

**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 – December 18, 2024**

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 Tvrdek, Chairman
  - 5) Housing Staff Advisory Committee – Vacant, Chairperson
  - 6) Veterans Staff Advisory Committee – Tom Arnone, Chairman
10. **Board Actions**
  - 1) Consideration of Approval of the Draft 2025 Authority Budget.
  - 2) Consideration of Approval of a Memorandum of Understanding & Grant Agreement between FMERA and the Two Rivers Water Reclamation Authority for the Abandonment, Demolition and Removal Work for the Existing Sanitary Sewers within the Mian Post.
  - 3) Consideration of Approval of the Interagency Agreement between FMERA and the Borough of Oceanport to contract for civil and environmental engineering services for demolition of the Parcels 7&8 Buildings.
  - 4) Consideration of Approval of the Interagency Agreement between FMERA and the Borough of Eatontown to contract for oversight of the bid process to complete the Nicodemus Avenue and Wilson Avenue Roadway Reconstruction Project.
  - 5) Consideration of Approval of the Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement with the Borough of Eatontown for the Parks & Recreation Complex on the Nicodemus Avenue Park Parcel.
  - 6) Consideration of Approval for the conveyance of Sanger Avenue to the County of Monmouth.
11. **Other Items**
12. **Public Comment Regarding any FMERA Business**
13. **Adjournment**



## MEMORANDUM

**To:** Members of the Board

**From:** Kara Kopach  
Executive Director

**Date:** December 18, 2024

**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 presented the 2025 FMERA Budget to the Audit Committee at their December 11<sup>th</sup> meeting. Based on their review, the Audit Committee recommended that the 2025 FMERA Budget be submitted to the Board for approval at its December 18<sup>th</sup> meeting.

### Executive Director's Report

#### • Update on Utilities and Infrastructure

- Nine contractors responded to bid request by Two Rivers Water Reclamation Authority for the demolition of seven abandoned former Army sanitary pump stations. The project has been awarded and will commence in the coming weeks.
- The abatement and demolition of buildings 550 and 551 is complete.
- 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 recently received a CAFRA permit for the substation portion of the buildout from the NJDEP. 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.
- 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 January. This project further paves the way to completely closing out and abandoning the former Army sanitary system.
- Field inspection of the stormwater infrastructure on the Main Post is complete, and the evaluation phase has begun, which will provide an estimate of project costs. 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.
- Three new infrastructure projects will commence in the coming months. Working with The Two Rivers Water Reclamation Authority, the Parcels 7&8 Sanitary Main Extension Project 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. Thereafter, 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. Finally, FMERA is working with Colliers Engineering and Design to explore possible remedies to drainage issues along Todd Avenue.

- The On-site Maintenance Team continues to maintain fire suppressions systems of buildings to be reused by the Mega Parcel purchaser.
- Review of Mandatory Conceptual Reviews for the Charleswood Firehouse, Allison Hall, and the Netflix demolition and development plans for Phase 1B is on-going in support of the Real Estate Development Team.

## 2. Update on the Fort's Redevelopment

The following is a town-by-town summary of the status of our redevelopment projects.

In **Oceanport**, FMERA has closed on the following 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 or approved contracts 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 nine 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.

Also in **Tinton Falls**, FMERA has executed contracts on two properties:

- 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.
- County Woodlands Parcel, with Monmouth County for a 23.78-acre property for county open space preservation.

### 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 36 parcels, and another 5 parcels are under contract or have Board-approved contracts for a first-generation project. FMERA anticipates a closing on the Monmouth County Woodlands parcel prior to year-end.

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. OPort Partners (Denholtz Properties) is currently finalizing its plans for the next phase of on-site development around Baseline Social, Mr. Green Tea, and Birdsmouth Brewery. In Eatontown, Martelli Development 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. Historic Gibbs Hall is operational, hosting countless events both in partnership with other Fort Monmouth end-users and the community members. Eagle & Ember, its on-site restaurant, is open to the public. Lennar's professionals have started work on-site at the Howard Commons property and we anticipate a closing in early 2025. 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 are with FMERA for review, for the future home of a regional EMS facility.

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. A planning board hearing is scheduled with the Borough of Eatontown this week. 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. At present, Netflix's contractor has cleared out Vail Hall, which is slated for reuse. Netflix intends to begin pre-closing abatement and demolition work, which will begin the process of removing over a million square feet of blight.

FMERA is actively working to promote the services and opportunities now available at the Fort through media, meetings, and additional speaking engagements.

FMERA staff encourages you to learn about all the great businesses and organizations operating on the Fort and how you can support them. During the holiday season, consider adopting a family through Lunch Break's Family Promise program or visit the Triumphant Life Church for some holiday joy. Set a new year's goal of wellness and pop-in to learn about the Fort Athletic Club. These are just a few of the great opportunities to become a part of the Fort Monmouth Community.

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.

Please visit our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com) and follow us on Instagram at @fortmonmouthnj for our latest updates.

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Kara Kopach

Prepared by: Regina McGrade

**Resolution Regarding  
Draft 2025 Budget**

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

**WHEREAS**, the Draft 2025 Budget illustrates the Authority's progress in implementing the approved Phase 1 and Phase 2 Economic Development Conveyance (EDC) Agreements and embarking on the economic redevelopment of the former Fort property. This year's budget represents the projected 2025 financial activity under the approved Phase 1 and Phase 2 EDC Agreements; and

**WHEREAS**, the Draft 2025 Budget Summary illustrates the Budget based on the 2025 projected parcel sales with one parcel projected to be sold and one parcel with an installment payment with net earnings from parcel sales and installment payments. The Land Costs for the parcel sales and installment payments include payments on the Working Capital Loan due to the NJ Economic Development Authority, and payments due to the Army and the Homeless Fund under the terms of the EDC Agreement; and

**WHEREAS**, the Audit Committee has reviewed the draft 2025 Budget and recommends it to the Board for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the draft 2025 Budget, as described in the attached memorandum.
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: December 18, 2024**

**EXHIBIT 1**

## MEMORANDUM

To: Members of the Board

From: Kara Kopach  
Executive Director

Subject: Draft 2025 Budget

Date: December 18, 2023

### Request

I am requesting that the Board approve the Authority's Draft 2025 Budget.

