

**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 – July 17, 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**
 - Audit Committee – Anthony Talerico, Jr., Chairman
 - Real Estate Committee – McKenzie Wilson, Chairwoman
 - Environmental Staff Advisory Committee – Elizabeth Dragon, Chairwoman
 - Historical Preservation Staff Advisory Committee – Tom Tvrdik, Chairman
 - Housing Staff Advisory Committee – Vacant, Chairperson
 - Veterans Staff Advisory Committee – Vacant, Chairperson
10. **Board Actions**
 1. Consideration of Approval of the Second Amendment to the Interagency Agreement between FMERA and the Borough of Oceanport to contract for civil and environmental engineering services for the demolition of Buildings 550 & 551.
 2. Consideration of Approval of the Interagency Agreement between FMERA and the Borough of Oceanport for civil and engineering services for the Husky Brook Pond dredging Feasibility Study in Eatontown.
 3. Consideration of Approval of the Reinstatement and Second Amendment to the Purchase and Sale Agreement with the County of Monmouth for the Wetlands Preservation Area on the Woodlands Parcel.
 4. Consideration of Approval for Authorization for the Issuance of a Request for Offers to Purchase for the Eatontown Housing Complex in Eatontown.
11. **Other Items**
12. **Public Comment Regarding any FMERA Business**
13. **Adjournment**



MEMORANDUM

To: Members of the Board

From: Kara Kopach
Executive Director

Date: July 17, 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

With the close of the second quarter on June 30th, FMERA staff is preparing the financial and operational summary for the first half of 2024. Staff will be meeting to review the first six months of 2024 and assess performance against the 2024 organization goals. FMERA controls spending to the extent possible and expects to be on or under budget through year-end.

Executive Director's Report

• Update on Utilities and Infrastructure

- The Six remaining former army sanitary pump stations on the main post have now been completely abandoned. Electrical infrastructure to each pump station and the emergency generators have been removed. The structures are now ready for abatement and demolition. In 2017 there were eleven pump stations on the main post, and two on the Suneagles Golf Course. The closure of all thirteen pump stations is a huge milestone for FMERA as efforts are being made to completely shut down the antiquated Army sewer system.
- The installation of a new water service line to the McAfee Center and Building 602 is complete. FMERA is now waiting for New Jersey American Water to complete the wet tap connecting the new service to the 24" NJAW water main along Avenue of Memories. The McAfee Center and 602 are the last two facilities on the old Army operated water system. Once the tie-in is complete the buildings will be fed by New Jersey American Water, and FMERA will abandon the old water 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 recently received the CAFRA permit for the substation portion of the buildout from the New Jersey Department of Environmental Protection. This new infrastructure will systematically replace the existing 4160V electrical grid and make JCP&L the primary power provider. FMERA continues to repair, replace, and maintain aged electrical infrastructure on the Fort pending the commissioning of the new substation and distribution system.
- The abatement and demolition project, which will ultimately clear Buildings 550 and 551 from the parcel of the same name continues. There were unanticipated asbestos issues in one of the buildings which are being addressed by the contractor. This pushes the project completion out until year's end.
- Field data collection continues in evaluating the condition of stormwater infrastructure located on the Main Post of Fort Monmouth. The project involves identifying and recording necessary repairs and/or replacements 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 are made.
- Two new infrastructure projects will commence this summer and fall. Working with Two Rivers Water Reclamation Authority, the 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

- The Facilities and On-site Maintenance Teams 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 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.

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

- Fabrications Shops (Pinebrook Road Commerce Center), 45,000 sq. ft. of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC. A closing is planned this summer.
- 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 35 parcels, and another 6 parcels are under contract or have Board-approved contracts for a first-generation project. FMERA is pleased to report it closed on the Nurses Quarters property which is slated for the redevelopment of 24 existing residential units and the new construction of 10 townhomes in Oceanport, with a 20% affordable housing set aside. FMERA anticipates closing on another property within the next few weeks.

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 is rehabilitating three structures on the site and has begun construction of its new facilities, new homes continue to populate the Parkers Creek development by Pulte, and Baseline Social is now open, offering dining and interactive experiences, like golf caves and live music, at the former Commissary. Mr. Green Tea, the specialty mochi and ice cream distributor is also open, alongside Baseline and Birdsmouth Brewery. In Eatontown, the historic rehabilitation and renovation of Gibbs Hall is now complete. 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. Lennar's professionals have started work on-site at the Howard Commons property. In Tinton Falls, most of the Charles Wood area is already developed. However, construction of RWJBarnabas Health's medical campus has begun with the 100,000 sf Cancer Center. Trinity Hall recently hosted a groundbreaking ceremony to celebrate the beginning of its third-generation project.

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. FMERA is currently in the process of abating and demolishing two buildings across from the Fort Athletic Club that will ultimately provide space for additional community parking for the Fort-wide walking trail and other amenities. As for the Mega Parcel, Netflix's plans for Phase 1a have been reviewed by FMERA and a Mandatory Conceptual Review letter has been issued. The plans will ultimately be reviewed by the municipalities and the County for Planning Board approvals, as well. Plan Amendment #20 set forth the overlay zoning that will be utilized for review and compliance. Netflix has also begun work on site plans for their next phase of redevelopment. While the developer continues to move forward ahead of schedule, the approval period is 36 months and substantial administrative work needs to be completed. At present, Netflix is beginning to clear out Vail Hall, which is slated for reuse. FMERA staff will begin the process of drafting its next Request for Offers to Purchase for an affordable housing development on the Eatontown Housing Parcel, which is also subject to Plan Amendment # 20. FMERA anticipates issuing an RFOTP for this parcel in the next several months.

