

**Fort Monmouth Economic Revitalization Authority
In-Person & Telephonic Board Meeting
502 Brewer Avenue, Oceanport, N.J. 07757
Dial In: 888-431-3598 / Access Code: 1123026
Agenda – March 19, 2025**

1. **Call to Order**
2. **Notice of Public Meeting**
3. **Pledge of Allegiance**
4. **Roll Call**
5. **Welcome**
6. **Approval of Previous Month's Board Meeting Minutes**
7. **Executive Director/Secretary Report & Update**
8. **Public Comment Regarding Board Action Items**
9. **Committee Reports**
 - 1) Audit Committee – Anthony Talerico, Jr., Chairman
 - 2) Real Estate Committee – McKenzie Wilson, Chairwoman
 - 3) Environmental Staff Advisory Committee – Elizabeth Dragon, Chairwoman
 - 4) Historical Preservation Staff Advisory Committee – Tom Tvrdik, Chairman
 - 5) Housing Staff Advisory Committee – Keith Henderson, Chairperson
 - 6) Veterans Staff Advisory Committee – Tom Arnone, Chairman
10. **Board Actions**
 - 1) Consideration of Approval of the Designation of Official Newspapers.
 - 2) Consideration of Approval of the Selection of Engineering Services.
 - 3) Consideration of Approval of the Proposed Amendments to the Authority's Land Use Regulations.
11. **Other Items**
12. **Public Comment Regarding any FMERA Business**
13. **Adjournment**



**Fort Monmouth Economic Revitalization Authority
Board Meeting
February 19, 2025
Public Meeting and Teleconference**

MINUTES OF THE MEETING

Members of the Authority and/or Designees present:

- McKenzie Wilson – FMERA Chairperson – V
- Stephen Gallo – Public Member – V
- Anthony Talerico, Jr. – Mayor of Eatontown – FMERA Vice-Chairman – V
- Tom Tvrdik – Mayor of Oceanport – V
- Tom Arnone – Monmouth County Commissioner Director – V
- Tom Neff – Tinton Falls Engineer – V – Designee
- Jamera Sirmans – Associate Counsel, Governor’s Authorities Unit – V – Designee
- Mary Maples – Deputy Chief Executive Officer, NJEDA – V – Designee
- Yolanda Prieto – NJDOL Program Coordinator – Designee
- William Riviere – NJDOT Principal Planner – Designee

V – Denotes Voting Member

Members of the Authority and/or Designees not present:

- Elizabeth Dragon – NJDEP Assistant Commissioner, Comm. Investment & Economic Revitalization – Designee
- Keith Henderson – NJDCA Acting Director, Division of Local Planning Services – Designee

Also present:

- Kara Kopach – Executive Director
- Regina McGrade – Administrative Manager
- Jennifer Lepore – Accounting Manager
- Sarah Giberson – Director of Real Estate Development & Marketing
- Kristy Dantes – Senior Advisor, Facilities & Infrastructure
- Joe Fallon – Senior Environmental Officer
- Laura Drahushak – Managing Director
- Elizabeth Marshall – Deputy Attorney General (DAG)

The meeting was called to order by Chairwoman McKenzie Wilson at 5:00p.m.

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.

Chairwoman Wilson led the Pledge of Allegiance.

WELCOME

Chairwoman McKenzie Wilson welcomed attendees to the Authority’s meeting. Ms. Wilson 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. Ms. Wilson stated that there are 2 public comment periods, the first being a 3-minute public comment period regarding any of the Board actions and the second being a 5-minute public comment period on any FMERA business.

The first item of business was the approval of the December 18th regular meeting minutes. A motion was made to approve the minutes by Tom Neff and seconded by Stephen Gallo.

Kara Kopach conducted a roll call vote.

NAME	YES	NO	ABSTAIN
McKenzie Wilson	X		
Stephen Gallo	X		
Anthony Talerico	X		
Tom Arnone	X		
Tom Tvrdik	X		
Tom Neff	X		
Mary Maples	X		
Jamera Sirmans	X		

Motion to Approve: TOM NEFF Second: STEVE GALLO
Ayes: 8

EXECUTIVE DIRECTOR/SECRETARY'S REPORT & UPDATE

FMERA has turned its attention to the dedication of additional roadways to the County and Boroughs. Continuing to open up the private roadways to motorists and pedestrians will foster interaction between the developments. New and improved roadways will assist in those efforts.

Just last week we moved closer to dedicating two more roadways on the Main Post to Monmouth County. This will improve circulation and ensure that the roadways are adequately patrolled by law enforcement, etc. As utility installation is completed within the roadways and stormwater infrastructure is replaced, we have plans to dedicate additional roadways this year to Eatontown and Oceanport to further open up the campus and provide additional access points to the site.

There are two Fort events coming up over the next six weeks.

The first is the Shamrock N' Roll 5k which benefits Lunch Break. The race will be held on Saturday March 15th at 10:00 a.m. All participants will receive their very own leprechaun suit, plus a beer or soft drink after the race and a special live performance from Brian Kirk & the Jirks.

The second event is the Night Without A Bed which is being held at the Fort Athletic Club and also benefits Lunch Break. The mission of a Night Without A Bed event is to provide an opportunity for Monmouth County youth to learn about the plight of families and children who are experiencing homelessness every night. In addition to raising awareness, Night Without A Bed also raises much needed funds to support program operations such as: food, clothing, emergency shelter, comprehensive case management, transportation, life skills training and prevention/stabilization for our families. Participants are asked to sleep in a box for one night in addition to raising pledges for the cause.

Please consider supporting these awesome events and our Fort colleagues at Lunch Break and the Fort Athletic Club.

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

There was no public comment.

COMMITTEE REPORTS

1. AUDIT COMMITTEE

Anthony Talerico, Jr. stated that the Audit Committee met on January 31st and discussed the following:

- Discussion regarding the preparation of the Authority's 2024 Audit Plan and other matters with the Authority's auditor, CliftonLarsonAllen.

2. REAL ESTATE COMMITTEE

McKenzie Wilson stated that the Real Estate Committee met on January 9th and discussed the following:

- Discussion regarding the 3rd Amendment to the PSARA for the Suneagles Golf Course in Eatontown. Mulligan Golf requested an extension to the Completion date for Phase II of the Project until December 21, 2025. Mulligan Golf submitted an application for a Certificate of Completion for Phase I which was approved on January 29, 2025. As Mulligan Golf required a Certificate of Completion for Phase I in order to avoid a Board extension request for both Phases, the Phase II extension was held until the Certificate of Completion was issued. The Committee reviewed the request and recommended it to the Board for approval.

Other Items

- 1) Solar Regulations Proposed Amendments to the Authority's Land Use Regulations.
- 2) NF MCR preliminary reviews
- 3) HABcore
- 4) Stormwater Study
- 5) JCP&L substation and distribution easements

3. ENVIRONMENTAL STAFF ADVISORY COMMITTEE (ELIZABETH DRAGON, CHAIRWOMAN)

The Committee did not meet this month.

4. HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (TOM TVRDIK, CHAIRMAN)

The Committee did not meet this month.

5. HOUSING STAFF ADVISORY COMMITTEE (VACANT, CHAIR)

The Committee did not meet this month.

6. VETERANS STAFF ADVISORY COMMITTEE (TOM ARNONE, CHAIRMAN)

The Committee did not meet this month.

BOARD ACTIONS

1. Consideration of Approval of the Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement with Mulligan Golf, LLC for the Suneagles Golf Course in Eatontown.

Sarah Giberson 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 Tom Tvrdik.

Kara Kopach conducted a roll call vote.

NAME	YES	NO	ABSTAIN
McKenzie Wilson	X		
Stephen Gallo	X		
Anthony Talerico	X		
Tom Tvrdik	X		
Tom Arnone	X		
Tom Neff	X		
Jamera Sirmans	X		
Mary Maples	X		

Motion to Approve: ANTHONY TALERICO Second: TOM TVRDIK
Ayes: 8

OTHER ITEMS

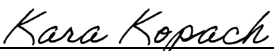
There were no other items before the Board.