### Background

The Draft 2025 Budget is enclosed for your review and consideration. FMERA staff has collaborated in the development of a Budget which supports and enhances FMERA's Mission to *create an atmosphere in which employers will employ and investors will invest, to maximize the jobs created and the value of the property*. The Budget is also intended to expand the Authority's sources of funding while continuing to control costs and direct spending to maximize the benefits derived.

The Draft 2025 Budget illustrates the Authority's progress in implementing the approved Phase 1 and Phase 2 Economic Development Conveyance (EDC) Agreements and embarking on the economic redevelopment of the former Fort property. This year's budget represents the projected 2025 financial activity under the approved Phase 1 and Phase 2 EDC Agreements.

The Draft 2025 Budget Summary illustrates the Budget based on the 2025 projected parcel sales. One parcel is projected to be sold for \$1,500,000 and the first installment payment in the amount of \$300,000 is due from the sale of the Squier Hall parcel. The projected Net Earnings from the parcel sale and installment payment is \$328,817. The Land Costs total \$1,471,183 and consist of \$54,890 in payments on the Working Capital Loan due to the New Jersey Economic Development Authority (EDA), \$186,921 due to the Army and \$1,229,372 to the Homeless Fund under the terms of the EDC Agreement.

Operating income of \$95,000 represents the estimated amount due from EDA for the use and occupancy of FMERA's headquarters, the estimated amount received for Mandatory Conceptual Review application fees and miscellaneous revenue. Non-Operating Revenue of \$75,000 consists of interest from cash.

FMERA's 2025 proposed Budget's General and Administrative expenses of \$207,000, represents general office operating expenses and maintenance & utilities, and Direct Office expenses of \$1,446,100 represents the salary and fringe of FMERA staff. Program Costs of \$1,920,000 consist of professional services and carrying costs of the property. Carrying costs mainly consist of property maintenance & management and insurance. Interest expense on the Working Capital Loan of \$85,000 represents the estimated 2025 interest on the working capital loan from EDA. Interest Expense on the Direct Loan of \$295,00 represents the estimated 2025 interest on the Direct Loan from EDA.

The Authority's 2025 proposed Capital Budget calls for outlays totaling \$15,400,000, comprised of various infrastructure projects. Infrastructure Funds of \$10,000,000 consist of funds received through appropriations in the Fiscal Year 2024-2025 State Budget.

### Recommendation

In summary I am requesting that the Board approve the Authority's Draft 2025 Budget.

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Kara Kopach

Prepared by: Jennifer Lepore



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

**WHEREAS**, on March 11, 2021, the President signed the “American Rescue Plan Act of 2021” P.L. 117-2 (the “ARP Act”) into law; and, as part of the ARP Act, Congress at subtitle M of the ARP Act, amended Title VI of the Social Security Act (42 U.S.C. 801 et seq.) by adding Sections 602 and 603 to create the “Coronavirus State Fiscal Recovery Fund” (“CSFRF”). Monies in the CSFRF are to be used, generally: (a) to respond to the public health emergency with respect to COVID-19 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality; (b) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the State of New Jersey (“State”) who are performing such essential work, or by providing grants to eligible workers who perform essential work; (c) for the provision of government services to the extent of the reduction in revenue of the State due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the State prior to the emergency; or (d) to make necessary investments in water, sewer, or broadband infrastructure; and

**WHEREAS**, the State Treasurer has entered into a Memorandum of Understanding (“MOU”) dated as of July 22, 2021, with New Jersey Department of Community Affairs (“DCA MOU”), as Grants Manager for the State CSFRF funds, to provide those grant management functions and processes for the State that are necessary to administer and manage and disburse funds accordingly; and

**WHEREAS**, pursuant to the Fiscal Year 2022 Appropriations Act, L. 2021, c. 133, as may be amended from time to time, FMERA received a line-item appropriation of \$10,500,000 of CSFRF funds entitled “Fort Monmouth Water and Sewer,” (“Appropriated Funds”). Following the Board’s October 2021 approval, FMERA and the DCA entered into a MOU dated as of November 15, 2021, distributing to FMERA the Appropriated Funds for planning, survey, design, engineering, construction/installation and replacement of the former Army owned sewer system on the former Fort Monmouth military base, and planning, survey, design, engineering and construction/installation of water mains to replace the Army owned water system and connect development to other newly replaced water mains on the former the Fort; and

**WHEREAS**, the Parties enter into this MOU to reflect the mutual understanding of the Parties relative to the Abandonment, Demolition and Removal Work of the now unused Army Sanitary Sewers within the Main Post of the Fort. The Project includes the preparation of Plans and Specifications to publicly bid the grouting of the Army sanitary sewers; and

**WHEREAS**, FMERA shall pay 100% of the costs of the Project not to exceed Seven Hundred Forty-Five Thousand Three Hundred and Thirty (\$745,330.00) Dollars (“Project Costs”), including but not limited to consulting fees, construction oversight fees, and construction costs associated with or arising from the Project; and

**WHEREAS**, TRWRA shall not be required to utilize any of its own funds to pay costs or expenses of the Abandonment, Demolition and Removal Work. TRWRA will return to FMERA, upon completion of the Project, any amount of the Project Costs that is not expended for the Project; and

**WHEREAS**, the Parties understand and agree that FMERA may utilize federal funding available under the American Rescue Plan Act of 2021 (“Federal Funds”) to pay for the Project Costs. Notwithstanding the above, FMERA may choose to utilize other funds for the Project Costs either to supplement or in lieu of Federal Funds; and

**WHEREAS**, The Parties acknowledge that TRWRA will develop the scope of the Design and Engineering Work which will be used to enter into a contract(s) with the lowest responsible bidder for the Construction Work as required by the Local Public Contracts Law.