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

FMERA looks forward to the next Fort Owner's Group meeting this July, where FMERA provides redevelopment updates and our business stakeholders have an opportunity to network, share updates, and support the growing business 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 and follow us on Instagram at @fortmonmouthnj for our latest updates.


Kara Kopach

Prepared by: Regina McGrade

Resolution Regarding
Second Amendment to the Interagency Agreement between FMERA and the Borough of Oceanport to contract for civil and environmental engineering services

WHEREAS, Buildings 550 and 551, which are located on the Main Post of Fort Monmouth in Oceanport are outdated and not suitable for future use. The buildings are in locations targeted for infrastructure improvements and/or blight removal. The buildings may be used for future public parking. 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, at its June 2022 meeting, the Board approved a Memorandum of Understanding (“MOU”) with the Borough of Oceanport (“Borough”) to contract for civil and environmental engineering services for 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, on August 21, 2023, FMERA received the demolition plans for the Project Site, containing Buildings 550 & 551 from Colliers and entered into a separate MOU with Oceanport for the Borough’s engineer to oversee the public bidding for the demolition and remediation of Buildings 550 & 551. The MOU was executed on October 6, 2023; and

WHEREAS, the purpose of the Project consists of the retention of the Borough’s engineer, Colliers, for the abatement and demolition of Buildings 550 & 551 located on the Project Site. Colliers’ services shall include bidding services for abatement and demolition contracts and the oversight of the tasks as described in the attached memorandum. Colliers conducted a public bidding process for abatement and demolition services; and

WHEREAS, the cost for the Project was estimated to be Four Hundred and Seventy Thousand Four Hundred and Twenty (\$470,420.00) 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 Amendment was expected to be greater than \$470,420.00, the Borough was 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, on November 30, 2023, Colliers received six bids for the asbestos abatement, demolition, and site restoration of Buildings 550 and 551 with the lowest compliant bidder, Yannuzzi Group, bidding Three Hundred Ninety-Six Thousand Three Hundred and Nine (\$396,309.00) Dollars for the project. The total costs of the bid along with Colliers oversight fees exceeds the Project Funds of Four Hundred and Seventy Thousand Four Hundred and Twenty (\$470,420.00) Dollars. The additional costs were attributed to severe mold issues in Building 551; and

WHEREAS, on January 17, 2024, the Board approved the First Amendment to the MOU to increase the Project Funds to allow the acceptance of the lowest compliant bid for the asbestos abatement, demolition and site restoration activities for Buildings 550 and 551. FMERA paid the costs of the Project, not to exceed Five Hundred and Sixteen Thousand Seven Hundred and Twenty-Nine (\$516,729.00) Dollars. In addition, staff requested delegated authority to FMERA’s Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs for demolition or environmental abatement. The First Amendment was executed on February 2, 2024.

WHEREAS, during the abatement work being performed at Building 551, it was discovered that the asbestos pipe insulation in the crawl space had deteriorated to a point where it was sluffing off and contaminating the soil below it. In order to remove this contaminated soil, the top inch of soil has to be removed manually to be characterized by sampling and testing the disposal facility, the total amount of the disposal costs will have to be increased to provide for proper disposal of the contaminated soil. The soil contamination is an unforeseen condition that the bidders could not

have anticipated.

WHEREAS, the Project funds were estimated to be Five Hundred and Sixteen Thousand Seven Hundred and Twenty-Nine (\$516,729.00) Dollars. The increase in costs to perform the remedial action along with Colliers oversight fees will increase the total costs by Two Hundred and Three Thousand Six Hundred and Fifty (\$203,650.00) Dollars as well as the Executive Director's delegated authority to increase costs by 10% for additional unforeseen costs

WHEREAS, the Parties now wish to enter into an amendment to increase the Project Funds to continue the asbestos abatement, demolition and site restoration activities for Buildings 550 and 551. FMERA will pay the costs of the Project, not to exceed Seven Hundred and Twenty Thousand Three Hundred and Seventy-Nine (\$720,379.00) Dollars. 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 for demolition and environmental abatement; and

WHEREAS, the attached Second Amendment is in substantially final form. The final terms of the Agreement 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.

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 Second Amendment to 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 550 and 551 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: July 17, 2024

EXHIBIT 1

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

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

DATE: July 17, 2024

Request

I am requesting that the Board (1) approve the Second Amendment to the Interagency Agreement (“Agreement”) between FMERA and the Borough of Oceanport for funding, asbestos abatement (including removal, monitoring, and associated reporting), demolition, and site restoration activities for Buildings 550 and 551, which are located in the Oceanport 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 550 and 551, which are located on the Main Post of Fort Monmouth in Oceanport, are in locations targeted for infrastructure improvements and/or blight removal. The buildings may be used for future public parking. Under the terms of the June 2022 Memorandum of Understanding (“MOU”), referenced below, Colliers Engineering and Design (“Colliers”) has prepared a scope of work for the abatement and demolition of Buildings 550 and 551.

