

Fort Hancock 21st Century Federal Advisory Committee Meeting #24 Summary

Executive Summary of the Meeting

Gateway NRA Superintendent and Designated Federal Officer Jennifer T. Nersesian reported that many visitors joined park staff at Sandy Hook in celebration of the NPS 100th Birthday. The celebration will continue through the end of the year with upcoming events at the park including the Zero Waste Arts Festival, the Sandy Hook BioBlitz, and Fort Hancock Days.

In her report on park business activities, she noted that a contract was awarded for renovations to Building 102 that would accommodate seasonal, partner and volunteer housing and for work at beach centers. Both projects are expected to be completed in 2017. Additional ongoing projects include work on History House, design work for revetments near the Chapel, continued upgrading of telecommunications infrastructure, a new wastewater treatment plant, lighthouse rehabilitation and design work for Building 7. A complete replacement of all signage at the park has also been completed.

A Letter of Intent was signed for construction at Buildings 23 and 56 which will become part of the MAST campus. The park also announced continued strong interest in the leasing program, and noted that proposals have been received for uses at Buildings 24, 25, 33, 36, 40, 52, 53, 57, 60 and 80. In an update on interactions with the Township of Middletown, the town administrator presented information about the preparation of property taxation documents for Fort Hancock buildings. A luncheon presentation (organized by committee members and not presented on behalf of NPS) was given by Robert Baerenbach and provided general information about lending opportunities for residential and commercial leasing projects.

Committee members expressed interest in exploring ways to provide additional public information about proposed uses of buildings without compromising protected information associated with the federal procurement process. Discussion of activities related to committee working groups and potential new committee activities focused on: mechanisms for helping potential lessees fully understand requirements for proposal documents; improved marine access to Sandy Hook; wide-ranging models for residential housing; and potential NPS investments that would facilitate attractiveness of adaptive reuse projects.

Decisions:

- Committee formed to look at abatements and other methods of addressing tax questions. Members: Lynda Rose, Lillian Burry, Mike Holenstein, Shawn Welch.

- Checklist to be created to help lease applicants when submitting proposals. Kate Stevenson volunteered to work on the checklist and has since submitted one for NPS review.

Action items:

- Water Taxi – Committee members to leverage connections within the community to establish service to and from Sandy Hook.
- Universities - NPS and Committee members to reach out to contacts at Universities to address programming in support of FACA efforts (Monmouth University, Brookdale Community College, National Parks and Conservation Association, Nichols University).
- Weddings and Special Events - Committee members to leverage connections within the community to wedding and special event related audience (planners, publications, etc.).
- Moorings (and Tender Service) should be on the October Agenda for development and discussion. Lynda Rose, Karolyn Wray and Linda Cohen agree to follow up on tendering and water taxis.

Fort Hancock 21st Century Federal Advisory Committee
Meeting #24
Thompson Park Visitor Center
805 Newman Spring Road
Lincroft, New Jersey
September 8, 2016

NOTE: Agenda has a 10 AM start time to allow for first days of school/parenting juggling but the Federal Register start time is noted as 9 AM. Representatives of the Committee are here at 9 AM in any case. Stacie Smith served as Facilitator.

- Designated Federal Official Jennifer T. Nersesian, who is also the superintendent of Gateway National Recreation Area (GATE), called the meeting to order at 10:09 AM with committee co-chair Gerry Glaser.
- Superintendent notes we have a lot of activity and excitement. The work we have undertaken over the past four years is beginning to yield results.
- Co-chair Shawn Welch welcomes everyone.
- Facilitator: Walks the group through the agenda and gives the group an opportunity to refine the Agenda to make sure all topics the committee wants to cover are addressed.
- Glaser points out that our leasing update includes a report from the first Lessee, Brian Samuelson, who is here today to speak.
- Facilitator: Questions about the agenda or additions thereto? No.
- Summary of last meeting provided. Meeting notes are up (or will be) on the Committee website (www.forthancock21.org).
- Bulk of the last meeting spent in small groups working on future role of the Committee.
- Glaser: Useful and constructive ideas emerged, things that we can take solid and construction action on. Don't be afraid to interrupt with ideas.
- Superintendent: We have already acted on a number of such ideas and they are bearing fruit, so don't be shy.
- Action items from the last meeting:
 - Codes, banners, signs - further discussion required
 - Think about getting properties listed on MLS or similar services (subsequently completed).
 - Work with Brookdale Community College for a fall project. (NPS is working on this.)
- **Superintendent's Park Update:** August 25 was the NPS 100th Birthday. Lots of visitors came out to celebrate. We will continue celebrating through the end of 2016. We have centennial events lined up.
 - We have the Zero Waste arts festival scheduled for September 17 and 18.