**WHEREAS**, contemporaneously with the MOU, FMERA requests approval to enter into a Grant Agreement with TRWRA in order to permit FMERA to disburse up to Seven Hundred Forty-Five Thousand Three Hundred and Thirty (\$745,330.00) Dollars ("Grant Funds") from the Appropriated Funds to TRWRA for the costs of the Project ("Project Costs"). TRWRA may propose to amend Project Costs by providing written notice of the proposed amendment to FMERA, which shall be subject to FMERA's approval.; and

**WHEREAS**, TRWRA shall hold the Grant Funds in escrow and shall use Grant Funds solely as necessary for Project Costs. Upon execution of this Agreement and commencement of the Project, and until Project completion, TRWRA agrees to submit to FMERA detailed monthly financial reports; and

**WHEREAS**, in addition, staff requests delegated authority to FMERA's Executive Director to increase the Project Costs by an amount not to exceed 10% of the Project Costs for unforeseen costs associated with this Project. Any increase in costs beyond this amount is subject to FMERA's Board approval; and

**WHEREAS**, the attached MOU and Grant Agreement between FMERA and the TRWRA are in substantially final form. The final terms of the MOU and Grant Agreement will be subject to the approval of FMERA's Executive Director and a review as to the 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 1) a Memorandum of Understanding and Grant Agreement between the Fort Monmouth Economic Revitalization Authority and the Two Rivers Water Reclamation Authority regarding an interagency agreement for the funding and construction services to include the investigation, design, (including preparation of all applications and associated engineering services), and bidding documents for the Abandonment, Demolition and Removal Work for Grouting of Existing Sanitary Sewers within the Main Post of the Fort; and 2) the grant of delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs with final terms acceptable to the Executive Director and a review as to form by the Attorney General's Office and authorizes the Executive Direct 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: December 18, 2024**

**EXHIBIT 2**

## MEMORANDUM

**TO:** Members of the Board

**FROM:** Kara Kopach  
Executive Director

**RE:** Memorandum of Understanding and Grant Agreement between FMERA and the Two Rivers Water Reclamation Authority.

**DATE:** December 18, 2024

### **Request**

I am requesting that the Board approve 1) a Memorandum of Understanding ("MOU") Concerning the Abandonment, Demolition and Removal Work for the Existing Sanitary Sewer and a Grant Agreement ("Agreement") between the Fort Monmouth Economic Revitalization Authority ("FMERA") and the Two Rivers Water Reclamation Authority ("TRWRA") (the "Parties") to address the funding and construction services to include the investigation, design (including preparation of all applications and associated engineering services), and bidding documents for the Abandonment, Demolition and Removal Work of the Existing Sanitary Sewers within the Main Post of the Fort; and 2) the grant of delegated authority to FMERA's Executive Director to increase the funding for this work by an amount not to exceed 10% for unforeseen costs.

### **Background**

On March 11, 2021, the President signed the "American Rescue Plan Act of 2021" P.L. 117-2 (the "ARP Act") into law; and, as part of the ARP Act, Congress at subtitle M of the ARP Act, amended Title VI of the Social Security Act (42 U.S.C. 801 et seq.) by adding Sections 602 and 603 to create the "Coronavirus State Fiscal Recovery Fund" ("CSFRF"). Monies in the CSFRF are to be used, generally: (a) to respond to the public health emergency with respect to COVID-19 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality; (b) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the State of New Jersey ("State") who are performing such essential work, or by providing grants to eligible workers who perform essential work; (c) for the provision of government services to the extent of the reduction in revenue of the State due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the State prior to the emergency; or (d) to make necessary investments in water, sewer, or broadband infrastructure.

The State Treasurer has entered into a MOU dated as of July 22, 2021, with New Jersey Department of Community Affairs ("DCA MOU"), as Grants Manager for the State CSFRF funds, to provide those grant management functions and processes for the State that are necessary to administer and manage and disburse funds accordingly.

Pursuant to the Fiscal Year 2022 Appropriations Act, L. 2021, c. 133, as may be amended from time to time, FMERA received a line-item appropriation of \$10,500,000 of CSFRF funds entitled "Fort Monmouth Water and Sewer," ("Appropriated Funds"). Following the Board's October 2021 approval, FMERA and the DCA entered into a MOU dated as of November 15, 2021, distributing to FMERA the Appropriated Funds for planning, survey, design, engineering, construction/installation and replacement of the former Army owned sewer system on the former Fort Monmouth military base, and planning, survey, design, engineering and construction/installation of water mains to replace the Army owned water system and connect development to other newly replaced water mains on the Fort.

### **Memorandum of Understanding with TRWRA**

The Parties enter into this MOU to reflect the mutual understanding of the Parties relative to the Abandonment, Demolition and Removal Work of the now unused Army Sanitary Sewers within the Main Post of the Fort. The Abandonment, Demolition and Removal Work includes mobilizing and locating sanitary sewers scheduled for abandonment, filling gravity sewers and force mains with flowable fill, cutting manholes and below grade structures, punching holes in foundations and backfilling the entire below grade structure with clean fill (the "Project"). The Project site will be restored to match the



existing conditions and the laterals will be cut and capped. The Project includes awarding contracts, administration and construction oversight by TRWRA.

FMERA shall pay 100% of the costs of the Project not to exceed Seven Hundred Forty-Five Thousand Three Hundred and Thirty (\$745,330.00) Dollars ("Project Costs"), including but not limited to consulting fees, construction oversight fees, and construction costs associated with or arising from the Project.

TRWRA shall not be required to utilize any of its own funds to pay costs or expenses of the Abandonment, Demolition and Removal Work. TRWRA will return to FMERA, upon completion of the Project, any amount of the Project Costs that is not expended for the Project.

The Parties understand and agree that FMERA may utilize federal funding available under the American Rescue Plan Act of 2021 ("Federal Funds") to pay for the Project Costs. Notwithstanding the above, FMERA may choose to utilize other funds for the Project Costs either to supplement or in lieu of Federal Funds.