Interagency Agreement for Abatement, Demolition, and Project Management for Buildings 550 & 551

On August 21, 2023, FMERA received the demolition plans for the Project Site, containing Buildings 550 & 551 from Colliers and entered into a separate MOU with Oceanport for the Borough’s engineer to oversee the public bidding for the demolition and remediation of Buildings 550 & 551. The MOU was executed on October 6, 2023.

The purpose of the “Project” consists of the retention of the Borough’s engineer, Colliers, for the abatement and demolition of Buildings 550 & 551 located on the Project Site. Colliers’ services shall include: bidding services for abatement and demolition contracts and the oversight of the following tasks: removal of all asbestos containing materials (both friable and non-friable materials) from the interior and exterior sections of Buildings 550 and 551, 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 Building 550 and 551 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 conducted a public bidding process for abatement and demolition services.

The cost for the Project was estimated to be Four Hundred and Seventy Thousand Four Hundred and Twenty (\$470,420.00) 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 Amendment was expected to be greater than \$470,420.00, the Borough was 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.

On November 30, 2023, Colliers received six bids for the asbestos abatement, demolition, and site restoration of Buildings 550 and 551 with the lowest compliant bidder, Yannuzzi Group, bidding Three Hundred Ninety-Six Thousand Three Hundred and Nine (\$396,309.00) Dollars for the project. The total costs of the bid along with Colliers oversight fees exceeds the Project Funds of Four Hundred and Seventy Thousand Four Hundred and Twenty (\$470,420.00) Dollars. The additional costs were attributed to severe mold issues in Building 551.

First Amendment to MOU

On January 17, 2024, the Board approved the First Amendment to the MOU to increase the Project Funds to allow the acceptance of the lowest compliant bid for the asbestos abatement, demolition and site restoration activities for Buildings 550 and 551. FMERA paid the costs of the Project, not to exceed Five Hundred and Sixteen Thousand Seven Hundred and Twenty-Nine (\$516,729.00) Dollars. In addition, staff requested delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs for demolition or environmental abatement. The First Amendment was executed on February 2, 2024.

Second Amendment to the MOU

During the abatement work being performed at Building 551, it was discovered that the asbestos pipe insulation in the crawl space had deteriorated to a point where it was sluffing off and contaminating the soil below it. In order to remove this contaminated soil, the top inch of soil has to be removed manually to be characterized by sampling and testing the disposal facility, the total amount of the disposal costs will have to be increased to provide for proper disposal of the contaminated soil. The soil contamination is an unforeseen condition that the bidders could not have anticipated. The Project funds were estimated to be Five Hundred and Sixteen Thousand Seven Hundred and Twenty-Nine (\$516,729.00) Dollars. The increase in costs to perform the remedial action along with Colliers oversight fees will increase the total costs by Two Hundred and Three Thousand Six Hundred and Fifty (\$203,650.00) Dollars as well as the Executive Director's delegated authority to increase costs by 10% for additional unforeseen costs

The Parties now wish to enter into an amendment to increase the Project Funds to continue the asbestos abatement, demolition and site restoration activities for Buildings 550 and 551.

FMERA will pay the costs of the Project, not to exceed Seven Hundred and Twenty Thousand Three Hundred and Seventy-Nine (\$720,379.00) Dollars. 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 for demolition and environmental abatement.

The attached Second Amendment is in substantially final form. The final terms of the Agreement 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 Second Amendment to 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 550 and 551 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.


Kara Kopach

Attachment: Memorandum of Understanding
Prepared by: Regina McGrade

**Resolution Regarding
Approval of the Interagency Agreement between FMERA and the Borough of Oceanport for civil and
engineering services.**

WHEREAS, the U.S Army created a man-made pond which it named “Husky Brook Pond” (the “pond”) between the years of 1963 and 1969. The pond is 6.8 acres in size and is located in the south-central portion of the Eatontown section of the Main Post. The pond is fed by Husky Brook Creek which is located to the west. The Army created the pond for both stormwater management and recreational purposes. The pond has been silting in over the last 60 years. As a result, the pond has lost a significant portion of its stormwater storage capacity which can be physically observed. The pond is also in a state of ecological decline; and

WHEREAS, the Borough selected Colliers Engineering and Design (“Colliers”) as the Borough’s engineering firm via a formal RFQ process for the calendar year. Accordingly, the Borough will retain Colliers for project oversight (including bidding oversight), for the Husky Brook feasibility study; and

WHEREAS, on February 29, 2024 (revised on May 14, 2024), FMERA received a cost proposal from Colliers, attached as **Exhibit A**, for professional engineering services associated with the performance of a Feasibility Study to evaluate the viability of dredging the pond (the “Project Site”) located within the boundaries of the Main Post Area of Fort Monmouth as more specifically set forth in **Exhibit B**. The Parties agree that the statements contained in the cost proposal are incorporated into the MOU; and

WHEREAS, FMERA will pay for the costs of the project not to exceed Two Hundred and Ninety-Three Thousand One Hundred Fifty (\$293,150.00) Dollars (“Project Funds”), which is inclusive of costs for professional engineering services; and