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 Tom Neff and seconded by Stephen Gallo and unanimously approved by all voting members present, the meeting was adjourned at 5:09p.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
Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement with Martelli
Development Group, LLC for the Suneagles Golf Course in Eatontown

WHEREAS, on August 2, 2017, the Board authorized the execution of the PSARA between FMERA and Martelli Development Group, LLC (“Martelli” or “Purchaser”) for the Suneagles Golf Course, a 171-acre property that includes an 18-hole golf course designed by noted architect A.W. Tillinghast; a 37,125 sf banquet facility, the historic Gibbs Hall; two ancillary buildings, a sports bar and a golf maintenance building; and 42 vacant officer housing units known as the Megill Housing. Gibbs Hall is listed on the National Register of Historic Places, and a portion of the golf course is subject to an archeological restriction that protects Native American artifacts. The Purchase and Sale Agreement and Redevelopment Agreement (“PSARA”) was executed on December 21, 2017; and

WHEREAS, Martelli proposed to renovate Gibbs Hall as a first-class banquet facility, make capital upgrades to the golf course and restrict it to a golf course use for 40 years, and construct 75 new housing units, broken out as 60 luxury condominium townhomes and 15 affordable rental apartments, and the Megill Housing units would be demolished; and

WHEREAS, the capital investment is \$29 million. The Purchaser also executed a Use and Occupancy License, dated December 2017, to serve as Suneagles Golf Course’s operator to improve and operate the golf course. Purchaser paid \$5 million for the 171-acre property; pursuant to EDC Agreement, FMERA received 37% of the net sale proceeds, with the Army receiving the remainder; and

WHEREAS, in August 2020, the Board approved a First Amendment to the PSARA that extended the Closing date until the sooner of: (i) until December 1, 2020 or (ii) such time as All Approvals have been received. Additionally, the First Amendment to the PSARA addressed the payment of insurance proceeds due to flood damage and outstanding utility costs. The First Amendment was executed on September 15, 2020; and

WHEREAS, the Second Amendment to the PSARA was handled administratively and confirmed FMERA’s agreement to Martelli’s Assignment of interests to Mulligan Golf LLC and further, that the property would be subdivided into three (3) deeds at Closing. The Second Amendment was executed on December 18, 2020. The Purchaser closed on the Property on December 22, 2020; and

WHEREAS, by way of letter correspondence on September 17, 2024, Purchaser requested an extension to the Completion date for Phase II of the Project until December 21, 2025, citing that 24 of the 60 market-rate units have been completed and the 15 affordable housing units are seventy percent complete, citing both challenges with supply chains and increased construction costs resulting from the COVID-19 pandemic; and

WHEREAS, as part of the correspondence, Purchaser indicated that they intended to submit an application for a Certificate of Completion for Phase 1. As the developer required a Certificate of Completion for Phase I in order to avoid a Board extension request for both Phases, this request was held until the Certificate of Completion was issued. The Purchaser received a Certificate of Completion for Phase I of the Project on January 29, 2025. The Purchaser has been proceeding in good faith to complete the Project; and

WHEREAS, all other terms of the PSARA will remain unchanged. Attached is the Third Amendment to the PSARA between FMERA and Mulligan which is in substantially final form. The final terms of the Third Amendment to the PSARA are subject to the approval of FMERA’s Executive Director and a review 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 Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement with Martelli Development Group, LLC for Suneagles Golf Course in Eatontown 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: February 19, 2025

EXHIBIT 1

MEMORANDUM

To: Members of the Board

From: Kara Kopach
Executive Director

Date: March 19, 2025

Subject: Monthly Status Report

Summary

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include the Treasurer's Report, and Update on Utilities and Infrastructure, Update on Development & Marketing and Update on the Fort Monmouth Redevelopment

Treasurer's Report

FMERA staff is preparing the Authority's 2024 Annual Report and financial statements for presentation to the Audit Committee, which serves as FMERA's Comprehensive Report to meet the requirements of Executive Order No. 37 (2006). It is expected to be presented to the Audit Committee and Board for approval in May.

The Authority's independent auditors, CliftonLarsonAllen, LLP continue their audit of the Authority's 2024 operations. The auditors will report on the Authority's financial statements and accompanying notes, as well as report on the Authority's internal controls and compliance with Government Auditing Standards. Field work was completed on March 10th.

Executive Director's Report

• Update on Utilities and Infrastructure

- The installation of a new sanitary line tying the McAfee Center to the Two Rivers Water Reclamation Authority main along Sherrill Avenue is set to begin in late February. This project further paves the way to completely close out and abandon the former Army sanitary system.
- FMERA continues to work with Jersey Central, Power & Light staff toward the construction of a new 22-megawatt electrical substation and 15KVA distribution system on the main post. JCP&L started site work and expects to complete the substation by Fall 2025. This new infrastructure will systematically replace the existing 4160V electrical grid and make JCP&L the primary power provider, eventually taking FMERA out of the power supply business. FMERA continues to repair, replace, and maintain aged electrical infrastructure on the Fort pending the commissioning of the new substation and distribution system.
- Working with Colliers Engineering and Design, field inspection of the stormwater infrastructure on the Main Post is complete, and the evaluation phase, which will provide an estimate of project cost, is on-going. We have received the final report of the phase 1 study. The project involves identifying necessary repairs to pipes, manholes, catch basins and outfall structures. The goal is to convey ownership of stormwater infrastructure to the Boroughs of Eatontown and Oceanport once the stormwater infrastructure study is completed and all necessary repairs/replacements are made.
- FMERA is working with Two Rivers Water Reclamation Authority on the Parcels 7&8 Sanitary Main Extension Project, which will connect to the upstream end of the South Interceptor and continue the sanitary main westerly along Oceanport Way to the western end of the Eatontown Housing parcel. This project has commenced.
- Working with New Jersey American Water, the Phase 4 Water Main Extension Project will extend water service easterly along Todd Avenue and Oceanport Way supplying water to the Eatontown Housing Parcel. This project is to commence as the installation of the Parcels 7&8 Sanitary Main Extension wraps up.
- FMERA is working towards the dedication of Wilson Avenue, Nicodemus Avenue (South) and Academy Avenue to the Borough of Eatontown.
- The On-site Maintenance Team continues to maintain fire suppressions systems of buildings to be reused by the Mega Parcel purchaser.

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 eighteen properties:

- Former Patterson Army Hospital on December 13, 2013, with AcuteCare Systems.
- Monmouth County Adult Shelter on November 17, 2016, with Monmouth County.
- Officer Housing Parcels on January 13, 2017, with RPM Development, LLC. RPM Development 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 and medical offices.
- Oceanport Municipal Complex on August 16, 2017, where the Borough of Oceanport purchased the property for their new Oceanport Borough Hall, Police Department, Department of Public Works and Office of Emergency Management.
- 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 renovated the Dance Hall as a banquet facility. They have booked over 200 weddings and events since opening.
- Building 501, on April 24, 2019, with Family Promise of Monmouth County, an approximately 1.7-acre site, via a Legally Binding Agreement (LBA). Lunch Break has now merged with Family Promise and will expand the services offered on the site.
- 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 19, 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. NJCU is currently partnering with RWJ to utilize the university's state-of-the art training facilities.
- 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. Birdsmouth, a brewery opened in 2022, Baseline Social, a full-service state of the art bar and restaurant opened last summer and Mr. Green Tea, the specialty mochi and ice cream distributor is also open.
- Marina, on March 25, 2021, with AP Development Partners, LLC, which will continue to operate as a marina/public boat ramp and restaurant.
- 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, on November 24, 2021, with Somerset Development, LLC, a 15-acre site located on Parkers Creek, being developed with up to 185 new and renovated historic housing units. Townhouses are for sale, many of which have already been sold and are occupied. The riverwalk for this site is also fully constructed and connects to the walking trail on the RPM property.
- Allison Hall, on May 20, 2022, with Fort Monmouth Business Center, LLC, a 13-acre parcel which includes the reuse of the historic building, as well as retail, office, business lofts, and open space/recreation uses. Construction is underway on this site as both the business lofts and retail are being built while other site prep like the retention basins are ongoing.
- Nurses Quarters, on June 25, 2024, with RPM Development, LLC for the renovation of the 24-unit residential complex along with 10 new townhomes on Main Street adjacent to the former Patterson Army Hospital.

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

- Motor Pool, on November 17, 2016, with Monmouth County for a public works facility.
- Suneagles Golf Course, on December 18, 2020, with Martelli Development, LLC, who has upgraded the existing Golf Course and renovated the historic Gibbs Hall. Martelli Signature Homes has constructed and sold numerous townhouses in the middle of the course and continues to construct housing units.

- New Jersey American Water Tank Parcel, on April 23, 2021, a 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. NJAW has demolished the existing structures on the site.
- Eatontown Parks Parcel, on March 7, 2022, with the Borough of Eatontown, a 3.82-acre tract known as the Nicodemus Avenue Park Parcel located on Nicodemus Avenue for active recreation uses. The Borough has demolished all of the existing structures and is designing the park for a splash pad, additional recreational amenities, and accompanying bathrooms.

Also in **Eatontown**, FMERA has executed and approved contract on the following property:

- Howard Commons, with Lennar Corporation for the construction of 275 Housing Units along Pinebrook Road, together with a retail component consisting of a maximum building square footage of 40,000 fronting on Hope Road and the paved and parking areas located within the property. Lennar has an obligation to provide twenty units of supportive housing on the property. Lennar will demolish over 480 vacant soldier housing units as part of the redevelopment and construct a 5-acre parcel for the Borough of Eatontown to use as open space.