The Parties acknowledge that TRWRA will develop the scope of the Design and Engineering Work which will be used to enter into a contract(s) with the lowest responsible bidder for the Construction Work as required by the Local Public Contracts Law.

#### **Grant Agreement with TRWRA**

Contemporaneously with the MOU, FMERA requests approval to enter into a Grant Agreement with TRWRA in order to permit FMERA to disburse up to Seven Hundred Forty-Five Thousand Three Hundred and Thirty (\$745,330.00) Dollars ("Grant Funds") from the Appropriated Funds to TRWRA for the costs of the Project ("Project Costs"). TRWRA may propose to amend Project Costs by providing written notice of the proposed amendment to FMERA, which shall be subject to FMERA's approval. TRWRA shall hold the Grant Funds in escrow and shall use Grant Funds solely as necessary for Project Costs. Upon execution of this Agreement and commencement of the Project, and until Project completion, TRWRA agrees to submit to FMERA detailed monthly financial reports.

In addition, staff requests delegated authority to FMERA's Executive Director to increase the Project Costs by an amount not to exceed 10% of the Project Costs for unforeseen costs associated with this Project. Any increase in costs beyond this amount is subject to FMERA's Board approval.

The attached MOU and Grant Agreement between FMERA and the TRWRA are in substantially final form. The final terms of the MOU and Grant Agreement will be subject to the approval of FMERA's Executive Director and a review as to the form by the Attorney General's Office. 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 1) a Memorandum of Understanding and Grant Agreement between the Fort Monmouth Economic Revitalization Authority and the Two Rivers Water Reclamation Authority regarding an interagency agreement for the funding and construction services to include the investigation, design, (including preparation of all applications and associated engineering services), and bidding documents for the Abandonment, Demolition and Removal Work for Grouting of Existing Sanitary Sewers within the Main Post of the Fort; and 2) the grant of delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs.

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Kara Kopach

Prepared by: Regina McGrade

**Resolution Regarding  
Approval of an Interagency Agreement between FMERA and the Borough of Oceanport to contract for civil  
and environmental engineering services**

**WHEREAS**, the identified buildings on the Main Post of Fort Monmouth are outdated and not suitable for future use. All five buildings are in locations targeted for utility and infrastructure improvements and/or blight removal. This interagency agreement will enable FMERA to move forward with the blight removal and improvements to the Main Post infrastructure, which will serve both sold properties and future redevelopment projects on the Main Post; and

**WHEREAS**, the site containing Buildings 814, 815, 820, 826 and 830 will be utilized for current and future development. Under the terms of the April 2024 Memorandum of Understanding (“MOU”), referenced below, Colliers Engineering and Design (“Colliers”) has prepared a scope of work for the abatement and demolition of Buildings 814, 815, 820, 826 and 830; and

**WHEREAS**, at its April 2024 meeting, the Board approved a Memorandum of Understanding with the Borough of Oceanport (“Borough”) to contract for civil and environmental engineering services with regard to the preparation of demolition plans and specification including abatement, demolition and site improvements. The Borough selected Colliers as its engineering firm via a formal RFQ process for the calendar year. Accordingly, the Borough retained Colliers to prepare plans and a scope of work (the “Plans”) for the Project; and

**WHEREAS**, the Plans included one set of demolition plans and specifications for the Project Site. The Plans also included surveying services and field/building reconnaissance. The MOU with the Borough was executed on April 24, 2024; and

**WHEREAS**, on October 21, 2024, FMERA received the abatement and demolition plans for the Project Site, as defined in the attached MOU, containing Buildings 814, 815, 820, 826 and 830 from Colliers and wishes to enter into a separate MOU with Oceanport for the Borough’s engineer to oversee the public bidding for the demolition and remediation of Buildings 814, 815, 820, 826 and 830; and

**WHEREAS**, the purpose of the “Project” consists of the retention of the Borough’s engineer, Colliers, for the abatement and demolition of Buildings 814, 815, 820, 826 and 830 located on the Project Site. Colliers’ services shall include bidding services for abatement and demolition contracts and the oversight and completion of the tasks as described in the attached memorandum; and

**WHEREAS**, starting a month after selection of the bidder, Colliers shall prepare and submit weekly summary reporting the status of the Project. The goal of this Project is to facilitate a competitive bidding process for the selection a qualified subcontractor to commence and successfully complete the Project in the most cost-effective manner possible, with oversight from Colliers; and

**WHEREAS**, the cost for the Project is estimated to be One Million Six Hundred and Forty-Five Thousand Seven Hundred and Ninety-Five (\$1,645,795.00) Dollars with the Board approving a delegation to FMERA’s Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs for abatement or demolition; and

**WHEREAS**, in the event the amount due to the Borough’s contractor for the work described within the MOU is expected to be greater than One Million Six Hundred and Forty-Five Thousand Seven Hundred and Ninety-Five (\$1,645,795.00), the Borough is required to notify FMERA that additional Project Funds are required. Any increase in costs beyond this amount plus the 10% delegated authority to the Executive Director for unforeseen costs is subject to FMERA’s Board approval; and

**WHEREAS**, the attached amended MOU is in substantially final form. The final terms of the MOU will be subject to the approval of the Executive Director, the Borough of Oceanport and as to form by the Attorney General’s Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the interagency agreement between FMERA and the Borough of Oceanport for funding, asbestos abatement (including removal, monitoring, and associated reporting), demolition, and site restoration activities (including preparation of all applications and associated, prerequisite environmental, engineering services and demolition permits) for Buildings 814, 815, 820, 826 and 830 and (2) grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project, 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: December 18, 2024**

**EXHIBIT 3**

Draft

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Kara Kopach  
Executive Director

**RE:** Approval of the Interagency Agreement between FMERA and the Borough of Oceanport to contract for civil and environmental engineering services

**DATE:** December 18, 2024

**Request**

I am requesting that the Board (1) approve the interagency agreement between FMERA and the Borough of Oceanport for funding, asbestos abatement (including removal, monitoring, and associated reporting), demolition, and site restoration activities (including preparation of all applications and associated, prerequisite environmental, engineering services and demolition permits) for Buildings 814, 815, 820, 826 and 830, which are located on the Main Post section of Fort Monmouth (the “Project”), and (2) the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project.