WHEREAS, upon completion of the dredging feasibility study, FMERA and the Borough may enter into a MOU for the design of the dredging project and associated permitting requirements and an additional MOU for oversight of the bid process and dredging project to complete the dredging. Also, upon completion of the dredging feasibility study and completion of all work related to dredging the pond, FMERA intends to convey ownership of Husky Brook to a public entity to further facilitate the redevelopment, offer a community open space resource while improving the stormwater infrastructure in the area and eliminating flooding in the surrounding area; and

WHEREAS, in consultation with Colliers, FMERA will review and approve the Plans as prepared by Colliers under this MOU, and any modification thereof. The Borough shall not be required to utilize any of its own funds to pay costs or expenses of the Project. The Borough will return to FMERA upon completion of the Project any amount of the Project Funds that are not expended for the Project; and

WHEREAS, in the event the amount due to the Borough's Engineer for the Project Costs is expected to be greater than Two Hundred and Ninety-Three Thousand One Hundred and Fifty (\$293,150.00) Dollars, the Borough will notify FMERA that additional Project Funds are required. Any increase in the cost beyond ten (10%) percent of the Project Funds is subject to FMERA's Board approval; and

WHEREAS, in addition, staff requests the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed ten (10%) percent for unforeseen costs associated with the Project. Any increase in the cost beyond ten (10%) percent of the Project Funds will be subject to FMERA 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 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 (1) a Memorandum of Understanding between FMERA and the Borough of Oceanport to contract for the civil and environmental engineering services to perform a Feasibility Study to evaluate the viability of dredging Husky Brook Pond 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 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: July 17, 2024

EXHIBIT 2

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 for civil and engineering services.

DATE: July 17, 2024

Request

I am requesting that the Board approve (1) a Memorandum of Understanding (“MOU”) between the Fort Monmouth Economic Revitalization Authority (“FMERA”) and the Borough of Oceanport (the “Borough”) (collectively the “Parties”) to contract for the civil and environmental engineering services to perform a Feasibility Study to evaluate the viability of dredging Husky Brook Pond 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

The U.S Army created a man-made pond which it named “Husky Brook Pond” (the “pond”) between the years of 1963 and 1969. The pond is 6.8 acres in size and is located in the south-central portion of the Eatontown section of the Main Post. The pond is fed by Husky Brook Creek which is located to the west. The Army created the pond for both stormwater management and recreational purposes. The pond has been silting in over the last 60 years. As a result, the pond has lost a significant portion of its stormwater storage capacity which can be physically observed. The pond is also in a state of ecological decline.

The Borough selected Colliers Engineering and Design (“Colliers”) as the Borough’s engineering firm via a formal RFQ process for the calendar year. Accordingly, the Borough will retain Colliers for project oversight (including bidding oversight), for the Husky Brook feasibility study.

Memorandum of Understanding

On February 29, 2024 (revised on May 14, 2024), FMERA received a cost proposal from Colliers, attached as **Exhibit A**, for professional engineering services associated with the performance of a Feasibility Study to evaluate the viability of dredging the pond (the “Project Site”) located within the boundaries of the Main Post Area of Fort Monmouth as more specifically set forth in **Exhibit B**. The Parties agree that the statements contained in the cost proposal are incorporated into the MOU.

FMERA will pay for the costs of the project not to exceed Two Hundred and Ninety-Three Thousand One Hundred Fifty (\$293,150.00) Dollars (“Project Funds”), which is inclusive of costs for professional engineering services.

Upon completion of the dredging feasibility study, FMERA and the Borough may enter into a MOU for the design of the dredging project and associated permitting requirements and an additional MOU for oversight of the bid process and dredging project to complete the dredging. Also, upon completion of the dredging feasibility study and completion of all work related to dredging the pond, FMERA intends to convey ownership of Husky Brook

to a public entity to further facilitate the redevelopment, offer a community open space resource while improving the stormwater infrastructure in the area and eliminating flooding in the surrounding area.

In consultation with Colliers, FMERA will review and approve the Plans as prepared by Colliers under this MOU, and any modification thereof. The Borough shall not be required to utilize any of its own funds to pay costs or expenses of the Project. The Borough will return to FMERA upon completion of the Project any amount of the Project Funds that are not expended for the Project.

In the event the amount due to the Borough's Engineer for the Project Costs is expected to be greater than Two Hundred and Ninety-Three Thousand One Hundred and Fifty (\$293,150.00) Dollars, the Borough will notify FMERA that additional Project Funds are required. Any increase in the cost beyond ten (10%) percent of the Project Funds is subject to FMERA's Board approval.

In addition, staff requests the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed ten (10%) percent for unforeseen costs associated with the Project. Any increase in the cost beyond ten (10%) percent of the Project Funds will be subject to FMERA Board approval.

The attached 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 approve (1) a Memorandum of Understanding between FMERA and the Borough of Oceanport to contract for the civil and environmental engineering services to perform a Feasibility Study to evaluate the viability of dredging Husky Brook Pond 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.