- The Sandy Hook BioBlitz is set to take place September 23 and 24. It is a citizen science event that contributes to our understanding of the natural resources. It is open to everyone.
- October 7-9 is Fort Hancock Days weekend and there will be AGFA, NIKE, Revolutionary War reenactors and bird walk events all weekend. Light house challenge is the weekend after that.
- The Building 102 construction contract has been awarded. GATE will use this facility for seasonal, partner and volunteer housing. That should be completed by end of 2017.
- Beach centers construction should be done by fall 2017, except for Area D which is its own project.
- The History House is getting a new heating system.
- The chapel revetment is under design and funding for repair is being lined up.
- The Sandy Hook Telecom project is still underway.
- New signs have been installed all over Sandy Hook and those contribute to a uniform look and feel.
- Last week we awarded a new contract for Sandy Hook's wastewater treatment plant, which is expected to be operational by the end of summer 2017.
- Design work contract for Building 7 is expected to be awarded imminently.
- The LOI for Buildings 23 and 56 is signed. The park is thankful for its partnership with Monmouth County.
- All of our contracts tend to hit in September because of the end of the fiscal year. Regarding Building 23, a contract is underway to look at use of components and selective demolition of portions of facility in current state to prepare for the reconstruction. The contract also allows us to look at Building 24 and see how to stabilize it to avoid a situation like Building 23.
- The proposed Lighthouse rehabilitation involves removal of brown staining. The interior issue that causes it is being addressed. It is expected to be completed next year.
- Efforts to address the new maintenance facility are wrapping up. A contract will go out to bid this fall and maintenance facilities are expected to be complete in 2018.
- Lillian Burry asks for a few minutes to speak. She commends GATE and staff for incredible work at Fort Hancock Historic Post, which is evident that it is onward and upward. Burry noted Mary Eileen Fouratt's pending move to the state arts council from the Monmouth County Art Council. Burry commends Fouratt and is looking forward to working with her successor. According to Burry, Fouratt always says "envision, imagine, create" and the Monmouth County arts corridor is a result of Fouratt's efforts in response to Sandy and the healing power of art. She is the moving force behind acquiring the grant that was given to MCAC through the National Endowment for the Arts. This grant allowed them to partner with NPS and county parks, and the Monmouth County

Historical Society to create the Zero Waste Arts Fest. Fouratt has created a legacy here. Burry thanks Fouratt for all she has done and thanks the Committee for the opportunity to speak.

- **Website update: Robert Abugel, SCA Intern** to GATE's Business Management Division talks about the updates to the website he is currently working on. Abugel takes the group through the changes to the websites (formatting and layout), and shows the Committee how the site now contains easier wayfinding and is generally more intuitive. He has worked to make the website more user-friendly. There is a link to the buildings page (so interest parties no longer need to go to Flickr to see the photos).
 - The website is mobile/tablet accessible/friendly. There is now a "members" section and Abugel will be taking photos or using photos that members have posted on their linked in accounts. GATE Acting Public Affairs Officer Daphne Yun will send out all the bio info about each member for review/editing by the members.
 - GATE Chief of Business Services Pam McLay points out that this website is still in draft form. This website will have better search capability.
 - Abugel shows the committee the Real Estate page. Each building has its own page with its own information, reports, sketches, historic reports. He uploaded as much information as possible for interested parties to review before they contact us about a site visit.
 - Abugel takes the group through the site and uses the information for Building 40, which contains a slide show, to demonstrate.
 - The website ties to all our social media as well as to the old meeting notes and materials.
 - Welch asks where the old reports are. Abugel explains that they will be on the website once he determines the best way to restructure those massive amounts of information.
 - RFPs and links are up on the website.
 - Handbook and FAQs are also on the website. The FAQs are included in searchable format (not in PowerPoint format, as it was previously - which is not searchable as a pdf).
 - Abugel answers questions from Gerry Glaser about searchability and accessibility – clarifying that the content of documents previously unsearchable for terms/specifics before is now easier to find.
 - Committee commends Roberts work.
 - Glaser asks if the app and new FACA website are linked? No. Yun explains that we can work on that. Updates to the app are automatic once you've downloaded it.
 - Abugel gives some background about himself and talks about studying for his masters at Hunter.
 - Kate Stevenson asks when this new website will be up and running.