**Background**

Buildings 814, 815, 820, 826 and 830, which are located on the Main Post of Fort Monmouth, are in locations targeted for utility and infrastructure improvements and/or blight removal. The buildings are outdated and not suitable for future use. The site containing the buildings will be utilized for current and future development. Under the terms of the April 2024 Memorandum of Understanding (“MOU”), referenced below, Colliers Engineering and Design (“Colliers”) has prepared a scope of work for the abatement and demolition of Buildings 814, 815, 820, 826 and 830.

**Civil & Environmental Engineering Services MOU**

At its April 2024 meeting, the Board approved a Memorandum of Understanding with the Borough of Oceanport (“Borough”) to contract for civil and environmental engineering services with regard to the preparation of demolition plans and specification including abatement, demolition and site improvements. The Borough selected Colliers as its engineering firm via a formal RFQ process for the calendar year. Accordingly, the Borough retained Colliers to prepare plans and a scope of work (the “Plans”) for the Project.

The Plans included one set of demolition plans and specifications for the Project Site. The Plans also included surveying services and field/building reconnaissance. The MOU with the Borough was executed on April 24, 2024.

**MOU for Abatement, Demolition, and Project Management for Buildings 814, 815, 820, 826 and 830**

On October 21, 2024, FMERA received the abatement and demolition plans for the Project Site, as defined in the attached MOU, containing Buildings 814, 815, 820, 826 and 830 from Colliers and wishes to enter into a separate MOU with Oceanport for the Borough’s engineer to oversee the public bidding for the demolition and remediation of Buildings 814, 815, 820, 826 and 830.

The purpose of the "Project" consists of the retention of the Borough's engineer, Colliers, for the abatement and demolition of Buildings 814, 815, 820, 826 and 830 located on the Project Site. Colliers' services shall include: bidding services for abatement and demolition contracts and the oversight and completion of the following tasks: removal of all asbestos containing materials (both friable and non-friable materials) from the interior and exterior sections of Buildings 814, 815, 820, 826 and 830, asbestos abatement monitoring and reporting, post asbestos abatement review and the issuance of a final report, the collection, packaging, labeling, and disposal of universal wastes and other hazardous materials found at Buildings 814, 815, 820, 826 and 830 to identified waste management facilities, potential removal of an underground storage tank, proper termination/abandonment (cut and capping)/deenergizing of existing utilities prior to commencement of demolition activities, all demolition work and the final restoration (i.e. grading, top soiling, and seeding) of the Project site. Colliers shall conduct a public bidding process for abatement and demolition services.

Starting a month after selection of the bidder, Colliers shall prepare and submit weekly summary reporting the status of the Project. The goal of this Project is to facilitate a competitive bidding process for the selection a qualified subcontractor to commence and successfully complete the Project in the most cost-effective manner possible, with oversight from Colliers.

The cost for the Project is estimated to be One Million Six Hundred and Forty-Five Thousand Seven Hundred and Ninety-Five (\$1,645,795.00) Dollars with the Board approving a delegation to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs for abatement or demolition. In the event the amount due to the Borough's contractor for the work described within the MOU is expected to be greater than One Million Six Hundred and Forty-Five Thousand Seven Hundred and Ninety-Five (\$1,645,795.00), the Borough is required to notify FMERA that additional Project Funds are required. Any increase in costs beyond this amount plus the 10% delegated authority to the Executive Director for unforeseen costs is subject to FMERA's Board approval.

The attached amended MOU is in substantially final form. The final terms of the MOU will be subject to the approval of the Executive Director, the Borough of Oceanport 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.

### **Recommendation**

In summary, I am requesting that the Board (1) approve the interagency agreement between FMERA and the Borough of Oceanport for funding, asbestos abatement (including removal, monitoring, and associated reporting), demolition, and site restoration activities (including preparation of all applications and associated, prerequisite environmental, engineering services and demolition permits) for Buildings 814, 815, 820, 826 and 830 and (2) grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project.

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Kara Kopach

Prepared by: Regina McGrade



**Resolution Regarding**  
**Interagency Agreement between FMERA and the Borough of Eatontown to contract for oversight of the bid process to complete the Nicodemus Avenue and Wilson Avenue Roadway Reconstruction Project**

**WHEREAS**, the Fort Monmouth Economic Revitalization Authority (FMERA) is working with the Borough of Eatontown to improve access to properties in the Main Post area.

**WHEREAS**, Nicodemus and Wilson (South) Avenues are located on the Main Post of Fort Monmouth within Eatontown. Wilson (South) and the majority of Nicodemus Avenues are owned by FMERA. However, a portion of Nicodemus Avenue extending from the existing Nicodemus gate to Broad Street is owned by the Borough of Eatontown; and

**WHEREAS**, upon completion of the Project, FMERA wishes to dedicate the portions of Nicodemus and Wilson (South) Avenues identified in the MOU to the Borough to improve circulation, permit public traffic, and to provide better access to existing development, including the Gurbisz Park (a.k.a. Eatontown Parks Parcel); and

**WHEREAS**, to accept these roadways, the Borough has requested that Nicodemus and Wilson (South) be improved to municipal standards and that stormwater infrastructure be studied and repaired, as needed. FMERA shall transfer the roadways to the Borough in a substantially similar form as the deed of dedication; and

**WHEREAS**, FMERA and the Borough have mutually agreed that the entirety of Nicodemus Avenue extending from the Nicodemus gate to Broad Street should also be improved for continuity and safety and therefore, the portions of the roadway owned by the Borough will be included in the proposed Project; and

**WHEREAS**, FMERA and the Borough have mutually agreed that the entirety of Nicodemus Avenue extending from the Nicodemus gate to Broad Street should also be improved for continuity and safety and therefore, the portions of the roadway owned by the Borough will be included in the proposed Project; and