Kara Kopach

Attachment: Memorandum of Understanding
Prepared by: Regina McGrade

**Resolution Regarding
Reinstatement and Second Amendment to the Purchase and Sale Agreement with the County of Monmouth
for the Wetlands Preservation Area on the Woodlands Parcel**

WHEREAS, the County of Monmouth requested that the Woodlands Parcel conveyance (the “Property”) be administered as a Local Beneficial Use (“LBU”) transaction. On May 18, 2016, the Board approved Evaluation Scoring for Local Beneficial Use Requests. Accordingly, the County’s proposed use of the Property was reviewed and scored by FMERA staff utilizing the Board approved LBU criteria. This scoring criteria was used to determine the discounted purchase price of the Property. Appraiser Robert Gagliano’s fair market value for the land was determined to be \$90,000 and the scoring of the County's proposed use of the Property was 633, which entitled the Borough to a discount of 30%, resulting in a purchase price of \$63,000.00; and

WHEREAS, pursuant to the terms of the PSA approved by the Board in July 2023, and executed December 6, 2023, the County will pay \$63,000.00 for the approximately 23.78-acre property for county open space preservation, as a publicly accessible Monmouth County park for passive open space/recreation uses. The County also has the option to include a wetlands boardwalk and/or walking path for public use, as long as only minor site plan or approval would be necessary and subject to review and approval by FMERA; and

WHEREAS, per the PSA, Purchaser will have a ninety-day Due Diligence Period commencing on the Effective Date of the PSA with an option to extend Due Diligence for one additional thirty day period. Since the Property will not be redeveloped, an Approval Period is not required. Closing of title may occur within thirty (30) days after the completion of Due Diligence. FMERA will convey the Property to the County in as-is condition, but with clear title and subject to the Army’s on-going obligations under CERCLA to address any pre-existing contamination that may exist on the Property. As this is a preservation initiative, no jobs will be created at the site and the County will invest approximately \$5,000 to improve the Property; and

WHEREAS, the Property shall be transferred subject to a public open space deed restriction; and

WHEREAS, utilities are not anticipated to be needed at the Property, however, if required, electric service shall be coordinated with JCP&L. The County shall be responsible for replacement, repair, maintenance and/or relocation of utilities within the Property to serve the Project, as applicable, subject to FMERA’s review and approval. FMERA intends to record easements for on-site, existing sanitary sewer mains that provide off-site service; and

WHEREAS, by email correspondence dated November 7, 2023, the County requested that FMERA deliver the Property in two quitclaim deeds; one deed to permit a right of way outside the Green Acres restricted portion of the Property that would be funded through the County’s general funds (the “ROW Parcel”) and the second deed to allow for a transfer of the portion of the Property that is not subject to the open space deed restriction (the “Open Space Parcel”); and

WHEREAS, FMERA supported this request subject to receipt of an updated survey and the apportionment of the pro rata cost per acre between the two parcels and requested delegated authority from the FMERA Board to authorize same; and

WHEREAS, further, by letter dated March 21, 2024, the County conditionally terminated the Agreement and requested the reinstatement of the PSA and a 90-day extension of the Due Diligence Period, or until July 3, 2024, to solicit a new surveyor and further investigate three areas of concern identified on the Property during the Due Diligence Period.

WHEREAS, as the County was proceeding in good faith, both of the above-described requests were granted by the FMERA Board at its April 2024 meeting. The First Amendment was executed June 6, 2024; and

WHEREAS, by email correspondence dated July 1, 2024, the County requested an additional 60-day extension of the Due Diligence Period to conduct additional Phase 2 investigations regarding areas of concern identified on the Property and notes that the investigation process has taken longer than anticipated. As the Due Diligence Period is set to expire on

July 3, 2024, the County conditionally terminated the PSA and seeks to have the PSA reinstated along with the approval of a Due Diligence extension; and

WHEREAS, FMERA's environmental officer has reviewed the County's environmental workplan and as the County is moving forward in good faith, FMERA staff supports the reinstatement of the PSA and a sixty (60) day extension to the Due Diligence Period or until September 2, 2024; and

WHEREAS, attached in substantially final form is the Reinstatement and Second Amendment to the PSA between FMERA and the County of Monmouth. The final terms of the Reinstatement and Second Amendment to the PSA are subject to the approval of FMERA's Executive Director, the County of Monmouth 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 execution of the Reinstatement and Second Amendment to the Purchase and Sale Agreement with the County of Monmouth for the Woodlands Parcel in Tinton Falls.

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

Attachment

Dated: July 17, 2024

EXHIBIT 3

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Reinstatement and Second Amendment to the Purchase and Sale Agreement with the County of Monmouth for the Wetlands Preservation Area on the Woodlands Parcel

DATE: July 17, 2024

Request

I am requesting that the Board approve the Reinstatement and Second Amendment to the Purchase and Sale Agreement ("PSA") with the County of Monmouth ("County") for a 23.78-acre tract known as the Woodland Parcel ("the Property") bounded roughly by Hope Road, the Fabrication Shops Parcel, Laboratory Road, and the Anthem Place residential development in the Tinton Falls 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. Appraiser Robert Gagliano's fair market value for the land was determined to be \$90,000. The scoring of the County's proposed use of the Property was 633, which entitles the Borough to a discount of 30%, resulting in a purchase price of \$63,000.00.