- McLay: We expect to have it up within one month or so. We need the updates from the Committee members and have some other layers to complete.
- Abugel: We will share the website link with the Committee. Once we are ready to go live, we will take the domain from the old website and redirect it to this one.
- Questions about WordPress, which we are using to develop the new FACA website: It allows us to present the data in more creative formats, is easier to navigate and will be supported by the NPS.
- Everything that is on the current website will be on this website. Robert explains that this is just a cleaner way to present the information that is now available.
- Glaser asks if Yun will be the person to update the website going forward. Yes. Abugel explains that it is easier to use in this format.
- NPS BMD will share: FACAweb.wordpress.com link with Committee and asks them to provide comments to Robert and Daphne (share Robert's email with Committee).
- **Update on Leasing Opportunities** - McLay: We had good responses to the RFP. We've been busy all summer long. Michal Wisniewski of BSD has been giving tours; people have come back for additional information. Things have been ramping up. There are people that are responding quickly. The region will convene a panel to look at the proposals that were submitted for August and the panel will determine whether the proposals meet the RFP criteria and make recommendations.
 - Glaser asks McLay to identify which buildings were asked for under the proposals. She replies: Buildings 24, 25, 33, 36, 40, 52, 53, 57, 60 and 80.
 - We ran out of RFP 'compatible use' booklets and we have issued updated RFPs. The compatible use RFP was republished with updates up front. The Commercial and non-profit RFPs have updates that we will insert in the existing booklets.
 - Newly printed RFPs are distributed so that the group can look at the use map and see which buildings are among the ten for which we received submissions.
 - Michael Walsh asks that we identify the building numbers on the map on the new RFP. Committee cannot see the building numbers on the map and asks that we clarify.
 - **Correction:** Add Building 25, 33, and 53 to the list of Buildings available on the website.
 - **Correction:** Include the correct photo of Building 52 on the website.
 - Committee asks about proposals for Officers Row. Surprise among the group that none of those buildings (25, 33, and 53) were included in any proposal received yet.
 - Mercantante wants to know what the proposed uses are. McLay explains that we cannot share that information until the proposals are vetted, deemed acceptable, etc.
 - Glaser: So just to be clear, we will not know what the intended uses are until a lease is signed?

- McLay: Yes, or a Letter of Intent (LOI) is signed. Some sort of legal instrument must be in place before we can disclose that information. The LOIs can help us obtain additional information.
- Glaser: Will proposers have an opportunity to go back and forth with the park?
- McLay: Not the park – the region has the opportunity to ask additional questions and obtain clarifying information. We will give the applicants additional time to provide that information so that we can make an informed decision.
- Welch: So there is a two-step process? The first is whether the proposal is acceptable and the second is the negotiation with the park?
- McLay: Yes.
- Walsh: Is the use of the building limited ? Can it be changed?
- McLay: The RFP maps make it pretty clear what types of uses are allowed in each “use area” The RFP requires the applicant to address the use.
- Jim Krauss wants to know if we received 10 separate proposals. McLay: We cannot release that information.
- McLay update continued: We have also recently listed one of our buildings under the Multiple Listing Service (MLS). Michal Wisniewski of BSD has recently obtained his Real Estate license and has listed Building 17 on the MLS through Karolyn Wray’s shop. Wray has received more than 70 inquiries to date.
- We have worked out a flat fee arrangement and the Solicitor has authorized the listing.
- We also have it listed on LoopNet and the National Historic Trust website.
 - Nersesian asks if we have nibbles from any other sites (other than MLS)?
 - Wisniewski says we get people who hear about it on MLS and do a search for more information – so sources of information are collective.
- McLay update continues: RFPs are updated and were posted on FEDBIZOPPS this morning. After the meeting, it will go live on GATE’s website too.
- **Building 21 updates.** Glaser: In the past, Brian Samuelson (first lessee at Fort Hancock) has always spoken during the public comment period but now we have him here to say a few words about the experience.
- Samuelson: Guy Hembling was helpful in putting the proposal in which was a “Herculean task.” Brian put in a proposal the first time, which wasn’t accepted, for a B&B on Officers Row in response to the Pilot Solicitation. Brian states the learning curve was steep. It is a high risk venture. He has talked to over 100 people and the biggest aversion to the opportunity seems to be a result of the taxes, which are still an unknown. Anthony (Tony) Mercantante is providing an update on this topic shortly after Brian’s speech. Samuelson believes Middletown Township (MT) is thwarting the efforts of Lessees out at SANDY HOOK rather than supporting them. Brian wants to save more buildings and thinks that MT should offer a tax abatement until such time as all buildings are up and running.