**WHEREAS**, FMERA sought the Borough's assistance in planning and carrying out a roadway and stormwater infrastructure improvement project to study, map, repair, and/or replace portions of Nicodemus and Wilson (South) Avenues and associated improvements including roadways, sidewalks, curbing, street lighting, and stormwater infrastructure, including pipes, manholes, catch basins, and outfall structures to support FMERA's redevelopment of the Main Post Property and the transfer of portions of Nicodemus and Wilson (South) Avenues to the Borough; and

**WHEREAS**, the Borough retained ARH Associates, the Borough's conflict engineer, to assist with the Project. The FMERA Board approved a Design Services MOU with the Borough of Eatontown on May 7, 2024. ARH provided FMERA with the final design and bid specifications for the Project in November 2024; and

**WHEREAS**, the Project consists of the retention of the Borough's Conflict Engineer, ARH, for the oversight of the bid process and selection of a contractor to complete necessary improvements to portions of Nicodemus and Wilson (South) Avenues and the associated stormwater infrastructure, as more fully described in the Project scope; and

**WHEREAS**, the Project will include the improvement and restoration of the roadways to municipal standards and incorporate milling/paving on portions of Nicodemus and Wilson (South) Avenues and as further described in the attached memorandum; and

**WHEREAS**, the anticipated cost for the Project is Eight Hundred Seventy Thousand Nine Hundred Forty (\$870,488.30) Dollars. In the event the amount due to the Borough's conflict engineer for the work described within the MOU is expected to be greater than \$870,488.30, the Borough is required to notify FMERA that additional Project

Funds are required. Any increase in costs beyond this amount is subject to FMERA's Board approval.; and

**WHEREAS**, upon execution of the MOU, FMERA shall furnish the Borough with payment for the Project, to be held in escrow and utilized as necessary to complete the Project. Any funds remaining in escrow upon completion shall be promptly returned to FMERA. The Borough shall reimburse FMERA within sixty days of Project completion for any improvements on the Borough-owned portion of the Project Site.; and

**WHEREAS**, the Parties agree that upon completion of the Project, FMERA shall transfer Nicodemus and Wilson (South) Avenues to the Borough of Eatontown within forty-five days of project completion via a deed of dedication. Additional details and provisions are further described in the attached MOU. In addition, staff requests delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs; and

**WHEREAS**, the attached amended MOU is in substantially final form. The final terms of the MOU will be subject to the approval of the Executive Director, the Borough of Eatontown 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. 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 (1) the interagency agreement between FMERA and the Borough of Eatontown for funding, for oversight of the bid process, and repair, construction and installation services to complete the Nicodemus Avenue and Wilson Avenue Roadway Reconstruction Project; (2) the transfer of portions of Nicodemus and Wilson (South) Avenues to Eatontown in a substantially similar form of the MOU, and (3) the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project 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: December 18, 2024**

**EXHIBIT 5**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Kara Kopach  
Executive Director

**RE:** Approval of the Interagency Agreement between FMERA and the Borough of Eatontown to contract for oversight of the bid process to complete the Nicodemus Avenue and Wilson Avenue Roadway Reconstruction Project

**DATE:** December 18, 2024

**Request**

I am requesting that the Board (1) approve the interagency agreement between FMERA and the Borough of Eatontown (“Borough”) for funding, oversight of the bid process, and repair, construction and installation services to complete the Nicodemus Avenue and Wilson Avenue Roadway Reconstruction Project; (2) the transfer of portions of Nicodemus and Wilson (South) Avenues to Eatontown (the “Project”) in a substantially similar form to Exhibit E of the MOU, and (3) the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project.

**Background**

Nicodemus and Wilson (South) Avenues are located on the Main Post of Fort Monmouth within Eatontown, as depicted on **Exhibit A** of the attached proposed Memorandum of Understanding (“MOU”). Wilson (South) and the majority of Nicodemus Avenues are owned by FMERA. However, a portion of Nicodemus Avenue extending from the existing Nicodemus gate to Broad Street is owned by the Borough of Eatontown.

Upon completion of the Project, FMERA wishes to dedicate the portions of Nicodemus and Wilson (South) Avenues identified in the MOU to the Borough to improve circulation, permit public traffic, and to provide better access to existing development, including the Gurbisz Park (a.k.a. Eatontown Parks Parcel). To accept these roadways, the Borough has requested that Nicodemus and Wilson (South) be improved to municipal standards and that stormwater infrastructure be studied and repaired, as needed. FMERA shall transfer the roadways to the Borough in a substantially similar form as the deed of dedication attached to the MOU as Exhibit E.

FMERA and the Borough have mutually agreed that the entirety of Nicodemus Avenue extending from the Nicodemus gate to Broad Street should also be improved for continuity and safety and therefore, the portions of the roadway owned by the Borough will be included in the proposed Project.

FMERA sought the Borough’s assistance in planning and carrying out a roadway and stormwater infrastructure improvement project to study, map, repair, and/or replace portions of Nicodemus and Wilson (South) Avenues and associated improvements including roadways, sidewalks, curbing, street lighting, and stormwater infrastructure, including pipes, manholes, catch basins, and outfall structures to support FMERA's redevelopment of the Main Post Property and the transfer of portions of Nicodemus and Wilson (South) Avenues to the Borough.

The Borough retained ARH Associates, the Borough’s conflict engineer, to assist with the Project. The FMERA Board approved a Design Services MOU with the Borough of Eatontown on May 7, 2024. ARH provided FMERA with the final design and bid specifications for the Project in November 2024.

### **Construction Services MOU**

The Project consists of the retention of the Borough's Conflict Engineer, ARH, for the oversight of the bid process and selection of a contractor to complete necessary improvements to portions of Nicodemus and Wilson (South) Avenues and the associated stormwater infrastructure, as more fully described in the Project scope.

