team is some of the best and brightest in the business. It is a testament to them that we continue to roll out these infrastructure projects and upgrading our development in such rapid and efficient fashion.

I am optimistic that the community will continue to see the evolution of this redevelopment as planned projects come online and offer additional residential and commercial opportunities. I am so thankful for all of the FMERA staff that has made this possible.

COMMITTEE REPORTS

1. AUDIT COMMITTEE

Anthony Talerico, Jr. stated that the Committee did not meet this month.

2. REAL ESTATE COMMITTEE

Anthony Talerico, Jr. stated that the Real Estate Committee met on March 8th and discussed the following:

- Discussion regarding the Interagency Agreement between FMERA and the Borough of Eatontown for the design of Water Extension Phase IV which will serve to initiate and complete the design of the Water Extension Phase IV on the Main Post and will enable FMERA to move forward with planned upgrades and improvements to the water supply infrastructure. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Discussion regarding an Amendment to the MOU between FMERA and the TRWRA regarding the Nurses Quarters. To expedite the abandonment of the local sewer system and to service the Nurses Quarters property, the amendment will permit the Nurses Quarters property to tie into TRWRA’s existing Pump Station on Hedge Drive in Oceanport. The Committee reached a consensus and agreed to recommend to the Board for approval.
- Discussion regarding an Amendment to the MOU between FMERA and the TRWRA regarding the Construction of the Phase 2 New Gravity Sewer Lines. The Amendment will include: 1) the Alternate Bid for a sewer line on Malterer Avenue and 2) the Malterer Avenue extension to connect the Fort Athletic Club and the FMERA office to the new Malterer Avenue line. The Committee reached a consensus and agreed to recommend to the Board for approval.

Other Items:

1. Mega Parcel
2. JCP&L Distribution Agreement
3. ENVIRONMENTAL STAFF ADVISORY COMMITTEE (ELIZABETH DRAGON, CHAIRWOMAN)

Elizabeth Dragon stated that the Committee met on March 7th and discussed the following:

FMERA's Environmental Staff Advisory Committee shall be the exclusive environmental commission for all land use matters and approvals within the Fort Monmouth Project Area, therefore, a public meeting is required for all Mandatory Conceptual Reviews, or MCRs.

The Public portion of the meeting was called to order at 4:05 to discuss the MCR for Howard Commons in Eatontown.

The following environmental requirements were identified in the MCR:

- a. A Soil Erosion and Sediment Control Plan is required due to the disturbance of more than 5,000 sq. ft. of soil.
- b. An "Authorization to Discharge 5G3 Construction Activity Stormwater General Permit" is required due to the disturbance of one acre or more of soil.
- c. The developer needs to grant a utility easement to the Borough of Eatontown in order to access the stormwater infrastructure on the property.
- d. The developer must secure freshwater wetland general permits from the NJDEP in order to repair and remove stormwater outfall structures.
- e. The developer will need to add five proposed rain gardens to the site plans.
- f. The developer must secure a freshwater wetland "transitional area waiver" from the NJDEP for the disturbed land areas within the boundaries of freshwater wetlands.
- g. The developer will need to submit an individual flood hazard permit to the NJDEP if construction of the buildings is located within the limits of the flood hazard area.
- h. The developer shall secure any permits, as required, from the NJDEP if work is being proposed that will disturb any riparian zone areas.

The Committee discussed the following recommendations:

- a. The developer is considering not removing non-friable asbestos-containing materials (ACM) from impacted buildings prior to demolition. If so, 1) a licensed engineer will need to certify the safety of the buildings; and 2) an asbestos abatement plan shall be prepared and made available for public review and comment.
- b. Upon the project completion, Lennar will allow FMERA to install four (4) osprey nesting platforms.

The public portion of the meeting was closed at 5:00p.m. The meeting adjourned at 5:00p.m.

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 (ROBERT LONG, CHAIRMAN)

Robert Long stated that the Committee met on March 9th and discussed the following:

- A general overview of the housing obligations for the following projects under the Reuse Plan, e.g., 20% affordable of new housing units; 20 permanent supportive units in Tinton Falls, 20 permanent supportive units in Eatontown.
 - Parcel C & C1 – 288 residential units of which 57 meet the affordability standards
 - Suneagles – 75 residential units of which 15 meet the affordability standards
 - Howard Commons – 275 residential units of which 55 meet the affordability standards
 - Lodging Parcel – 180 townhomes of which 35 meet the affordability standards in Historical Buildings 270&271
 - Barker Circle – 75 housing units plus 15 affordable units

- Discussion regarding Parcels 7&8.
 - Due to the Mega parcel being developed as all commercial, the remaining housing obligations will shift to other locations on Fort Monmouth. This included Parcels 7&8. The Committee discussed these potential parcels for Eatontown’s obligation. Oceanport’s obligations have been identified in other tracts on Fort Monmouth.