- McLay shows photos taken of Building 21 by professional photographer Jeff Smith. Samuelson steers the Committee to sandyhookrentals.com website.
- Samuelson had a renter for all of August. He recently had a New York heiress out at Building 21 over Labor Day Weekend and is hoping that generates some interest from additional parties.
- He indicates he is working on the tax credits projects and is frustrated by the lack of response from the IRS contact person – even NPS cannot get a return phone call.
 - Burry commends Samuelson and tells him he is an inspiration.
 - Glaser asks what kinds of things we can work on and what role we can play to take lessons learned and apply them to any one of the proposals that are coming in.
- Samuelson replies: These buildings are falling down and crumbling. The park should just tarp the buildings to prevent rain and additional impact from 40 knot winds. Every time it rains, it is like a firehose leaking through the house. If your house was exposed to running firehose every time it rained, it wouldn't be standing. I am thinking about taking another house but I need a ten year tax abatement to consider it. I have to pay for insurance, and the improvements, etc.
- I am doing everything I can to save a building. I am glad the park has received so many proposals. The BMD has been great to work with.
 - Karolyn Wray asks him to share numbers about costs to rehab. Brian explains that it is his proposal and he is on time and on budget.
 - Fouratt asks if there is information he wants to hand out at the Zero Waste Arts Festival. He will follow up with her offline.
- Samuelson has donated a weekend in the house to the Sandy Hook Foundation (SHF) as part of efforts to publicize the FACA efforts and RFPs. Brian thanks the Committee for their support without which he would not have gotten through some of the issues that came up in his process.
- Glaser announces that SHF end of summer party is tomorrow night and tickets may still be available. The SHF is instrumental in help to Sandy Hook.
- Nersesian: Just to address some of Brian's points about buttoning up buildings, we are looking at efforts we can make prior to winter to that end. Also, we have folks from Washington, DC here to assess the issue of bricks falling off buildings.
- **Middletown Updates** from Township Administrator Mercantante: Property tax card prepared for Building 21 is up on the screen. Middletown Township (MT) did not invent property taxes and assessments; they are the law, something we are *required* to do. If you want to talk about abatements, it requires legislation – we do not have an objection to an abatement but it requires legislation. Building #21 ultimately has a value of \$314K after depreciation is accounted for. Based on that analysis, MT will assess the building at \$6,800 or so in annual taxes.
- Eventually, every building will have a property tax card. The buildings in their current state will probably not be valued at more than \$25K (most will be less). Once the

improvements are made to the buildings, the value gets recalculated. So quarterly payments in 2018 are expected to be \$400/\$1600 annually.