The Project will include the improvement and restoration of the roadways to municipal standards and incorporate milling/paving on portions of Nicodemus and Wilson (South) Avenues, installation of sidewalk and curb ramps, installation of streetlights (as required), relocation of utility poles (as required), replacement of stormwater infrastructure, installation of traffic signage and striping (as required) and narrowing of portions of Nicodemus and Wilson (South) Avenues. A portion of Nicodemus Avenue is owned by the Borough of Eatontown and will also be improved as a part of the Project. The Borough will reimburse FMERA for all costs associated with the improvements on the Borough-owned portion of the Project Site. The Project shall be completed no later than one (1) year from execution of the MOU.

The anticipated cost for the Project is Eight Hundred Seventy Thousand Nine Hundred Forty (\$870,488.30) Dollars. In the event the amount due to the Borough's conflict engineer for the work described within the MOU is expected to be greater than \$870,488.30, the Borough is required to notify FMERA that additional Project Funds are required. Any increase in costs beyond this amount is subject to FMERA's Board approval. Upon execution of the MOU, FMERA shall furnish the Borough with payment for the Project, to be held in escrow and utilized as necessary to complete the Project. Any funds remaining in escrow upon completion shall be promptly returned to FMERA. The Borough shall reimburse FMERA within sixty (60) days of Project completion for any improvements on the Borough owned portion of the Project Site. The Parties agree that upon completion of the Project, FMERA shall transfer Nicodemus and Wilson (South) Avenues to the Borough of Eatontown within forty-five (45) days of project completion via a deed of dedication. Additional details and provisions are further described in the attached MOU. In addition, staff requests delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs.

The attached amended MOU is in substantially final form. The final terms of the MOU will be subject to the approval of the Executive Director, the Borough of Eatontown 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.

### **Recommendation**

In summary, I am requesting that the Board (1) approve the interagency agreement between FMERA and the Borough of Eatontown ("Borough") for funding, for oversight of the bid process, and repair, construction and installation services to complete the Nicodemus Avenue and Wilson Avenue Roadway Reconstruction Project; (2) the transfer of portions of Nicodemus and Wilson (South) Avenues to Eatontown in a substantially similar form to Exhibit E of the MOU, and (3) the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project.

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Kara Kopach

Prepared by: Sarah Giberson

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

**WHEREAS**, at its September 2020 meeting the Board approved a Purchase and Sale Agreement and Redevelopment Agreement (“PSARA”), executed on November 30, 2020, between FMERA and the Borough of Eatontown (“Borough”) for the purchase an approximately 3.82-acre property (the “Parks Parcel”) for recreation uses associated with Eatontown’s Recreation Department; and

**WHEREAS**, the Board approved the conveyance of the Parks Parcel using its approved Evaluation Scoring for Local Beneficial Use Requests and the Borough’s score of 807 entitled it to receive the maximum discount of 40% for a purchase price of \$119,139.00; and

**WHEREAS**, the Park Parcel is situated immediately to the south of a roadway known as Van Guard Avenue, along with significant green space that abuts the Park Parcel boundary, and Van Guard Avenue is currently closed to the public and does not serve as an access point for any other properties; and

**WHEREAS**, the parties will facilitate a secondary closing for the additional acreage after the completion of one sixty (60) day Due Diligence Period, with an option to extend Due Diligence for one (1) additional thirty (30) day period, subject to FMERA’s approval; however, the Approval Period has not been extended and is set to expire on January 29, 2022, with the Additional Approval Extension Period that may be granted at FMERA’s discretion; and

**WHEREAS**, the Borough will expend a minimum amount of \$250,000 to complete its reuse and redevelopment project. The project includes the development of an Eatontown Borough park for active recreation uses and will consist of the demolition of Buildings 787, 788 and 789, with the option to either 1) demolish Building 770 or 2) upgrade Building 770 within the timelines set forth under the PSARA as well as upgrading the existing outdoor area to a standard suitable for public use as a municipal park. The Borough will also be responsible for infrastructure and utility improvements, as further detailed in the PSARA; and

**WHEREAS**, pursuant to the First Amendment to the PSARA, the Parties agreed to include within the sale a portion of land south of Van Guard Avenue (“Van Guard Parcel”) into the larger Property to expand the usable recreation area and provide convenient access and amend the Purchase Price and extend the Due Diligence Period for investigation of the Van Guard Parcel. The First Amendment was executed on July 28, 2021; and

**WHEREAS**, the Borough closed on the property on March 7, 2022; and

**WHEREAS**, pursuant to the PSARA, the Borough was to complete the Redevelopment Project by December 7, 2023; and

**WHEREAS**, on September 20, 2023, via correspondence, the Borough requested, and the Board approved at its October 2023 meeting, an amendment to the Redevelopment Project to construct additional park amenities, as well as to extend the timeline to complete of the Project to no later than December 7, 2024. The Second Amendment was executed on November 14, 2023; and

**WHEREAS**, on November 21, 2024, via correspondence, the Borough requested a twelve-month extension to complete the Project by no later than December 7, 2025. The Borough cited delays in receiving materials related to site’s infrastructure as well as requirements related to the municipal bonding process for funding. Further, site construction must be in alignment with the limitations related to the legal protections afforded to bald eagles that are nested adjacent to the site; and

**WHEREAS**, all other terms of the PSARA will remain unchanged. The attached Third Amendment to the PSARA is in substantially final form. The final terms of the amendment will be subject to the approval of FMERA's Executive Director, the Borough of Eatontown, and 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 & Redevelopment Agreement with the Borough of Eatontown for the Nicodemus Avenue Park Parcel 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: December 18, 2024**

**EXHIBIT 5**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Kara Kopach  
Executive Director

**RE:** Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement with the Borough of Eatontown for a Parks & Recreation Complex on the Nicodemus Avenue Park Parcel

**DATE:** December 18, 2024

**Request**

I am requesting that the Board approve the execution of the Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement (“PSARA”) with the Borough of Eatontown (“Borough”) to include an additional 0.79 +/- acre tract of land in the Park Parcel, located along Nicodemus Avenue in the Eatontown Section of Fort Monmouth, New Jersey.