Purchase and Sale Agreement

Pursuant to the terms of the PSA approved by the Board in July 2023, and executed December 6, 2023, the County will pay \$63,000.00 for the approximately 23.78-acre property for county open space preservation, as a publicly accessible Monmouth County park for passive open space/recreation uses. The County also has the option to include a wetlands boardwalk and/or walking path for public use, as long as only minor site plan or approval would be necessary and subject to review and approval by FMERA. Per the PSA, Purchaser had a ninety (90) day Due Diligence Period commencing on the Effective Date of the PSA with an option to extend Due Diligence for one (1) additional thirty (30) day period. Since the Property will not be redeveloped, an Approval Period is not required. Closing may occur within thirty (30) days after completion of Due Diligence. FMERA will convey the Property to the County in as-is condition, but with clear title and subject to the Army's on-going obligations under CERCLA to address any pre-existing contamination that may exist on the Property. As this is a preservation initiative, no jobs will be created at the site and the County will invest approximately \$5,000 to improve the Property.

The Property shall be transferred subject to a public open space deed restriction.

Utilities are not anticipated to be needed at the Property, however, if required, electric service shall be coordinated with JCP&L. The County shall be responsible for replacement, repair, maintenance and/or relocation of utilities within the Property to serve the Project, as applicable, subject to FMERA's review and approval. FMERA intends to record easements for on-site, existing sanitary sewer mains that provide off-site service.

First Amendment to the Purchase and Sale Agreement

By email correspondence dated November 7, 2023, the County requested that FMERA deliver the Property in two quitclaim deeds; one deed to permit a right of way outside the Green Acres restricted portion of the Property that would be funded through the County's general funds (the "ROW Parcel") and the second deed to allow for a transfer of the portion of the Property that is not subject to the open space deed restriction (the "Open Space Parcel"). FMERA supported this request subject to receipt of an updated survey and the apportionment of the pro rata cost per acre between the two parcels and requested delegated authority from the FMERA Board to authorize same.

Further, by letter dated March 21, 2024, the County conditionally terminated the Agreement and requested the reinstatement of the PSA and a 90-day extension of the Due Diligence Period, or until July 3, 2024, to solicit a new surveyor and further investigate three areas of concern identified on the Property during the Due Diligence Period.

As the County was proceeding in good faith, both of the above-described requests were granted by the FMERA Board at its April 2024 meeting. The First Amendment was executed June 6, 2024.

Second Amendment to the Purchase and Sale Agreement

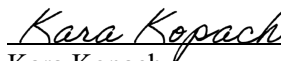
By email correspondence dated July 1, 2024, the County requested an additional 60-day extension of the Due Diligence Period to conduct additional Phase 2 investigations regarding areas of concern identified on the Property and notes that the investigation process has taken longer than anticipated. As the Due Diligence Period is set to expire on July 3, 2024, the County conditionally terminated the PSA and seeks to have the PSA reinstated along with the approval of a Due Diligence extension.

FMERA's environmental officer has reviewed the County's environmental workplan and as the County is moving forward in good faith, FMERA staff supports the reinstatement of the PSA and a sixty (60) day extension to the Due Diligence Period or until September 2, 2024.

Attached in substantially final form is the Reinstatement and Second Amendment to the PSA between FMERA and the County of Monmouth. The final terms of the Reinstatement and Second Amendment to the PSA are subject to the approval of FMERA's Executive Director, the County of Monmouth 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 authorize the execution of the Reinstatement and Second Amendment to the Purchase and Sale Agreement with the County of Monmouth for the Woodlands Parcel in Tinton Falls.


Kara Kopach

Attachment: Reinstatement and Second Amendment to the PSA
Prepared by: Sarah Giberson

Resolution Regarding
Request for Authorization for the Issuance of a Request for Offers to Purchase for the Eatontown Housing Parcel
in the Borough of Eatontown

WHEREAS, the FMERA Board approved the Rules for the Sale of Real and Personal Property (the “Sales Rules”) at the August 17, 2011 meeting of the Authority. In accordance with N.J.A.C. 19:31C-2.5(a), before advertising a particular parcel of real property and accompanying personal property as being available for sale through the offer to purchase process, the Board shall review and approve a recommendation of the Director and FMERA to offer the property for sale through that process. In its determination to use the requests for offers to purchase process, the Board also may consider various factors including, but not limited to, purchase price, jobs to be created and timing, to determine whether the requests for offers to purchase process will enhance the economic value to FMERA. After the RFOTP is issued and offers are received and negotiated, the Director and FMERA staff shall present a recommendation to the Board to accept an offer, to terminate negotiations regarding offers, or to take other appropriate action; and

WHEREAS, the Mega Parcel RFOTP issued March 8, 2022, sought proposals to redevelop the approximately 292-acre Mega Parcel with a transformative, campus-like development and permitted a wide array of uses in alignment with the Governor’s strategic economic priorities. Under the terms of the RFOTP, residential development was also permitted with a maximum number of 302 residential units in the Borough of Eatontown and a maximum number of 234 residential units in Oceanport, with the required twenty percent (20%) set aside for affordable housing. The RFOTP set-forth that should the selected Potential Purchaser not include housing in its proposal, the related Reuse Plan amendment for the Mega Parcel would identify an alternate location for housing and incorporate all outstanding affordable housing units based on the housing envisioned under the current Reuse Plan; and

WHEREAS, as the potential Purchaser did not contemplate residential development, Reuse Plan Amendment #20, adopted by FMERA’s Board in February 2024, addressed the outstanding affordable housing obligations in both the Boroughs of Eatontown and Oceanport; and