- The annual tax payment rate is \$2.13 per 100 of assessed value is. It is divided three ways between the Township, the County, and the Board of Education.
- There is quite a bit involved in assessing each building. The assessor has to go out and measure each building though now that the website is being updated, and information is available to us, the assessor may not have to do such intense fact finding.
- Each building will have its own property card and will be subject to taxes, except for non-profits which may be exempt.
 - John Ekdahl asks if **CO???** triggers taxes. Yes, says Mercantante. He explains that the township is accounting for physical depreciation of 40% and the fact that the buildings are leaseholds not fee ownership.
- McLay explains that on the property card there is no land value, it is adjusted for traffic and user restrictions, it is identified as federal property.
 - Wray: I understand taxes, I understand law, you are part of the Committee and we are four years into it – but the tax issue caught us off guard. It has moved forward so quickly and I am not comfortable with it. I feel like our Committee should be able to have a discussion without the Borough Administrator making decisions.
 - Mercantante: The tax code and law comes from the State of New Jersey and is administered through the county. Our tax assessors work for the state, essentially. It is just coincidental that the taxes come up wright around the time the first lease is executed.
 - Burry: There was a meeting between the County Assessor and the NPS.
 - Mercantante: I was not able to attend that meeting.
 - Burry: You have the authority to create a special tax zone.
 - Mercantante: Not for this purpose. I got a call from someone who is interested in converting a unit for affordable housing. If that is the case, there are going to be children out here who need to utilize the school district and busing is required. If you want to wave a magic wand and avoid taxes, so be it but the law is the law.
 - Ekdahl: In MTs defense, they could abate their portion of the taxes for a period of time but they don't have the authority to abate on behalf of the Board of Education or the County. MT does not have the authority to speak for those entities.
 - Mercantante: We would have to pass an ordinance allowing abatement but it would only apply to the MT share.
 - Stevenson: There are plenty of people in this room who have the ability to approach their state legislator and ask for an abatement/legislation.
 - Mercantante: There are special rules for redevelopment areas that allow for tax abatements but the state must allow it – we cannot do it on our own.
 - Burry: We must do it – we must ask for abatements.
- Conversation paused for public comment:

Public Comment

- Public Comment rules are read.

David Waxtel – Speaker

- Waxtel is here on behalf of Tristate Education Simulations, Inc., a non-profit 501(c)(7). They are interested in Fort Hancock Barracks 119 and 120 which are listed to be torn down. His organization is linked in to the nation-wide Historical Miniature Gaming Society (HMGS). They stage elaborate toy soldier battles. Mr. Waxtel is on the board. There are 30-40,000 people nationwide who engage in this. They do not dress up but they create moving dioramas. This process is big around the world and goes back to HG Wells. They are interested in 119 and 120 and wish to renovate them, perhaps as their headquarters. Waxtel is a contractor in NYC and does rehab of landmark brownstones in NYC, particularly in Brooklyn. He is licensed/insured, etc. His expertise is in historic buildings. He examined Buildings 119 and 120 and thinks they are in pretty good shape, in spite of water damage to the buildings during Sandy. He disagrees with the NPS' assessment that those buildings are not fit. His organization wants to use the buildings in connection with miniature gaming which shows, for example, the Battle of Normandy with several thousand figures in a diorama. The goal is to renovate the buildings for their needs. They desire to be consultants under this project for Section 106 compliance review. They will renovate the buildings to include bathrooms, kitchens--the full works. If the Park has an interest in giving them a shot, they are interested.
- In response to Howard Parish's question, HMGS is located in NJ now. Two of the Board members live in NJ, one in PA. They run a convention in Edison once a year. Four hundred people usually attend that convention. The biggest conventions are in PA and Somerset, NJ – typically 4,000 people.
- Stevenson asks why they haven't submitted a proposal for any of the other buildings that are on the RFP list.
- The answer is not clear – they figured they would just ask about 119 and 120. They did inroads to find out about buildings. Alan Kaplan, their lawyer kept telling them there were delays but never filed any paperwork related to same.
 - Burry: Asks if NPS can reverse determinations regarding the demolition of Buildings 119 and 120.
 - Nersesian: Explains that our GMP, a six year public process, identifies those buildings in the ruins band. They are not a high priority for saving. Their first floors are four to five feet below the 100 year flood plain. They sustained a great amount of damage in spite of what you may observe. The gypsum sheathing that was used to construct those is now full of mold. All siding will have to be removed, sheathing will have to be removed, and materials replaced. All these factors make them non-viable in terms of resiliency. The buildings require new sewer, utilities, parking, etc. This is