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

- Parcel E, on January 13, 2013, with Commvault for the headquarters. Commvault announced in March 2023 that they will be selling this building, with the intention of retaining some space for its operations via lease.
- Building 2525, on February 5, 2016, with Aaski Technologies for technology and office uses. Aaski sold a portion of the property to the Kiely Company following project completion.
- Child Development Center, on March 18, 2016, with Trinity Hall, for the all-girls high school. Trinity Hall completed their second-generation project on the site and is currently pursuing its third-generation expansion.
- 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, was originally transferred to Commvault Systems, Inc. for use as corporate office and training space. The Charles Wood Fire Station is now targeted for use as a regional emergency services center.
- Parcel C with Lennar Corporation, on August 2, 2018, approved for 243 residential units and up to 58,000 sq. ft. of retail development. Lennar has completed the residential portion of this site but the commercial deliverables remain and have been adversely impacted due to the changing market conditions for retail.
- Parcel C1 with Lennar Corporation, on August 2, 2018. Lennar has constructed and sold all 45 single family homes.
- Parcel F-1 – Myer Center and Building 2705, on December 16, 2022, an approximately 36-acre parcel in Tinton Falls where RWJ Barnabas Health (RWJBH) plans to create a health campus to include a cancer center, medical offices, and a future hospital. RWJBH has broken ground and is constructing its cancer center.
- Fabrications Shops (Pinebrook Road Commerce Center), on September 23, 2024, consisting of 45,000 sq. ft. of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC.
- County Woodlands Parcel, on December 11, 2024 and February 12, 2025 with Monmouth County for a 23.78-acre property for county open space preservation.

Also in **Tinton Falls**, FMERA has an executed contract on one property:

- Tinton Falls Commercial Parcel (Pulse Power, Building 2719, and the Pistol Range) with RWJBH for 1) construction of a three-story Medical Office Building; 2) installation of a grid-supply solar energy system; 3) construction of active recreational facilities, including two (2) multi-purpose grass or turf athletic fields, one (1) baseball/softball field, up to five (5) tennis courts, and a field house; 4) passive recreation, including a community walking/nature trail that enhances walkability and interconnectedness of the Tinton Falls section of Fort Monmouth; and 5) open space to benefit the surrounding area.

3. **Development & Marketing Update**

FMERA continues to make good progress on the Fort's redevelopment, with about 86 percent of the Fort's 1,126 acres sold, under contract, in negotiations, or entering the request for proposals process. To date, FMERA has sold 37 parcels, and another 4 parcels are under contract or have Board-approved contracts for a first-generation project. FMERA anticipates a closing on Howard Commons in the coming months.

FMERA's redevelopment continues to move forward, with new homes, business, and amenities coming online on a rolling basis. In the Oceanport section of the Fort, Allison Hall has made significant progress on the construction and rehabilitation of buildings slated for reuse. Now known as Riverwalk Center, this property will welcome a wide array of tenants including restaurants, recreation, fitness, a brewery, a boutique hotel and more. New homes continue to populate the Parkers Creek development by Pulte, with waterfront models nearing completion. Many new residents are already living on-site. In Eatontown, Mulligan Golf LLC has completed the first Phase of its project, including the rehabilitation of Historic Gibbs Hall and the Suneagles Golf Course. The developer continues to make excellent progress on the residential component of Suneagles Golf Course, The Ridge, and is also nearing completion on its affordable housing units. Lennar's professionals have started work on-site at the Howard Commons property and we anticipate a closing in the coming months. In Tinton Falls, most of the Charles Wood area is already developed. However, construction of RWJBarnabas Health's medical campus is on-going with the 100,000 sf Cancer Center making incredible progress. Plans for the former Charleswood Firehouse, slated as the future home of a regional EMS facility, have been approved by FMERA and Tinton Falls.

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. Continuous demolition and construction can otherwise be seen Fort-wide. As for the Mega Parcel, Netflix's plans for Phase 1A have been reviewed and approved by both FMERA and the Borough of Oceanport and the Borough of Eatontown. The plans will ultimately be reviewed by the County for Planning Board approvals, as well. FMERA has started preliminary reviews for Netflix's next phase of redevelopment, to be approved under a second MCR once a final submission is made. Significant administrative work remains. Netflix intends to begin pre-closing abatement and demolition work, which will begin the process of removing over a million square feet of blight, in the coming months.

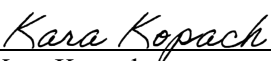
FMERA staff is currently in the process of working on its Annual Report, slated for Board review in May. Following its approval, the report will be made available on FMERA's website.

FMERA continues to actively promote the services and opportunities now available at the Fort through media, meetings, and additional speaking engagements. Keep an eye on our social media for announcements about upcoming events and exciting openings. Thank you to all who supported Lunch Break through the Shamrock N' Roll 5k, which took place at Fort Monmouth last weekend. An afterparty followed at Baseline Social and featured Birdsmouth Beer. Coming up on March 28th, you can also support Night Without a Bed, hosted by the Fort Athletic Club, also in support of Lunch Break.

As businesses and amenities come online, FMERA continues to create visibility for these new assets through our social media as well as through our on-site wayfinding signage initiative.

FMERA is pleased to announce that the team will be recognized by the Eastern Monmouth County Chamber of Commerce as the recipient of the Special Award for Economic Improvement at its March 26th Spinnaker Awards. This award recognizes the redevelopment efforts at Fort Monmouth to achieve an integrated business and residential community for the betterment of the towns of Eatontown, Oceanport, Tinton Falls and the County of Monmouth as whole. FMERA Board Vice Chairman, Anthony Talerico, Jr., is being recognized in his capacity as Mayor of Eatontown, with the Public Service Award. Congratulations to all honorees!

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


Kara Kopach

**Resolution Regarding the
Designation of Official Newspapers**

WHEREAS, the Star-Ledger recently announced that it will cease print operations of its newspaper as of February 2025. Pursuant to the requirements of the Open Public Meetings Act (OPMA), N.J.S.A. 10:4-6 et seq, a public body must designate a newspaper of wide, printed circulation as its official newspaper to inform the public of future meetings; and

WHEREAS, the Fort Monmouth Economic Revitalization Authority, having previously designated the Star-Ledger as its official newspaper, seeks to update its official newspaper for printed circulation of public meetings; and

WHEREAS, staff recommends that the Asbury Park Press and the Trentonian be designated as the official newspapers, as they will cover the largest populated areas of the State as of February 2025, including Monmouth, Ocean, Burlington and Mercer Counties. Staff also recommends that digital notice continue to be provided to the Star-Ledger given its wide, digital circulation, and printed notice will be provided to the Asbury Park Press and the Trentonian,

THEREFORE, BE IT RESOLVED THAT:

1. The Board approves Board approve the designation of the Asbury Park Press and the Trentonian as the official newspapers of the Fort Monmouth Economic Revitalization Authority Board.

2. Digital notice will continue to be provided to the Star-Ledger given its wide, digital circulation, and printed notice will be provided to the Asbury Park Press and the Trentonian.

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: March 19, 2025**

EXHIBIT 1

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Designation of Official Newspapers

DATE: March 19, 2025

Request

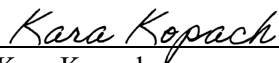
Pursuant to the Open Public Meetings Act, staff requests Board approval to designate the Asbury Park Press and the Trentonian as the official newspapers of the Fort Monmouth Economic Revitalization Authority Board.

Background

The Star-Ledger recently announced that it will cease print operations of its newspaper as of February 2025. Pursuant to the requirements of the Open Public Meetings Act (OPMA), N.J.S.A. 10:4-6 et seq, a public body must designate a newspaper of wide, printed circulation as its official newspaper to inform the public of future meetings. Staff recommends that the Asbury Park Press, and the Trentonian be designated as the official newspapers, as they will cover the largest populated areas of the State as of February 2025, including Monmouth, Ocean, Burlington and Mercer Counties. Digital notice will continue to be provided to the Star-Ledger given its wide, digital circulation, and printed notice will be provided to the Asbury Park Press and the Trentonian.

Recommendation

Pursuant to the Open Public Meetings Act, staff requests that the Board approve the designation of the Asbury Park Press and the Trentonian as the official newspapers of the Fort Monmouth Economic Revitalization Authority Board.