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

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

BOARD ACTIONS

- 1) Consideration of Approval of the Interagency Agreement between FMERA and the Borough of Eatontown to contract for the design of Water Extension Phase IV.

Laura Draushak read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 1.

A motion was made by Anthony Talerico and was seconded by Jay Coffey.

Kara Kopach conducted a roll call vote.

NAME	YES	NO
Anthony Talerico	X	
Lillian Burry	X	
Steve Gallo	X	
Jay Coffey	X	
Tracy Buckley	X	
Jamera Sirmans	X	
Jorge Santos	X	

Motion to Approve: ANTHONY TALERICO Second: JAY COFFEY
 Ayes: 7

- 2) Consideration of Approval of an Amendment to the Memorandum of Understanding between FMERA and the TRWRA regarding the Nurses Quarters Property.

Laura Draushak 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 Lillian Burry.

Kara Kopach conducted a roll call vote.

NAME	YES	NO
Anthony Talerico	X	
Lillian Burry	X	
Steve Gallo	X	
Jay Coffey	X	
Tracy Buckley	X	
Jamera Sirmans	X	
Jorge Santos	X	

Motion to Approve: STEVE GALLO Second: LILLIAN BURRY
Ayes: 7

- 3) Consideration of Approval of an Amendment to the Memorandum of Understanding between FMERA and the TRWRA regarding the Construction of the Phase 2 New Gravity Sewer Lines.

Laura Draushak read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 3.

A motion was made by Steve Gallo and was seconded by Lillian Burry.

Kara Kopach conducted a roll call vote.

NAME	YES	NO
Anthony Talerico	X	
Lillian Burry	X	
Steve Gallo	X	
Jay Coffey	X	
Tracy Buckley	X	
Jamera Sirmans	X	
Jorge Santos	X	

Motion to Approve: STEVE GALLO Second: LILLIAN BURRY
Ayes: 7

OTHER ITEMS

There were no other items before the Board.

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

Roseanne Letson of Tinton Falls stated that she is a member of the Oceanport Historical Society. Ms. Letson stated that with Chairman's Frank Barricelli's passing, the Oceanport Historical Society has yet to appoint a new Chairman but are moving forward with Frank's plans of erecting historical signs and photos to encompass the Fort's history on the riverwalk promenade that runs along Parker Creek. Ms. Letson stated that the residents of East Gate have posted no trespassing signs along the riverwalk promenade, but it was the Historical Society's understanding that the riverwalk promenade was to remain open to the public. Ms. Letson asked for clarification of who owns the riverwalk promenade and if it be open to the public.

Kara Kopach stated that FMERA shares in the sadness of Frank Barricelli's passing, who is remembered as a breath of fresh air every time he visited the FMERA office. Ms. Kopach stated that FMERA would like to work with the Oceanport Historical Society in displaying historic signage in honor of Mr. Barricelli.

Ms. Kopach stated that the riverwalk promenade was always intended to be a cohesive walking trail that would be open to the public. Ms. Kopach stated that FMERA has worked with the individual developers to create their own path along the riverwalk. Ms. Kopach stated that after FMERA sold the Officer's Housing (East Gate) property to RPM Development, RPM subsequently sold the houses on the property to private homeowners. It is not clear what was represented during the sale of the property from RPM to the homeowners and what was represented regarding the riverwalk promenade. FMERA is aware of the signs and is currently working with the Borough of Oceanport and FMERA's legal representatives to get an understanding of who owns the riverwalk property and what can be done to ensure it is open to the public. Ms. Kopach stated that it was always anticipated that the open space on the East Gate property would be transferred and be deed restricted as open space to Monmouth County or the Borough of Oceanport. To date, the transfer has not occurred.

There being no further business, on a motion by Lillian Burry and seconded by Steve Gallo and unanimously approved by all voting members present, the meeting was adjourned at 5:26p.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 – Secretary

**Resolution Regarding
Interagency Agreement between the Fort Monmouth Economic Revitalization Authority and the Borough of
Eatontown to contract for the design of Water Extension Phase IV**

WHEREAS, the water mains which service the Main Post of Fort Monmouth are outdated and not suitable for future water usage requirements. Therefore, new mains must be installed to provide potable water service for current and future property owners. This interagency agreement will enable FMERA to move forward with the design of water main Phase IV, which will serve both sold properties and prospective purchasers on the Main Post, including Parcels 7 & 8, and eliminate the Army water system; and