- the time to be having these conversations. If there is a way to do that, the door is not closed but everyone should go in with their eyes open. NPS does not have the resources to focus on that. The buildings currently identified in the lease program are higher priority and we must focus on them before we focus our efforts on Buildings 119 and 120. However, we are open and are willing to explore this opportunity and, if feasible and we can secure approval of the concept you submit from Washington, we will enter into negotiations.
- Michael Walsh: So monetary support is not available from NPS but if you go in with your eyes wide open, the NPS can provide more information. The activity proposed is great and the promotion with NPS is great: if Tristate Education Simulations, Inc., has the money to do it, great. However, you might want to consider other buildings – in any case, you should come in with your eyes wide open. The use is appropriate and compatible.
 - Walsh: I am just afraid that because of the flood plain, it can't meet the [Secretary of Interior Historic Rehabilitation] standards – it would have to be raised.
 - Nersesian: I'm not sure that raising the building is going to address sustainability adequately.
 - Welch: You need to do research and find out what you can really do with WWII wooden buildings. Superintendent does have a very serious point: if you are willing to go after these buildings to that degree and do the work required to address the mold/gypsum board and make them flow through – moving these buildings may be a consideration. I've seen the Army move a bunch of them in the past. You just have to know what is involved in this. There are hundreds of WWII buildings across the nation. There were over 90 WWII wood barracks at Fort Hancock – we now have two barracks remaining. If these go, there are only three WWII period wood buildings left at Fort Hancock and none of them are barracks.
 - Nersesian: When you say we are not putting resources into these buildings – this may be true from the point of the physical buildings but we are putting a lot of resources into staff resources. Every time we pursue something, the staff resources must address it – code issues, modifications, proposed use – those are all issues that take up park staff time. Those are real issues that we have to answer to.
 - Kate: Stevenson suggests that they look at other buildings.
 - Waxtel has no objection to considering other buildings, but is looking for buildings with large interior open space.
 - HMGS.org is the website.
 - Dan Saunders: There may be a physical alternative for the reuse of the building under Section 106 but there are other broad policies the park must consider.

Melanie Elmiger - Speaker

- Lives in Lincroft and is the parent of a MAST Senior. She wants to say what an exciting process this is. This is so important to MAST because MAST is an open campus. The kids move throughout the buildings all day. If there is ever an event, there is no place to shelter in place except for their cafeteria which is not big enough to house 300 students and all staff.
- In terms of events of achievement, because they are an ROTC based school, there is no room for ceremonies that the parents might want to attend, such as when students are promoted to drill commander, unit head, etc.
- Those types of events could occur in a gym. Because MAST is ROTC based, they have trouble meeting physical education requirement standards unless they can go outside. That is all based on weather. So much of their activity, drill club and color guard, is subject to weather. Being able to practice indoors is difficult. All the tables in the cafeteria always have to be moved out of the way if they need to hold an event inside. Graduation every year is based on weather. It is never clear whether the graduation is going to be moved to Henry Hudson School in Highlands.
- Also, open houses are always packed. There is so much interest in the Monmouth County Vocational School District and they cannot handle the crowds that come. An indoor gym is another place they can hold events for large turnout. She is appreciative and commends Lillian Burry: for her involvement and willingness to work on the school's behalf.
- MAST competes nationally on the ROTC front. If they had more room to practice, that would be better.

Brian Samuelson – Speaker

- I know you have the hardest job in the world, all this cat herding, etc. I am talking to the Committee now – you are dis-incentivizing investment because of the tax situation. Ms. Burry, if there is something you can do about the taxes, please do it. I understand the issue with the school system but if we want to save these buildings, we need help to do it. People show up at my house all the time and want to see it. No one else is taking any buildings on Officers Row. I am concerned about the “tenant tax.” I don’t own the building, I have to make investments, I don’t get any tax incentives, I get penalized.
- I am worried that no one else is going to save a house on Officers Row. Now we are at the turning point. I don’t know what you can do, Tony, to get the rest of them saved and incentivize – not dis-incentivize.

Richard King – Speaker

- Buildings 119 and 120 may be designated temporary WWII construction but they continue to survive. I don’t think you realize the importance of these buildings to my generation. Probably most of the men I went to Vietnam with lived in these buildings and I can’t even go into one of these buildings. To demolish these is a big mistake.