WHEREAS, the Fort Monmouth Reuse and Redevelopment Plan (“Reuse Plan”) originally contemplated that portions of the Eatontown Housing Parcel, referred to as Development Zone 10 under Reuse Plan Amendment #20, be redeveloped for recreation and open space, and the existing track and fields to be reused. The existing track and fields are no longer suitable for reuse due to deteriorating conditions; however, Reuse Plan Amendment #20 continues to permit recreation and open space and calls for approximately ±13.4 acres to be deed restricted for both passive and active open space. Further, Reuse Plan Amendment #20 calls for the remaining acreage to be developed with sixty-two (62) affordable housing units in the form of townhouses, stacked flats/apartments and/or single-family detached houses and permits additional accessory uses. The Burger King (Building 822), Building 826, Building 814, Building 815, and Building 830 and other site improvements are slated for demolition; and

WHEREAS, as this parcel was bifurcated by the former municipal boundary, Eatontown and Oceanport adopted ordinances, Eatontown Ordinance 19-2023 on July 26, 2023, and Oceanport Ordinance 1078 on August 17, 2023, respectively, to realign the municipal boundary to provide more consistency for redevelopment. Therefore, the Eatontown Housing Parcel is now wholly in the Borough of Eatontown; and

WHEREAS, Prior to the adoption of new boundary line, approximately +13.33 acres of land in the western section of the parcel was in the Eatontown Route 35 Lifestyle/Tech Center section of the Fort and +4.82 acres of the land in the eastern section was in the Oceanport Education/Mixed-Use Development District section of the Fort; and

WHEREAS, the Eatontown Housing Parcel is located in the southern section of the Main Post area in the Borough of Eatontown. The parcel is ±32 acres of land and is located along Oceanport Way and is bordered by the Federal Credit Union Parcel to the east, the Husky Brook Pond to the north, an offsite Eatontown residential area to the west and the Patterson Army Health Clinic Parcel to the south; and

WHEREAS, in support of the goal of the Reuse Plan to provide affordable housing and maintain open space, as well as in alignment Reuse Plan Amendment #20's adopted use and bulk standard modifications to support residential development on this parcel, staff believes the Eatontown Housing Parcel should be offered for the construction of sixty-two (62) affordable housing units, in the form of eight (8) one bedroom units, thirty-six (36) two bedroom units, and eighteen (18) three bedroom units. Additional accessory uses such as green houses, hydroponic gardens, and other uses customary and incidental to residential development would also be permitted. Market rate units would not be permitted to be developed; and

WHEREAS despite the requirement to deed restrict ± 13.4 acres as open space per Reuse Plan Amendment #20, the parcel provides more than sufficient acreage to construct sixty (62) affordable housing units and additional amenities. In accordance with the parcel's appraised value, the minimum bid for the ± 32 acres parcel will be One Million One Hundred Thirty Thousand Dollars (\$1,130,000); and

WHEREAS, the redevelopment of land and buildings on Fort Monmouth for uses other than those currently contemplated in the Reuse Plan is subject to separate Board approval of a Reuse Plan amendment or a use variance. Although Reuse Plan Amendment #20 was adopted and captured the proposed uses for the site, a subsequent Reuse Plan Amendment may be required to address other land use items. As such, the RFOTP will state that deviations from the Reuse Plan or Reuse Plan Amendment #20 will be subject to a Reuse Plan amendment or a use variance; and

WHEREAS, authority staff recommends proceeding with the offer to purchase process for the Eatontown Housing Parcel rather than sealed bids. This recommendation is based on the fact that the proposed use deviates from the Reuse Plan and therefore, the repurposing of existing assets would not be possible. The offer to purchase process allows for the greatest flexibility and provides potential purchasers will an opportunity to maximize the site's highest and best use, as it relates to the required affordable housing development. The Real Estate Committee has reviewed the request and recommends it to the Board for approval; and

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves FMERA staff to utilize the Request for Offer to Purchase and issue an RFOTP for the Eatontown Housing Parcel in Fort Monmouth's Eatontown Reuse Area, in accordance with FMERA's approved sales rules 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 Amendment.

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

Attachment

Dated: July 17, 2024

EXHIBIT 4

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Request for Authorization for the Issuance of a Request for Offers to Purchase for the Eatontown Housing Parcel in the Borough of Eatontown

DATE: July 17, 2024

Request

I am requesting that the Board authorize the Fort Monmouth Economic Revitalization Authority (“FMERA”) staff to utilize the Request for Offer to Purchase (“RFOTP”) process and issue a RFOTP for the Eatontown Housing Parcel in Fort Monmouth’s Eatontown Reuse Area, in accordance with FMERA’s approved sales rules.

Background

The Board approved the Rules for the Sale of Real and Personal Property (the Sales Rules) at the August 17, 2011 Meeting of the Authority. In accordance with N.J.A.C. 19:31C-2.5(a) of the Sales Rules, before advertising a particular parcel of real property and accompanying personal property as being available for sale through the offer to purchase process, the Board shall review and approve a recommendation of the Executive Director and FMERA to offer the property for sale through that process. In its determination to use the offer to purchase process, the Board also may consider various factors including, but not limited to, purchase price, jobs to be created and timing, to determine whether the offer to purchase process will enhance the economic value to FMERA or Fort Monmouth. After the Request for Offers to Purchase (RFOTP) is issued and offers are received and negotiated, the Executive Director and FMERA staff shall present a recommendation to the Board to accept an offer, to terminate negotiations regarding offers, or to take other appropriate action.