WHEREAS, FMERA will make Twenty-Eight Thousand Eight Hundred and Fifty (\$28,850.00) Dollars in funding available to the Borough of Eatontown through a Memorandum of Understanding (MOU) to pay for all costs associated with design and engineering services related to Water Extension Phase IV design, (“Project Funding”). These funds are budgeted for this expense in the 2023 FMERA budget; and

WHEREAS, accordingly, the Borough has retained T&M Associates as their Borough Engineer for FY 23 to prepare plans and a scope of work (the “Plans”) for the Project pursuant to the Local Public Contract Law. This may also include surveying services, field reconnaissance, test pits, certification applications for Soil and Erosion Control, typical NJDOT Lane Closure Plans, and a NJDOT Permit Application for Utility Opening (MT17A); and

WHEREAS, the Plans will be used by FMERA to contract with New Jersey American Water (NJAW) for the installation of a water main for portions of Fort Monmouth. The consideration for this interagency agreement is the Borough of Eatontown expediting the water main work for the eventual installation and operation of a water main on the Main Post to provide updated water service to current and future property owners and eliminate the Army water system; and

WHEREAS, the Borough selected T&M Associates via a formal RFP process for the calendar year 2023. By using the Borough of Eatontown’s engineers for this work, FMERA will save the time and expense of initiating its own RFP process. Also, utilizing the Borough engineers will ensure that the project will comply with all permitting requirements and that the improvements will meet the Borough’s standards; and

WHEREAS, if FMERA contracts separately for design and study services regarding the Project, FMERA shall notify the Borough of Eatontown of all services completed outside of this agreement; and

WHEREAS, the Authority will enter into this interagency agreement utilizing the attached draft MOU between FMERA and the Borough of Eatontown for this design work. The attached MOU is in substantially final form. The final terms of the MOU will be subject to the approval of the Executive Director and a review as to form by the Attorney General's Office, as well as the Borough of Eatontown. 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 interagency agreement between FMERA and the Borough of Eatontown to initiate and complete the design of Water Extension Phase IV on Fort Monmouth Main Post. This agreement will enable FMERA to move forward with planned upgrades and improvements to the water supply infrastructure.

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

Attachment

Dated: March 15, 2023

EXHIBIT 1

ADOPTED
March 15, 2023

**Resolution Regarding
Amendment to the Memorandum of Understanding between the Two Rivers Water Reclamation Authority
and the Fort Monmouth Economic Revitalization Authority**

WHEREAS, on January 18, 2017, the FMERA Board approved staff's execution of an MOU with TRWRA for the planning (including preparation of all applications and associated, prerequisite environmental and engineering services), survey and design for the replacement of the sanitary sewer system located within Oceanport section of the Fort. In October 2018, FMERA and TRWRA, through this prior interagency cooperation, completed the replacement of over 3,000 LF of new sanitary sewer mains in the Oceanport section of the Fort; and

WHEREAS, on March 19, 2019, FMERA and TRWRA entered into an interagency agreement for the replacement and abandonment of sewer service to the Nurses Quarters property ("2019 MOU"). Under the terms of the MOU, FMERA would escrow the developer's required \$125,000 contribution toward off-site sewer improvements and utilize those funds, along with other FMERA resources, to fund the new South Interceptor. Upon completion of the South Interceptor the Nurses Quarters developer was obligated to fund the connection to all buildings on the property to the new South Interceptor and properly abandon or remove the existing connection to the local sewer; and

WHEREAS, at the time of the 2019 MOU, a closing on the Nurses Quarters property was anticipated within twelve months and the South Interceptor was anticipated to be funded with thirty-six to sixty months of execution. Prior to completion of the South Interceptor, the Nurses Quarters property would continue to use the Local Sewer System serving the property; and

WHEREAS, pursuant to Fiscal Year 2023 Appropriations Act, L. 2022, c. 49, FMERA received a line-item appropriation of \$10,000,000 of State funds for "Infrastructure" ("State Funds"); and

WHEREAS, in order to expedite the abandonment of the Local Sewer System and to service the Nurses Quarters property, for which a closing is now anticipated by the end of 2023, FMERA and TRWRA are entering into this amendment to the 2019 MOU to permit the Nurses Quarters property to tie into TRWRA's existing Pump Station 8 on Hedge Drive in Oceanport. FMERA will provide State Funds in an amount not to exceed \$183,080. The costs will include the installation of a sanitary sewer improvements and contract administration and construction observation fees; and

WHEREAS, the Nurses Quarters developer will remain responsible for the costs to build the sanitary sewer to the connection point at the Nurses Quarters property line along Main Street. Additionally, the developer remains responsible under the terms of the Purchase and Sale Agreement and Redevelopment Agreement dated January 14, 2023, as amended, to provide the \$125,000 contribution toward offsite sewer installation; and