Kara Kopach

Prepared by: Regina McGrade

**Resolution Regarding the
Approval of Award of Engineering Services**

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

WHEREAS, FMERA issued a Request for Proposals for Engineering Services (“RFP”) on January 2, 2025, soliciting Professional Services Qualification Statements, Technical Proposals, and Fee Proposals from qualified Firms interested in performing Engineering and related services as to facilitate transfer of the former Fort Monmouth property from the Authority to interested purchasers. FMERA issued RFP Addendum #1 on January 27, 2025 and issued RFP Addendum #2 on February 4, 2025. The selected Firm will be utilized on an as-needed basis through Task Order Requests; and

WHEREAS, proposals were due on February 21, 2025, and seventeen proposals were received; and

WHEREAS, after conducting an initial review for responsiveness to the mandatory submission criteria, the seventeen technical proposals were distributed to the Evaluation Committee, which consisted of four New Jersey Economic Development Authority employees, all of which are assigned to the FMERA Office; and

WHEREAS, the technical proposals were evaluated and scored independently by each of the evaluators using the criteria identified in Attachment #5 – Evaluation Score Sheet. Each of the fee proposals were reviewed by FMERA’s Accounting Manager and the RFP Coordinator. The final scores, inclusive of the technical evaluation and the fee schedule, ranged from a high of 426 points to a low of 177 points as described in the attached memorandum and Engineering Services scoresheet; and

WHEREAS, based upon the final technical and fee proposals the Evaluation Committee determined that the Colliers Engineering & Design proposal to be the most favorable to the Authority price and other factors considered. Specifically, the proposal submitted by Colliers Engineering & Design scored particularly high in qualifications and experience for projects of similar size, scope and complexity and also demonstrated strong experience in all categories of engineering services relative to the Scope of Services; and

WHEREAS, staff requests that contract value for the Engineering Services RFP will be Two Million (\$2,000,000.00) Dollars for the initial term of the contract. In addition, staff requests that the Board grant to the Executive Director delegated authority to increase the contract value by an amount not to exceed 10% for unforeseen costs; and

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

THEREFORE, BE IT RESOLVED THAT:

1. The Board approves the selection of Colliers Engineering & Design as FMERA’s Engineering Services Firm for an initial term of twelve (12) months, commencing upon execution of the contract, with the Authority having the ability to extend the term of the contract, at the Authority’s sole discretion, for an additional four (4) twelve (12) month extension periods in accordance with the terms provided in the RFP. The contract amount for the Engineering Services RFP will be Two Million (\$2,000,000.00) Dollars for the initial term of the contract. The Board also grants to the Executive Director delegated authority to increase the contract by an amount not to exceed 10% in the event there are unforeseen costs.

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.

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Selection of Engineering Services

DATE: March 19, 2025

Summary

I am requesting that the Board approve the selection of an Engineering Services Firm pursuant to a Request for Proposals (“RFP”) for Engineering Services.

Background

Governor Christie signed P.L. 2010 c. 51 on August 17, 2010 to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or the “Authority”). The economies, environment, and quality of life of the host municipalities, Monmouth County, and the State will benefit from the efficient, coordinated, and comprehensive redevelopment and revitalization of Fort Monmouth.

FMERA issued a Request for Proposals for Engineering Services (“RFP”) on January 2, 2025, soliciting Professional Services Qualification Statements, Technical Proposals, and Fee Proposals from qualified Firms interested in performing Engineering and related services as to facilitate transfer of the former Fort Monmouth property from the Authority to interested purchasers. FMERA issued RFP Addendum #1 on January 27, 2025 and issued RFP Addendum #2 on February 4, 2025. The selected Firm will be utilized on an as-needed basis through Task Order Requests. The proposals were due on February 21, 2025, and seventeen (17) proposals were received.

Evaluation

After conducting an initial review for responsiveness to the mandatory submission criteria, the seventeen (17) technical proposals were distributed to the Evaluation Committee, which consisted of four (4) New Jersey Economic Development Authority employees, all of which are assigned to the FMERA Office. The technical proposals were evaluated and scored independently by each of the evaluators using the criteria identified in Attachment #5 – Evaluation Score Sheet. Each of the fee proposals were reviewed by FMERA’s Accounting Manager and the RFP Coordinator. The final scores, inclusive of the technical evaluation and the fee schedule, ranged from a high of 426 points to a low of 177 points and are as follows:

- Colliers Engineering & Design scoring 426
- Boswell, Inc. scoring 423
- Dewberry scoring 398
- LiRo Engineers, Inc. scoring 388
- Matrix New World Engineering scoring 381
- T&M Associates scoring 375
- H2M Architects & Engineers, Inc. scoring 366
- CME Associates, LLC scoring 357
- Paulus, Sokolowski and Sartor, LLC scoring 352
- Vanasse Hangen Brustlin Inc. scoring 349



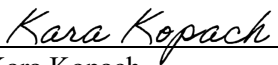
- E2 Project Management scoring 336
- Bowman Consulting Group, Ltd. scoring 341
- WSP USA Inc. scoring 331
- IMEG Consultants Group scoring 325
- Najarian Associates scoring 323
- Joshua Zinder Architecture + Design, LLC scoring 281
- PEI Prestige Engineering Inc. scoring 177

Based upon the final technical and fee proposals the Evaluation Committee determined that the Colliers Engineering & Design proposal to be the most favorable to the Authority price and other factors considered. Specifically, the proposal submitted by Colliers Engineering & Design scored particularly high in qualifications and experience for projects of similar size, scope and complexity and also demonstrated strong experience in all categories of engineering services relative to the Scope of Services.

The contract value for the Engineering Services RFP will be Two Million (\$2,000,000.00) Dollars for the initial term of the contract. In addition, staff requests that the Board grant to the Executive Director delegated authority to increase the Contract Funding by an amount not to exceed 10% for unforeseen costs. The Real Estate Committee reviewed the request and recommended it to the Board for approval.

Recommendation

In summary, I am requesting that the Board approve the selection of Colliers Engineering & Design as FMERA's Engineering Services Firm for an initial term of twelve (12) months, commencing upon execution of the contract, with the Authority having the ability to extend the term of the contract, at the Authority's sole discretion, for an additional four (4) twelve (12) month extension periods in accordance with the terms provided in the RFP.


Kara Kopach

Prepared by: Laura Drahushak
Attachments: Engineering Services Scoresheet

Colliers Engineering & Design	426
Boswell, Inc.	423
Dewberry	398
LiRo Engineers, Inc.	388
Matrix New World Engineering	381
T&M Associates	375
H2M Architects & Engineering, Inc.	366
CME Associates, LLC	357
Paulus, Sokolowski and Sartor, LLC	352
Vanasse Hangen Brustlin Inc.	349
E2 Project Management	336
Bowman Consulting Group, Ltd.	341
WSP USA	331
IMEG Consultants Group	325
Najarian Associates	323
Joshua Zinder Architecture + Design, LLC	281
PEI Prestige Engineering Inc.	177

**Resolution Regarding the
Approval of the Proposed Amendments to the Authority's Land Use Regulations**

WHEREAS, the Fort Monmouth Economic Development Authority ("FMERA" or "Authority") is proposing amendments to its Land Use Rules at N.J.A.C. 19:31C-3.1 through 3.8; and

WHEREAS, the proposed rule amendments will permit the Authority to amend the existing Land Use Rules governing guidelines for solar energy systems to promote the utilization of renewable energy sources in alignment with the Governor's Energy Master Plan. The expansion includes permitting additional opportunities for solar energy to be generated as an accessory use to offset energy needs of future development and redevelopment and permits canopy solar energy systems as a primary use exclusively for public parking lots; and

WHEREAS, Additionally, the amendments clarify the classifications of parking to permit public parking as a primary use while distinguishing it from private parking which must serve as accessory to a principal use or structure; and

WHEREAS, the Land Use Rules were first adopted in 2012 and have not been amended since that time. These proposed amendments update the rules to be consistent with the State's promotion of renewable energy sources. These proposed amendments include those as described in the attached memorandum; and

WHEREAS, draft rule amendments were posted on the Authority's website for EO63 informal public comment. A media advisory was also released. The Authority reviewed and considered comments received from one developer; and

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

THEREFORE, BE IT RESOLVED THAT:

1. The Board approve the attached proposed amendments to the Authority's Land Use Regulations, N.J.A.C. 19:31C-3.1 et seq., and authorize staff to (a) submit for publication in the New Jersey Register and (b) submit as final adopted rules for publication in the New Jersey Register if no substantive comments are received, subject to final review and approval by the Office of the Attorney General and the Office of Administrative Law.

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 19, 2025**

EXHIBIT 3

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Proposed Amendments to the Authority's Land Use Regulations

DATE: March 19, 2025

Request

I am requesting that the Board approve the attached proposed amendments to the Authority's existing Land Use Regulations, N.J.A.C. 19:31C-3.1 et seq., and authorize staff to (a) submit for publication in the New Jersey Register and (b) submit as final adopted rules for publication in the New Jersey Register if no substantive comments are received, subject to final review and approval by the Office of the Attorney General and the Office of Administrative Law.