The Mega Parcel & Reuse Plan Amendment #20

The Mega Parcel RFOTP issued March 8, 2022, sought proposals to redevelop the approximately 292-acre Mega Parcel with a transformative, campus-like development and permitted a wide array of uses in alignment with the Governor’s strategic economic priorities. Under the terms of the RFOTP, residential development was also permitted with a maximum number of 302 residential units in the Borough of Eatontown and a maximum number of 234 residential units in Oceanport, with the required twenty percent (20%) set aside for affordable housing. The RFOTP set-forth that should the selected Potential Purchaser not include housing in its proposal, the related Reuse Plan amendment for the Mega Parcel would identify an alternate location for housing and incorporate all outstanding affordable housing units based on the housing envisioned under the current Reuse Plan.

As the potential Purchaser did not contemplate residential development, Reuse Plan Amendment #20, adopted by FMERA’s Board in February 2024, addressed the outstanding affordable housing obligations in both the Boroughs of Eatontown and Oceanport.

The Fort Monmouth Reuse and Redevelopment Plan (“Reuse Plan”) originally contemplated that portions of the Eatontown Housing Parcel, referred to as Development Zone 10 under Reuse Plan Amendment #20, be redeveloped for recreation and open space, and the existing track and fields to be reused. The existing track and

fields are no longer suitable for reuse due to deteriorating conditions; however, Reuse Plan Amendment #20 continues to permit recreation and open space and calls for approximately ± 13.4 acres to be deed restricted for both passive and active open space. Further, Reuse Plan Amendment #20 calls for the remaining acreage to be developed with sixty-two (62) affordable housing units in the form of townhouses, stacked flats/apartments and/or single-family detached houses and permits additional accessory uses. The Burger King (Building 822), Building 826, Building 814, Building 815, and Building 830 and other site improvements are slated for demolition. A parcel map is attached.

As this parcel was bifurcated by the former municipal boundary, Eatontown and Oceanport adopted ordinances, Eatontown Ordinance 19-2023 on July 26, 2023, and Oceanport Ordinance 1078 on August 17, 2023, respectively, to realign the municipal boundary to provide more consistency for redevelopment. Therefore, the Eatontown Housing Parcel is now wholly in the Borough of Eatontown.

Prior to the adoption of new boundary line, approximately $+13.33$ acres of land in the western section of the parcel was in the Eatontown Route 35 Lifestyle/Tech Center section of the Fort and $+4.82$ acres of the land in the eastern section was in the Oceanport Education/Mixed-Use Development District section of the Fort.

Eatontown Housing Parcel

The Eatontown Housing Parcel is located in the southern section of the Main Post area in the Borough of Eatontown. The parcel is ± 32 acres of land and is located along Oceanport Way and is bordered by the Federal Credit Union Parcel to the east, the Husky Brook Pond to the north, an offsite Eatontown residential area to the west and the Patterson Army Health Clinic Parcel to the south.

In support of the goal of the Reuse Plan to provide affordable housing and maintain open space, as well as in alignment Reuse Plan Amendment #20's adopted use and bulk standard modifications to support residential development on this parcel, staff believes the Eatontown Housing Parcel should be offered for the construction of sixty-two (62) affordable housing units, in the form of eight (8) one bedroom units, thirty-six (36) two bedroom units, and eighteen (18) three bedroom units. Additional accessory uses such as green houses, hydroponic gardens, and other uses customary and incidental to residential development would also be permitted. Market rate units would not be permitted to be developed.

Despite the requirement to deed restrict ± 13.4 acres as open space per Reuse Plan Amendment #20, the parcel provides more than sufficient acreage to construct sixty (62) affordable housing units and additional amenities.

In accordance with the parcel's appraised value, the minimum bid for the ± 32 acres parcel will be One Million One Hundred Thirty Thousand Dollars (\$1,130,000).

The redevelopment of land and buildings on Fort Monmouth for uses other than those currently contemplated in the Reuse Plan is subject to separate Board approval of a Reuse Plan amendment or a use variance. Although Reuse Plan Amendment #20 was adopted and captured the proposed uses for the site, a subsequent Reuse Plan Amendment may be required to address other land use items. As such, the RFOTP will state that deviations from the Reuse Plan or Reuse Plan Amendment #20 will be subject to a Reuse Plan amendment or a use variance.

Authority staff recommends proceeding with the offer to purchase process for the Eatontown Housing Parcel rather than sealed bids. This recommendation is based on the fact that the proposed use deviates from the Reuse Plan and therefore, the repurposing of existing assets would not be possible. The offer to purchase process allows for the greatest flexibility and provides potential purchasers will an opportunity to maximize the site's highest and best use, as it relates to the required affordable housing development. 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 authorize Fort Monmouth Economic Revitalization Authority staff to utilize the Request for Offer to Purchase (“RFOTP”) process and issue a RFOTP for the Eatontown Housing Parcel in Fort Monmouth’s Eatontown Reuse Area, in accordance with FMERA’s approved Sales Rules.

Kara Kopach
Kara Kopach

Attachments: Parcel Map
Prepared by: Sarah Giberson

Draft