WHEREAS, staff requests Board approval to enter into this amended MOU between FMERA and TRWRA regarding the sanitary sewer service for the Nurses Quarters property located within the Borough of Oceanport and grant delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs; and

WHEREAS, all other terms of the 2019 MOU remain unchanged. The attached MOU and Exhibit "A" are in substantially final form. The final document will be subject to the approval of FMERA's Executive Director, TRWRA, and as to form by Attorney General's Office. On March 13, 2023, via email, the Real Estate Committee reviewed the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the Amendment to the 2019 Memorandum of Understanding between the Fort Monmouth Economic Revitalization Authority and the Two Rivers Water Reclamation Authority regarding the sanitary sewer service for the Nurses Quarters property located within the Borough of Oceanport and the grant of delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs, and with final terms acceptable to the Executive Director and a review as to form by the Attorney General's Office and authorizes the Executive Director to execute the Agreement.

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

Attachment

Dated: March 15, 2023

EXHIBIT 2

ADOPTED
March 15, 2023

**Resolution Regarding
Amendment to the Memorandum of Understanding between the Two Rivers Water Reclamation Authority
and the Fort Monmouth Economic Revitalization Authority**

WHEREAS, on January 18, 2017, the FMERA Board approved staff's execution of an MOU with TRWRA for the planning (including preparation of all applications and associated, prerequisite environmental and engineering services), survey and design for the replacement of the sanitary sewer system located within Oceanport section of the Fort. In October 2018, FMERA and TRWRA, through this prior interagency cooperation, completed the replacement of over 3,000 LF of new sanitary sewer mains in the Oceanport section of the Fort; and

WHEREAS, on March 19, 2019, FMERA and TRWRA entered into an interagency agreement for the replacement and abandonment of sewer service to the Nurses Quarters property ("2019 MOU"). Under the terms of the MOU, FMERA would escrow the developer's required \$125,000 contribution toward off-site sewer improvements and utilize those funds, along with other FMERA resources, to fund the new South Interceptor. Upon completion of the South Interceptor the Nurses Quarters developer was obligated to fund the connection to all buildings on the property to the new South Interceptor and properly abandon or remove the existing connection to the local sewer; and

WHEREAS, at the time of the 2019 MOU, a closing on the Nurses Quarters property was anticipated within twelve months and the South Interceptor was anticipated to be funded with thirty-six to sixty months of execution. Prior to completion of the South Interceptor, the Nurses Quarters property would continue to use the Local Sewer System serving the property; and

WHEREAS, pursuant to Fiscal Year 2023 Appropriations Act, L. 2022, c. 49, FMERA received a line-item appropriation of \$10,000,000 of State funds for "Infrastructure" ("State Funds"); and

WHEREAS, in order to expedite the abandonment of the Local Sewer System and to service the Nurses Quarters property, for which a closing is now anticipated by the end of 2023, FMERA and TRWRA are entering into this amendment to the 2019 MOU to permit the Nurses Quarters property to tie into TRWRA's existing Pump Station 8 on Hedge Drive in Oceanport. FMERA will provide State Funds in an amount not to exceed \$183,080. The costs will include the installation of a sanitary sewer improvements and contract administration and construction observation fees; and

WHEREAS, the Nurses Quarters developer will remain responsible for the costs to build the sanitary sewer to the connection point at the Nurses Quarters property line along Main Street. Additionally, the developer remains responsible under the terms of the Purchase and Sale Agreement and Redevelopment Agreement dated January 14, 2023, as amended, to provide the \$125,000 contribution toward offsite sewer installation; and

WHEREAS, staff requests Board approval to enter into this amended MOU between FMERA and TRWRA regarding the sanitary sewer service for the Nurses Quarters property located within the Borough of Oceanport and grant delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs; and

WHEREAS, all other terms of the 2019 MOU remain unchanged. The attached MOU and Exhibit "A" are in substantially final form. The final document will be subject to the approval of FMERA's Executive Director, TRWRA, and as to form by Attorney General's Office. On March 13, 2023, via email, the Real Estate Committee reviewed the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the Amendment to the 2019 Memorandum of Understanding between the Fort Monmouth Economic Revitalization Authority and the Two Rivers Water Reclamation Authority regarding the sanitary sewer service for the Nurses Quarters property located within the Borough of Oceanport and the grant of delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs, and with final terms acceptable to the Executive Director and a review as to form by the Attorney General's Office and authorizes the Executive Director to execute the Agreement.

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

Attachment

Dated: March 15, 2023

EXHIBIT 2