**Background**

On May 18, 2016, the Board approved Evaluation Scoring for Local Beneficial Use Requests. The Borough requested that this conveyance be administered as a Local Beneficial Use (“LBU”) transaction. Accordingly, the Borough’s proposed use of the Property was reviewed and scored by FMERA staff utilizing the Board approved LBU criteria. This scoring is used to determine the discounted purchase price of the Property. Using the Fort’s appraisal for the land area in the Main Post, the fair market value of 3.82 acres for open space recreation use, net of the demolition costs, results in an estimated value of \$198,565 for the Property. The scoring of the Borough’s proposed use of the Property was 807, which entitled the Borough to the maximum discount of 40% and resulting in a purchase price of \$119,139.00. The Borough of Eatontown has also received grant funding specifically for open space & recreational use that will help facilitate the redevelopment of the Property.

**Purchase and Sale & Redevelopment Agreement**

Pursuant to the terms of the PSARA approved by the Board in September 2020, executed November 30, 2020, the Borough will expend a minimum amount of \$250,000 to complete its reuse and redevelopment of the Property for use as an Eatontown Borough park for active recreation uses. In addition, the Borough shall create approximately two (2) construction related, temporary part-time and/or full-time jobs at the Property by twelve (12) months after project completion or pay a penalty of \$1,500 per job not created. The Borough is responsible for infrastructure and utility improvements as further detailed in the PSARA.

**First Amendment to the PSARA**

Pursuant to the First Amendment to the Agreement, the Parties agreed to include within the sale a portion of land south of Van Guard Avenue into the Property (“Van Guard Parcel”) into the larger Property to expand the usable recreation area and provide convenient access. In addition, the First Amendment amended the Purchase Price and extended the Due Diligence Period for investigation of the Van Guard Parcel. The First Amendment was executed on July 28, 2021. The Borough closed on the Property on March 7, 2022.



### **Second Amendment to the PSARA**

Pursuant to the Agreement, the Borough was to complete the Redevelopment Project which consisted of the demolition of Buildings 787, 788, 789 and either demolition or upgrading Building 770 and generally upgrading the existing outdoor space for public use by December 7, 2023.

On September 20, 2023, via correspondence, the Borough requested, and the Board approved at its October 2023 meeting, an amendment to the Redevelopment Project to construct additional park amenities, as well as to extend the timeline to complete of the Project to no later than December 7, 2024. The Second Amendment was executed on November 14, 2023.

### **Third Amendment to the PSARA**

On November 21, 2024, via correspondence, the Borough requested a twelve (12) month extension to complete the Project by no later than December 7, 2025. The Borough cited delays in receiving materials related to site's infrastructure as well as requirements related to the municipal bonding process for funding. Further, site construction must be in alignment with the limitations related to the legal protections afforded to bald eagles that are nested adjacent to the site.

The attached Third Amendment to the PSARA is in substantially final form. The final terms of the amendment will be subject to the approval of FMERA's Executive Director, the Borough of Eatontown, and as to form by the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

### **Recommendation**

In summary, I am requesting that the Board approve the Third Amendment to the Purchase and Sale & Redevelopment Agreement with the Borough of Eatontown for the Nicodemus Avenue Park Parcel in Eatontown.

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Kara Kopach

Prepared by: Sarah Giberson

**Resolution Regarding  
Conveyance of Sanger Avenue to the County of Monmouth**

**WHEREAS**, in an effort to coordinate the redevelopment of Fort Monmouth, FMERA is working with the County of Monmouth to improve access to properties in the Main Post Area and the surrounding communities; and

**WHEREAS**, Sanger Avenue is a critical roadway to provide access between the County owned roads of Sherrill Avenue and Avenue of Memories. The County has agreed to accept ownership of Sanger Avenue and dedicate it as public rights-of-way, in order to facilitate the continued redevelopment of the Fort and improve traffic flow in the area; and

**WHEREAS**, FMERA will convey the property in as-is, where-is condition via the attached Deed of Roadway Dedication (“Deed”) that has been reviewed and approved by the County. Upon conveyance of the property to the County, which measures approximately 1.186 acres, the County will be responsible for its maintenance; and

**WHEREAS**, the attached Deed is in substantially final form. The final Deed will be subject to the Approval of the Executive Director, the Borough of Oceanport and as to form by the Attorney General’s Office; and

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

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the Deed of Roadway Dedication between FMERA and the County of Monmouth for the transfer of Sanger Avenue 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 Sanger Avenue Deed of Roadway Dedication.
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: December 18, 2024**

**EXHIBIT 6**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Kara Kopach  
Executive Director

**DATE:** December 18, 2024

**RE:** Recommendation to Approve Conveyance of Sanger Avenue to the County of Monmouth

**Request**

I am requesting that the Board authorize the conveyance of Sanger Avenue (as shown on the attached survey) to the County of Monmouth for use as a public roadway.

**Background**

In an effort to coordinate the redevelopment of Fort Monmouth, FMERA is working with the County of Monmouth ("County") to improve access to properties in the Main Post Area and the surrounding communities. Sanger Avenue is a critical roadway to provide access between the County owned roads of Sherrill Avenue and Avenue of Memories. The County has agreed to accept ownership of Sanger Avenue and dedicate it as public rights-of-way, in order to facilitate the continued redevelopment of the Fort and improve traffic flow in the area.

FMERA will convey the property in as-is, where-is condition via the attached Deed of Roadway Dedication ("Deed") that has been reviewed and approved by the County. Upon conveyance of the property to the County, which measures approximately 1.186 acres, the County will be responsible for its maintenance.

The attached Deed of Dedication is in substantially final form. The final document will be subject to the approval of FMERA's Executive Director, the County and as to form by the Attorney General's Office.

**Recommendation**

In summary, I am requesting that the Board approve the conveyance of Sanger Avenue (as shown on the attached survey) to the County of Monmouth for use as a public roadway.

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Kara Kopach

Attachments: Deed of Roadway Dedication  
Survey of Sanger Avenue

Prepared by: Laura Drahushak