

**RESOLUTION CONDITIONALLY DESIGNATING RWJ BARNABAS HEALTH, INC.
REDEVELOPER OF BLOCK 101.03, LOT 1 (FORMER MYER CENTER PROPERTY)
WITHIN THE FORT MONMOUTH REUSE AND REDEVELOPMENT PLAN AREA**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment with a designated private redeveloper; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the governing body of the Borough of Tinton Falls (the “Borough”) serves as an instrumentality and agency of the Borough pursuant to the LRHL for the purpose of implementing redevelopment plans and carrying out redevelopment projects within the Borough (the “Redevelopment Entity”); and

WHEREAS, N.J.S.A. 40A:12A-8 authorizes the Borough, acting as the Redevelopment Entity, to enter into contracts or agreements for the planning, construction or undertaking of any development project or redevelopment work in an area in need of redevelopment; and

WHEREAS, on March 6, 2012, the Borough adopted Resolution No. R-12-089 determining and designating that the entirety of the former Fort Monmouth property in the Borough is an area in need of redevelopment under the LRHL; and

WHEREAS, on May 15, 2012, the Borough approved Ordinance No. 12-1344 adopting the Fort Monmouth Reuse and Redevelopment Plan (the “Redevelopment Plan”), as amended, under the LRHL; and

WHEREAS, on October 30, 2017, the Fort Monmouth Economic Revitalization Authority (“FMERA”) and RWJ Barnabas Health, Inc. (the “Redeveloper”) entered into a Purchase and Sale Agreement for Block 101.03, Lot 1 (the former Myer Center property) consisting of approximately 36.3 acres within the Borough (the “Property”); and

WHEREAS, FMERA’s Purchase and Sale Agreement with the Redeveloper was amended a fourth time in 2021 establishing an outside closing date of December 30, 2022; and

WHEREAS, on February 19, 2019, the Borough and the Redeveloper entered an Escrow Agreement to address pre-development activities, including negotiation of a Redevelopment Agreement for the Project and other related actions; and

WHEREAS, on May 12, 2022, the Redeveloper formally applied to the Borough to be designated redeveloper of the Property within the Fort Monmouth Reuse and Redevelopment Plan Area, whereby the Redeveloper proposes to construct an approximately 150,000 square foot cancer center/ambulatory care pavilion, a 250-bed acute care hospital, a 113,000 square foot medical office building, and associated amenities (the “Project”); and

WHEREAS, on June 21, 2022, the Redeveloper conducted a public presentation on the Project during a special meeting of the Borough Council; and

WHEREAS, the Borough wishes to designate the Redeveloper as the exclusive redeveloper of the Property for the purposes of completing the Project subject to entry of a Redevelopment Agreement within 90 days, which may be extended administratively at the discretion of the Borough Administrator for a period of 30 days; and

WHEREAS, the Planning Board of the Borough shall not accept jurisdiction of any Site Plan application until adoption of this Resolution; and

WHEREAS, if adopted prior to the entry of a Redevelopment Agreement between the Redeveloper and the Borough, any Resolution of Approval of the Planning Board of the Borough for the Redeveloper's Project shall not become effective until the entry of a Redevelopment Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey, as follows:

Section 1. The above recitals are incorporated by reference as if fully set forth herein.

Section 2. The Redeveloper is hereby designated as the redeveloper of the Property subject to entry of an acceptable Redevelopment Agreement with the Borough within 90 days, which may be extended administratively at the discretion of the Borough Administrator for a period of 30 days.

Section 3. If, by the expiration of this period, or such later date as established by the Borough Administrator in accordance with Section 2 hereof, the Borough and the Redeveloper have not executed a mutually acceptable Redevelopment Agreement, the designation of the Redeveloper shall automatically expire without any need for any further action of the Borough.

Section 4. The Mayor or Borough Administrator are hereby authorized to take all actions and to execute any and all documents necessary to effectuate this Resolution.

Section 5. This Resolution shall take effect immediately.

Tracy A. Buckley, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mrs. Clay						
Dr. Dobrin						
Mr. Manginelli						
Mr. Nesci						
Ms. Buckley						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held August 9, 2022.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 9th day of August 2022.

Michelle Hutchinson
Borough Clerk