Summary:

The Fort Monmouth Economic Development Authority ("FMERA" or "Authority") is proposing amendments to its Land Use Rules at N.J.A.C. 19:31C-3.1 through 3.8.

The proposed rule amendments will permit the Authority to amend the existing Land Use Rules governing guidelines for solar energy systems to promote the utilization of renewable energy sources in alignment with the Governor's Energy Master Plan. The expansion includes permitting additional opportunities for solar energy to be generated as an accessory use to offset energy needs of future development and redevelopment and permits canopy solar energy systems as a primary use exclusively for public parking lots. Additionally, the amendments clarify the classifications of parking to permit public parking as a primary use while distinguishing it from private parking which must serve as accessory to a principal use or structure.

The Land Use Rules were first adopted in 2012 and have not been amended since that time. These proposed amendments update the rules to be consistent with the State's promotion of renewable energy sources.

These proposed amendments include, but are not limited to:

- Section (c)(19) at N.J.A.C. 19:31C-3.1 is amended to provide that the rules shall promote the utilization of renewable energy resources.
- Section N.J.A.C. 19:31C-3.2 removes the terms: "Ground mounted solar array," "Rooftop solar array," "Small solar energy system," and "Solar plates". Modifies the terms "Solar energy system" and "Parking, shared". It creates additional terms to support the expansion of solar energy uses and clarifies the distinction in parking uses, including: "Parking, private," "Parking, public," "Solar energy system, accessory use" and "Solar energy system, principal use," "Solar energy system, building integrated" "Solar energy system, free standing, ground mounted," "Solar energy system, parking lot canopy," "Solar energy system, public parking lot canopy," "Solar energy system, roof mounted," and "Solar panel".
- Adds new subsection N.J.A.C. 19:31C-3.4(a)(1)(viii) to establish public parking as an allowable use.
- Adds new subsection N.J.A.C. 19:31C-3.4(a)(1)(ix) to establish "Principal use solar energy systems" as an allowable use.

- Amends N.J.A.C. 19:31C-3.4(a)(2)(iv), to clarify the definition of an accessory use solar energy system by removing references to small wind and small solar energy systems.
- Deletes in N.J.A.C. 19:31C-3.4(a)(2)(vi)(2), “and” at the end of the subsection.
- Moves the provision for small wind energy systems to new subsection N.J.A.C. 19:31C-3.4(a)(2)(viii).
- Adds a new section to Table 1 to establish a subheading for Solar Energy System – Principal Use and Public Parking and demonstrates when these uses are permitted by the municipality and development district.
- Clarifies through separate subheadings for “Solar Energy System – Accessory Use” and “Small Wind Energy System” Table 2 and demonstrates when these uses are permitted by the municipality and development district.
- Deletes at subsections N.J.A.C. 19:31C-3.8(d), (d)(1)(i) and d(1)(ii) references to small solar and small solar system.
- Deletes subsection N.J.A.C. 19:31C-3.8(d)(3), regarding “Small solar energy systems.”
- Renumbers N.J.A.C. 19:31C-3.8(d)(4) to now be found at -3.8(d)(3), and N.J.A.C. 19:31C 3.8(d)(5) to now be found at -3.8(d)(4); both subsections delete references to “and/or small solar”.
- Adds subsection N.J.A.C. 19:31C-3.8(e)(1)(i)-(xiii) to establish general regulations for principal use solar energy systems.
- Adds new subsection N.J.A.C. 19:31C-3.8(f)(1)(i)-(xii) to establish general regulations for accessory use solar energy systems.
- Adds new subsection N.J.A.C. 19:31C-3.8(f)(2)(i)-(vi) to establish general regulations for roof mounted solar energy systems used as an accessory use.
- Adds new subsection N.J.A.C. 19:31C-3.8(f)(3)(i)-(v) to establish general regulations for ground mounted solar energy systems used as an accessory use.
- Adds new subsection N.J.A.C. 19:31C-3.8(f)(4)(i) to establish general regulations for parking lot canopy solar energy systems used as an accessory use.

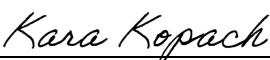
Compliance with Executive Order 63/Stakeholder Engagement:

Draft rule amendments were posted on the Authority’s website for EO63 informal public comment. A media advisory was also released. The Authority reviewed and considered comments received from one developer.

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 the attached proposed amendments to the Authority’s Land Use Regulations, N.J.A.C. 19:31C-3.1 et seq., and authorize staff to (a) submit for publication in the New Jersey Register and (b) submit as final adopted rules for publication in the New Jersey Register if no substantive comments are received, subject to final review and approval by the Office of the Attorney General and the Office of Administrative Law.


Kara Kopach

Prepared by: Laura Drahushak

Attachment: Proposed Amended Land Use Rules N.J.A.C. 19:31C-3.1 through 3.8.

OTHER AGENCIES

FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY

Land Use

Proposed Amendments: N.J.A.C. 19:31C-3.1 through 3.8

Authorized By: Fort Monmouth Economic Revitalization Authority, Kara Kopach, Executive Director.

Authority: N.J.S.A. 52:271-18 et. seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2025-XX.

Submit written comments by XXXXXXXX xx, 2025, to:

Alyson Jones, Managing Director of Legislative and Regulatory Affairs
New Jersey Economic Development Authority
PO Box 990
Trenton, NJ 08625-0990
Alyson.jones@njeda.gov

The agency proposal follows:

Summary

The Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”) sets forth land use regulations and development and design guidelines governing all future development and redevelopment within the Fort Monmouth Project Area (N.J.A.C. 19:31C-3.1 et seq.) to, among other things, provide flexibility in implementing the Reuse Plan, encourage the creation of employment and business opportunities, affordable housing, and housing for the homeless, preserve historic structures and open space, encourage utility and infrastructure improvements, ensure adequate traffic flow and stormwater management and do so in a way that is compatible with the surrounding communities while promoting green building practices. The Authority is proposing amendments to the existing land use rules governing solar energy systems to promote the utilization of renewable energy sources in alignment with the Governor’s Energy Master Plan. The expansion includes permitting additional opportunities for solar energy to be generated as an accessory use to offset energy needs of future development and redevelopment and permits canopy solar energy systems as a primary use exclusively for public parking lots.

The following summarizes the contents of the proposed amendments to the rules implementing the Fort Monmouth Economic Revitalization Authority Land Use:

N.J.A.C. 19:31C-3.1 Applicability and scope

Section (c)(19) at N.J.A.C. 19:31C-3.1 is amended to provide that the rules shall promote the utilization of renewable energy resources.

N.J.A.C. 19:31C-3.2 Definitions

The proposed amendments delete, modify and define certain new terms in this subchapter. Specifically, the following terms are removed: “Ground mounted solar array,” “Rooftop solar array,” “Small solar energy system,” and “Solar plates.” The terms “Solar energy system” and “Parking, shared” are modified. The proposed amendments also create additional terms to support the expansion of solar energy uses and clarify the distinction in parking uses, including: “Parking, private,” “Parking, public,” “Solar energy system, accessory use” and “Solar energy system, principal use,” “Solar energy system, building integrated” “Solar energy system, free standing, ground mounted,” “Solar energy system, parking lot canopy,” “Solar energy system, public parking lot canopy,” “Solar energy system, roof mounted,” and “Solar panel.”

N.J.A.C. 19:31C-3.4 Allowable land uses

The above referenced section outlines the criteria permitted land uses by municipality and development district:

The proposed new subsection N.J.A.C. 19:31C-3.4(a)(1)(viii) establishes public parking as an allowable use.

The proposed new subsection N.J.A.C. 19:31C-3.4(a)(1)(ix) establishes “Principal use solar energy systems” as an allowable use.

The proposed amendments, at N.J.A.C. 19:31C-3.4(a)(2)(iv), clarifies the amended definition of an accessory use solar energy system by removing references to small wind and small solar energy systems.

The proposed amendments, at N.J.A.C. 19:31C-3.4(a)(2)(vi)(2), delete “and” at the end of the subsection.

Proposed new subsection N.J.A.C. 19:31C-3.4(a)(2)(viii) moves the provision for small wind energy systems here.

Proposed new section to Table 1 establishes a subheading for Solar Energy System – Principal Use and Public Parking and demonstrates when these uses are permitted by municipality and development district.

The proposed amendments at Table 2 clarify separate subheadings for “Solar Energy System – Accessory Use” and “Small Wind Energy System” and demonstrates when these uses are permitted by municipality and development district.

N.J.A.C. 19:31C-3.8 Supplemental Standards

The proposed amendments, at subsection N.J.A.C. 19:31C-3.8(d), (d)(1)(i) and d(1)(ii), delete references to small solar and small solar system.

The proposed amendments delete subsection N.J.A.C. 19:31C-3.8(d)(3), regarding “Small solar energy systems.”

The proposed amendments renumber N.J.A.C. 19:31C-3.8(d)(4) to now be found at -3.8(d)(3), and N.J.A.C. 19:31C 3.8(d)(5) to now be found at -3.8(d)(4); both subsections delete references to “and/or small solar.”

Proposed new subsection N.J.A.C. 19:31C-3.8(e)(1)(i)-(xiii) establishes general regulations for principal use solar energy systems. This proposed new subsection specifies that public parking lot canopy solar energy systems are the only permitted principal use of solar energy systems and outlines the requirements governing their use and installation.

Proposed new subsection N.J.A.C. 19:31C-3.8(f)(1)(i)-(xii) establishes general regulations for accessory use solar energy systems. This proposed new subsection includes that the design of all accessory use solar energy systems shall conform to all applicable local, state and national solar codes and standards, as well as requirements for the installation of these systems.

Proposed new subsection N.J.A.C. 19:31C-3.8(f)(2)(i)-(vi) establishes general regulations for roof mounted solar energy systems used as an accessory use. This proposed new subsection outlines the installation requirements for these new systems, including dimension and location requirements.

Proposed new subsection N.J.A.C. 19:31C-3.8(f)(3)(i)-(v) establishes general regulations for ground mounted solar energy systems used as an accessory use. This proposed new subsection outlines the installation requirements for these new systems, including dimension and location requirements.

Proposed new subsection N.J.A.C. 19:31C-3.8(f)(4)(i) establishes general regulations for parking lot canopy solar energy systems used as an accessory use. This proposed new subsection outlines the installation requirements for these new systems, including dimension requirements to allow for clearance for emergency service vehicles and equipment.

Proposed new subsection N.J.A.C. 19:31C-3.8(g), establishes general regulations for “Public Parking (surface and structured)” which creates requirements for new public parking to adhere to electrical vehicle guidelines and the creation of a minimum of 30% area for canopy solar energy system.

The Authority has provided a 60-day comment period on this notice of proposal, therefore, this notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The Authority anticipates that the proposed amendments will have a positive social impact by encouraging stakeholders to offset their energy needs with a renewable energy source. Additionally, the proposed amendments will have a positive social impact by supporting the state-wide initiative to transition to 100 percent clean energy by 2050.

Economic Impact

The Authority anticipates that the proposed amendments will help strengthen the State's economy by encouraging job growth and infrastructure buildout in the renewable energy sector. The proposed amendments create additional opportunities for solar infrastructure on roofs, parking lots and ground mounted panels to provide additional onsite renewable energy for homes and businesses located within the Fort Monmouth Project Area.

Federal Standards Statement

A Federal standards analysis is not required because the proposed amendments are not subject to any Federal requirements or standards.

Jobs Impact

The proposed amendments are expected to have a small impact on the creation of jobs by generating additional opportunities for solar energy installation, maintenance and infrastructure buildout.

Agriculture Industry Impact

The proposed amendments will not have any impact on the agriculture industry of the State of New Jersey. Accordingly, no further analysis is required.

Regulatory Flexibility Analysis

The proposed amendments will not impose new reporting, recordkeeping, or other compliance requirements on small businesses, as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Accordingly, no further analysis is required.

Housing Affordability Impact Analysis

The proposed amendments are not likely to have a direct effect on the average costs associated with housing, nor will it affect the affordability of housing in the State. Accordingly, no further analysis is required.

Smart Growth Development Impact Analysis

Fort Monmouth is within Planning Area 1. The proposed amendments are aligned with Smart Growth Development principals, as they promote renewable energy sources. However, it is unlikely that the proposed amendments would evoke a change in housing production in Planning Area 1, or in designated centers, under the State Development and Redevelopment Plan other than what is already permitted under the existing land use rules.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The proposed amendments will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State. Accordingly, no further analysis is required.

Full text of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

CHAPTER 31C. FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY SUBCHAPTER 3. LAND USE

19:31C-3.1 Applicability and scope

- (a) - (b) (No change.)
- (c) The rules are designed to serve the following purposes:
 - 1. – 18. (No change.)

19. To promote utilization of renewable energy resources.

- (d) (No change.)

19:31C-3.2 Definitions

- (a) (No change.)
- (b) The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

...

["Ground mounted solar array" means a solar energy system, as defined herein that is mounted on armatures anchored to the ground with ground cover beneath.]

...

"Parking, private" means a parking lot or structured parking that may be open to the general public or restricted to certain users, that either charges a parking fee or is free of charge, and is accessory to a principal use or structure.

"Parking, public" means a parking lot or structured parking on a tract of land owned by a governmental entity that is open to the general public free of charge.

"Parking, shared" means joint utilization of a parking area for more than one use that may be located on adjacent lots.

...

["Rooftop solar array" means a solar energy system, as defined in this section that is mounted to the roof of a building or structure.]

...

["Small solar energy system" means a solar energy system, as defined in this section that is used to generate electricity, and has a nameplate capacity of 100 kilowatts or less.]

...

"Solar energy system" means [a solar energy system and all associated equipment which converts solar energy into a usable electrical energy, heats water, or produces hot air or other similar function through the use of solar panels] one or more solar collection devices such as solar panels, solar energy related equipment, and other associated infrastructure with the primary intention of generating electricity, storing electricity, or otherwise converting solar energy to a different form of energy.

"Solar energy system, accessory use" means a solar energy system, either free-standing ground mounted, as a parking lot canopy, building integrated, or roof mounted, with the primary intention of generating electricity, storing electricity, or otherwise converting solar energy to a different form of energy to serve a principal use either on site or off site but in the Fort Monmouth Project Area. Solar energy system, accessory use can be the only use on a block and lot so long as it meets the requirement of serving a principal use within the Fort Monmouth Project Area. Solar energy system, accessory use is intended to reduce or meet the energy needs of the principal use it serves and may generate energy in excess of the energy requirements of the principal use it serves only if it is to be sold back to a public utility in accordance with N.J.S.A. 48:3-112 and N.J.A.C. 14:8-7.1 et seq. or other applicable authority.

"Solar energy system, building integrated" means a solar energy system that consists of integrating solar panels into the building envelope, where the solar panels themselves act as a building material (i.e. roof shingles) or structural element (i.e. façade). A building integrated solar energy system does not include a parking lot canopy solar energy system.

"Solar energy system, free-standing ground mounted" means a solar energy system that is directly installed on solar racking systems, which are attached to an anchor in the ground and wired to connect to a home or building. A free-standing ground-mounted solar energy system does not include a parking lot canopy solar energy system.

"Solar energy system, parking lot canopy" means a solar energy system where a canopy structure is constructed over a parking lot supporting a solar panel or panels.

"Solar energy system, principal use" means a public parking lot canopy solar energy system with the primary intention of generating electricity, storing electricity, or otherwise converting solar energy to a different form of energy for primarily off-site uses.

"Solar energy system, public parking lot canopy" means a solar energy system where a canopy structure is constructed over a public parking lot supporting a solar panel or panels.

"Solar energy system, roof mounted" means a solar energy system that is directly installed on a roof.

"Solar panel" means an elevated panel or plate, or a canopy or array thereof, that captures and converts solar radiation to produce power, and includes flat plates, focusing solar collectors, or photovoltaic solar cells, and excludes the base or foundation of the panel, plate, canopy, or array.

["Solar plates" means a structure containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system.]

...

19:31C-3.4 Allowable land uses

(a) The following concern land uses by municipality and development district:

1. Permitted principal uses shall be those specified in Table 1, Permitted Principal Land Uses by Municipality and Development District:

i.- vii. (No change.)

viii. Public parking (surface and structured): Any parking area owned by a governmental entity open to the public for free;

ix. Principal use solar energy system: Public parking lot canopy solar energy systems are the only permitted principal use solar energy systems.

2. Permitted accessory uses shall be those specified in Table 2, Permitted Accessory Land Uses by Municipality and Development District:

i.-iii. (No change.)

iv. [Renewable] Accessory use solar energy system[s]: [Small wind and small energy systems are permitted as accessory uses to provide power for the principal use of the property] a solar energy system, either free-standing ground mounted, as a parking lot canopy, building integrated or roof mounted, with the primary intention of generating electricity, storing electricity, or otherwise converting solar energy to a different form of energy to serve a principal use either on site or off site but in the Fort Monmouth Project Area. Solar energy system-accessory use is intended to reduce or meet the energy needs of the principal use it serves and may generate energy in excess of the energy requirements of the principal use it serves only if it is to be sold back to a public utility in accordance with N.J.S.A. 48:3-112 and N.J.A.C. 14:8-7.1 et seq. or other applicable authority.

v. Outdoor dining: Any part of a food establishment located outdoors, not used for any other purposes, and open to the sky, with the exception that it may have a retractable awning or umbrellas, and may contain furniture, including tables, chairs, railings, and planters that are readily movable;

vi. Accessory structures in open space/recreation areas;

(1) Structures used to house maintenance and recreational equipment provided such structure does not exceed 250 square feet total floor area; and

(2) Kiosks for retail vendors of snacks, coffee, and light meals, with or without dining areas, are permitted provided each structure shall not exceed 1,000 square feet total floor area. Gazebo-type structures for seating, general use, or small performances are permitted provided such structures shall not exceed 2,400 square feet total floor area; [and]

vii. Other: Any other use customarily incidental to a principal use[.]; and

viii. Small wind energy systems: Small wind energy systems are permitted as accessory uses to provide power for the principal use of the property.

Table 1. Permitted Principal Land Uses by Municipality and Development District

	Residential Low Density	Residential Medium Density	Mixed-Use	Retail	Hospitality	Office/Research	Institutional/ Civic	Open Space/ Recreation	Solar Energy System-Principal Use	Public Parking
Oceanport										
Horseneck Center	YES, via adaptive reuse of buildings north & south of Parade Ground	YES	YES, within 500' of Oceanport Ave	YES, within 500' of Oceanport Ave	YES, limited to the area north of Allen Ave	YES	YES	YES	YES	YES
Education/Mixed-Use Neighborhood	YES	YES	YES	YES	NO	YES	YES	YES	YES	YES
Green Tech Campus	NO	NO	NO	NO	NO	YES	YES	YES	YES	YES
Eatontown										
Route 35 Lifestyle/Tech Center	NO	YES	YES	YES, within 1,500' of Rte 35	NO	YES	YES	YES	YES	YES
Pinebrook Neighborhood	NO	YES and townhome uses consisting of attached single units at a minimum of four units per	YES, mixed-use and/or retail uses are limited to 15,000 s.f. along Pinebrook Road		NO	NO	NO	YES	YES	YES

	Residential Low Density	Residential Medium Density	Mixed-Use	Retail	Hospitality	Office/Research	Institutional/ Civic	Open Space/ Recreation	Solar Energy System-Principal Use	Public Parking
Golf/Conference Campus	NO	NO	NO	NO	YES	NO	NO	YES	YES	YES
Tinton Falls										
Town Center	NO	YES	YES	YES	NO	NO	YES	YES	YES	NO
Hemphill Neighborhood	YES	YES	NO	NO	NO	NO	YES	YES	YES	NO
Tech/Office/R&D Campus	NO	NO	NO	NO	NO	YES	YES	YES	YES	NO

Table 2. Permitted Accessory Land Uses by Municipality and Development District

	Parking [(Surface and Structured)] (Public and Private)	Outdoor Storage	Home Occupation s	[Renewabl e] Solar Energy System[s]- Accessory Use	Outdoor Dining	Accessory Structures in Open Space/ Recreation Areas	Small Wind Energy Systems	Other
Oceanport								
Horseneck Center	YES	YES	YES	YES	YES	YES	YES	YES
Education/ Mixed-Use Neighborhood	YES	YES	YES	YES	YES	YES	YES	YES
Green Tech Campus	YES	YES	NO	YES	NO	YES	YES	YES
Eatontown								
Route 35 Lifestyle/Tech Center	YES	YES	YES	YES	YES	YES	YES	YES
Pinebrook Neighborhood	YES	YES	YES	YES	NO	YES	YES	YES
Golf/ Conference Campus	YES	YES	NO	YES	YES	YES	YES	YES
Tinton Falls								
Town Center	YES	YES	YES	YES	YES	YES	YES	YES
Hemphill Neighborhood	YES	YES	YES	YES	NO	YES	YES	YES
Tech /Office/ R&D Campus	YES	YES	NO	YES	NO	YES	YES	YES

(b) (No change.)

19:31C-3.8 Supplemental standards

(a) – (c) (No Change.)

(d) The following concern small wind [and small solar] energy systems:

1. General applicable standards are as follows:

i. The primary purpose of a small wind [or small solar] energy system shall be to provide power for the principal use of the property whereon said system is to be located and shall not be for the generation of power for commercial purposes, although this provision shall not be interpreted to prohibit the sale of excess power generated from a small wind [or small solar system] to a supplier/provider. For the purposes of this subchapter, the generation of power shall be limited to 110 percent of the average annual energy consumed for the principal use of the subject property.

ii. Small wind energy systems are permitted as an accessory use on the same lot as the principal use. [Small solar energy systems are permitted as an accessory use on the same lot as the principal use.] Applications for an energy system shall include information demonstrating compliance with the provisions of this section. All applications for small wind [or small solar energy systems] shall be subject to site plan review.

2. Small wind energy systems – Small wind energy systems are permitted as an accessory use subject to the following requirements:

i. Minimum lot size[;]: Three acres for all residential uses; and five acres for all commercial uses;

ii.-vii. (No Change.)

[3. The following concern small solar energy systems:

i. The following concern rooftop solar arrays:

(1) Rooftop solar arrays for small solar energy systems are permitted as an accessory use provided the arrays shall exceed a height of 12 inches from the existing roof surface of a peaked roof and shall not exceed a height of four feet from the existing roof surface of a flat roof; and

(2) In no event shall the placement of the solar energy system result in a total building height including panels and mounting equipment, in excess of what is permitted for the use on which the subject energy system is located.

ii. Ground mounted solar arrays for small solar energy systems are permitted as an accessory use subject to the following:

(1) The following concern maximum size:

(A) No more than 10 percent of a lot may be devoted to a ground mounted solar energy system; however, in no case shall a ground mounted solar energy system exceed 2,500 square feet;

(B) Ground mounted solar energy systems shall not exceed a height of 10 feet as measured from the existing grade to the highest point of the mounting equipment and/or panel(s), whichever is higher; and

(C) Minimum setback: All ground mounted solar energy systems shall be set back a minimum of 25 feet from all property lines and shall be screened from the street and adjacent properties by evergreen landscaping to create a continuous buffer. Ground arrays shall not contribute to lot coverage calculations, unless installed above an impervious surface. Ground mounted solar energy systems shall not be permitted in any front yard.]

3[4]. Additional requirements are as follows:

(A) Small wind [and small] energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacture or operator of the system. In no case shall any identification be visible from a property line. The natural grade of the lot shall not be changed to increase the elevation of any wind turbine [or solar array]. Wires, cables and transmission lines running between the device and any other structure shall be installed underground. All ground mounted electrical and control equipment shall be secured to prevent unauthorized access.

(B) The design of small wind [and small solar] energy systems shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment. The installation of a small wind [and small solar] energy systems shall conform to the National Electric Code as adopted by the New Jersey Department of Community Affairs. The installation of a small wind [and small solar] energy systems is subject to all local electric company requirements for interconnections.

4[5]. The following concern abandonment:

i. In the event any small wind [or small solar] energy system or **solar energy system** is out of service for a continuous 12-month period, it shall be deemed to have been abandoned.

ii. Any abandoned small wind [or small solar] energy system or **solar energy system** shall be removed at the owner's sole expense within six months after the owner receives a "Notice of Abandonment" from the host municipality. If the system is not removed within six months of receipt of notice from the host municipality notifying the owner of such abandonment, the host municipality may remove the system as set forth in (d)5iii below.

iii. When an owner of a small **wind** energy system or **solar energy system** has been notified to remove same and has not done so six months after receiving said notice, then the host municipality may remove such system and place a lien upon the property for the cost of the removal. If removed by the owner, a demolition permit shall be obtained and the facility shall be removed. Upon removal, the site shall be cleaned, restored, and re-vegetated to blend with the existing surrounding vegetation at the time of abandonment.

(e) Principal use solar energy systems

1. General Regulations

i. **Public parking lot canopy solar energy systems are the only permitted principal use of solar energy systems.**

ii. **Public parking lot canopy solar energy systems are permitted as a principal use on lots with another principal use in every development district.**

iii. **The design of all public parking lot canopy solar energy systems used as a principal use shall conform to all applicable local, state and federal solar codes and standards.**

iv. **Public parking lot canopy solar energy systems used as a principal use within a historic district or on a historic resource property are not permitted unless written approval or a Certificate of Appropriateness has been granted by the State Historic Preservation Office or New Jersey Historic Trust.**

v. **Public parking lot canopy solar energy systems used as a principal use shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system or the public entity who owns the property. In no case shall any identification be visible from a property line.**

vi. **Public parking lot canopy solar energy systems panels shall be a minimum of 20 feet from existing grade and a maximum of 24 feet in height as measured from the existing grade to the highest point of the mounting equipment and/or panels, in order to allow clearance for emergency service vehicles and equipment.**

vii. **The grade of the lot shall not be changed solely to increase the elevation of any solar energy system.**

viii. **Wires, cables and transmission lines running between the device and any other structure shall be installed underground.**

ix **All ground mounted electrical and control equipment that is part of a solar energy system shall be screened from public rights-of-way via landscaping and fencing.**

x. All ground mounted electrical and control equipment that is part of a solar energy system shall be a minimum of 10 feet from any building or structure.

xi. The design of public parking lot canopy solar energy systems used as a principal use shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.

xii. Solar panels in public parking lot canopy solar energy systems used as a principal use shall be exempt from any calculation of impervious surface or impervious cover relative to approval of subdivision, site plans.

xiii. The base or foundation of the solar panel, plate, canopy, or array shall be considered as an impervious surface or impervious coverage.

xiv. Solar panels in public parking lot canopy solar energy systems shall be located so that any glare is directed away from an adjoining property.

(f) Accessory use solar energy systems

1. General Regulations

i. The design of all accessory use solar energy systems shall conform to all applicable local, state and federal solar codes and standards.

ii. Solar panels in accessory use solar energy systems shall be exempt from any calculation of impervious surface or impervious cover.

iii. The base or foundation of the solar panel, plate, canopy, or array shall be considered as an impervious surface or impervious coverage.

iv. Solar panels in accessory use solar energy systems shall be located so that any glare is directed away from an adjoining property.

v. Accessory use solar energy systems within a historic district or on a historic resource property are not permitted unless written approval or a Certificate of Appropriateness has been granted by the State Historic Preservation Office or New Jersey Historic Trust.

vi. Accessory use solar energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system. In no case shall any identification be visible from a property line.

vii. The grade of the lot shall not be changed solely to increase the elevation of any solar energy system.

viii. Wires, cables and transmission lines running between the device and any other structure shall be installed underground.

ix. All ground mounted electrical and control equipment that is part of solar energy system shall be screened from public rights-of-way via landscaping and fencing.

x. All ground mounted electrical and control equipment that is part of solar energy system shall not exceed 20 feet in height.

xi. All ground mounted electrical and control equipment that is part of solar energy system shall be a minimum of 10 feet from any building or structure.

xii. The design of an accessory use solar energy system shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.

2. Roof mounted solar energy systems used as an accessory use shall comply with the following:

i. On a peaked roof, solar panels shall not exceed a height of 12 inches from the roof surface. Solar panels on a peaked roof are exempt from the maximum height permitted in the land use regulations governing the building/structure to which it is attached.

ii. On a flat roof, solar panels may extend above the highest point of the roof at a maximum of 15 feet or 15 percent, whichever is greater, of the maximum building/structure height permitted in the land use regulations governing the building/structure to which it is attached.

iii. All solar energy system equipment mounted on a rooftop shall be setback from the roof edge or parapet a minimum of 10 feet.

iv. No lighting shall be permitted on roof-mounted solar energy systems used as an accessory use unless otherwise required for public health and safety.

3. Ground mounted solar energy systems used as an accessory use shall comply with the following:

i. Ground mounted solar energy systems used as an accessory use shall not exceed a height of twenty feet as measured from the existing grade to the highest point of the mounting equipment and/or panel(s), whichever is higher.

ii. Ground mounted solar energy systems used as an accessory use shall be setback a minimum of 25 feet from all property lines.

iii. Solar panels shall be screened from public rights-of-way and adjacent property owners through landscaping and/or fencing.

iv. No lighting shall be permitted on ground mounted solar systems used as an accessory use unless required for public health and safety.

v. Solar panels in ground-mounted solar energy systems used as an accessory use shall be located a minimum of 10 feet from any building or structure.

4. Parking lot canopy solar energy systems used as an accessory use shall comply with the following:

i. The parking lot canopy solar energy system panels shall be a minimum of 20 feet and a maximum of 24 feet in height as measured from the existing grade to the highest point of the mounting equipment and/or panels, in order to allow clearance for emergency service vehicles and equipment.

(g) Public Parking (surface and structured)

1. A public parking lot shall be subject to N.J.S.A. 40:55D-66.18 - 66.20.

2. A public parking lot with more than 20 parking spaces shall designate a minimum of 30% of the surface parking area for a parking lot canopy solar energy system. Existing public parking lots are exempt from this requirement.

3. Public parking lots with more than 20 parking spaces or exceeding 6,500 sq ft of paved area should have a minimum 30% of the parking spaces paved with permeable pavers.

**Resolution Regarding the
Delegated Authority to the Executive Director to enter into a Memorandum of Understanding (“MOU”) with the
New Jersey Department of Community Affairs, Division of Fire Safety (“DCA”) to clarify the existing fire safety
and inspection process of the State-owned buildings on FMERA property.**

WHEREAS, as of 2021, FMERA owned approximately 224 buildings on Fort Monmouth, many of which contained furniture and equipment left behind by the Army. As FMERA is an instrumentality of the State of New Jersey, its vacant buildings, premises, or structures are subject to inspection by DCA which has jurisdiction over State buildings pursuant to N.J.A.C. 5:70-1.5 and N.J.A.C. 5:71-2.2(b)(3)(ii); and

WHEREAS, FMERA is required to obtain annual permits for these vacant buildings, premises or structures based on the requirements of N.J.A.C. 5:70-2.7 until such time as buildings are sold to third parties. In furtherance of processing FMERA’s permit applications, DCA began inspections of FMERA’s vacant buildings, premises or structures in or around 2021; and

WHEREAS, FMERA’s property currently consists of approximately 148 buildings/structures. Those buildings are in various stages of development with the majority under contract for sale and/or slated for demolition by December 31, 2026. Twenty-two of the buildings have been identified as requiring the removal of excessive combustibles pursuant to N.J.A.C. 5:70-3.1(a) and modified at N.J.A.C. 5:70-3.2(a)(3)(xxxvi); and

WHEREAS, as FMERA requires additional time beyond the thirty (30) day period to oversee the removal of these combustibles, DCA and FMERA intend to enter into a MOU to clarify the roles and responsibilities of the parties related to FMERA’s Fire Safety Plan. The MOU will include additional clarification on the process to receive time extensions, the accepted means and methods of securing vacant buildings, and appeals, if any; and

WHEREAS, on March 19, 2025, the Real Estate Committee approved the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Board approves the delegated Authority to the Executive Director to enter into an MOU with the New Jersey Department of Community Affairs, Division of Fire Safety to clarify the existing fire safety and inspection process of the State-owned buildings on FMERA property.

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 19, 2025

EXHIBIT 4

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

DATE: March 19, 2025

SUBJECT: Delegated Authority to the Executive Director to enter into a Memorandum of Understanding (“MOU”) with the New Jersey Department of Community Affairs, Division of Fire Safety (“DCA”) to clarify the existing fire safety and inspection process of the State-owned buildings on FMERA property.

Request

I am requesting that the Board approve delegated Authority to the Executive Director to enter into an MOU with the New Jersey Department of Community Affairs, Division of Fire Safety (“DCA”) to clarify the existing fire safety and inspection process of the State-owned buildings on FMERA property.

Background

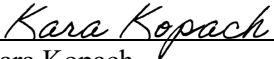
As of 2021, FMERA owned approximately 224 buildings on Fort Monmouth, many of which contained furniture and equipment left behind by the Army. As FMERA is an instrumentality of the State of New Jersey, its vacant buildings, premises, or structures are subject to inspection by DCA which has jurisdiction over State buildings pursuant to N.J.A.C. 5:70-1.5 and N.J.A.C. 5:71-2.2(b)(3)(ii). FMERA is required to obtain annual permits for these vacant buildings, premises or structures based on the requirements of N.J.A.C. 5:70-2.7 until such time as buildings are sold to third parties. In furtherance of processing FMERA’s permit applications, DCA began inspections of FMERA’s vacant buildings, premises or structures in or around 2021.

FMERA’s property currently consists of approximately 148 buildings/structures. Those buildings are in various stages of development with the majority under contract for sale and/or slated for demolition by December 31, 2026. Twenty-two of the buildings have been identified as requiring the removal of excessive combustibles pursuant to N.J.A.C. 5:70-3.1(a) and modified at N.J.A.C. 5:70-3.2(a)(3)(xxxvi). As FMERA requires additional time beyond the thirty (30) day period to oversee the removal of these combustibles, DCA and FMERA intend to enter into a MOU to clarify the roles and responsibilities of the parties related to FMERA’s Fire Safety Plan. The MOU will include additional clarification on the process to receive time extensions, the accepted means and methods of securing vacant buildings, and appeals, if any.

On March 19, 2025, the Real Estate Committee approved the request and recommends it to the Board for approval.

Recommendation

In summary, I am requesting that the Board approve delegated Authority to the Executive Director to enter into an MOU with the New Jersey Department of Community Affairs, Division of Fire Safety to clarify the existing fire safety and inspection process of the State-owned buildings on FMERA property.


Kara Kopach

Prepared by: Kara Kopach