No additional speakers. Public comment concluded.

- Circle back to discussion with Middletown about taxes.
 - Glaser: We had talked once about exemptions for non-profits. I want to be clear. I was under the impression that a non-profit organization that executes a lease is subject to an exemption from taxes. Please expand on that.
 - Mercantante: Non-profit 501(c)(3)s are exempt from property taxes. Most anything that falls under 501 designation in the tax code is exempt. The vast majority of non-profits have that tax exempt status.
 - Krauss: Mercantante is wearing a couple of hats and is not an attorney. Though we may end up seeking legislation, I think the NPS needs to consult with an attorney and determine whether there is an ability to abate.
 - McLay: They have weighed in – we cannot circumvent the law and we cannot pass our tax exempt status to a Lessee.
 - Jim Krauss: You need a NJ attorney who is a real estate specialist who knows the law in NJ to carve out an exemption or abatement.
 - Welch: Do they have to be a NJ non-profit? Tony: No.
 - Michael Walsh: So I heard there could be some sort of law or exception that allows the State of New Jersey to institute abatement or something similar. So there is someone in the state who can declare or designate Sandy Hook exempt from state taxation. I don't think the NPS can lobby for that but we can ask the State.
 - Rose: We can do that.
 - Krauss: It might be simpler to look at the existing law and see if abatement can be crafted before we approach the legislature.
 - Stevenson: The NPS cannot hire an independent attorney to address this issue. If any of you are RE attorneys and wish to donate your time to this matter, I am sure the NPS would welcome it.
 - Mercantante: It wouldn't be a very complicated thing to do (get it in front of the legislature) but you might have a hard time getting it through just based on all the confusion in the legislature now. Maybe Lillian Burry knows better how to approach the legislature.
 - Glaser: That is what we are here to do, move forward the things the park cannot do, to move forward conversations, and take action. Also, we do have an expert – Michael Holenstien, who has been very conversant and deeply involved. We can brainstorm the pathway forward. It is a Committee responsibility, and not a NPS responsibility.
 - Jeff Tyler: We discussed the tax abatement. Is it possible until something else is put in place for MT to vote on a tax abatement?
 - Mercantante: I am not sure there is a legal mechanism to do that absent legal authority.
 - Tyler: There is a cost to MT in supporting the tenants. Could a separate administrative fee be implemented to capture estimated costs? Also, if an

- organization is a non-profit and not subject to taxes anyway, how much would this project lose by focusing on residential use that “excludes” children – such as an over 55 community which alleviates the burden of having to consider cost of schools.
- Walsh goes back to Tony’s comment earlier where he recognized tax abatement in cities like Jersey City. Walsh points out that economic development is what drives those abatements and that is what we are doing here. I don’t think we could designate a “tax free zone” but we could implement an abatement based on redevelopment and economic development. There must be some way we can implement an incentive.
 - One more comment from Mercantante: A couple of weeks ago an issue came up regarding liquor licenses. There are no clear answers as to how this is done. I know the Seagull’s Nest had a liquor license that was issued by the federal government. (NPS corrects him: the license was issued by the NJ ABC.) Mercantante sent a letter to the state asking about this. He distributes a copy of the letter which will be posted with these minutes). All towns have a designated number of liquor licenses and MTs are all in use. That does not mean they are all active though. According to Mercantante, there are no liquor licenses available in MT for use anywhere on Sandy Hook. He has asked the NJ ABC to come up with a way that liquor licenses can be generated/authorized at Sandy Hook. Not sure if the State will have a meeting about this.
 - Lynda Rose: Are licenses for sale or consumption? Mercantante: There are licenses for each and for a combination of the two.
 - BYOB is not a big deal says Rose but, Mercantante says, if you want to attract a good restaurant you might want to consider a liquor license.
 - Ekdahl speaks about the Seagull’s Nest and the recurring competition for the use of the facilities and the liquor license obtained by Ed Segall, former Concessioner, limitations and requirements – none of which are verified in fact. NPS clarifies: The Concessions Liquor License was issued by the State of New Jersey.
 - Michael Walsh: Whether they did or did not have liquor licenses in the past, the question is whether state liquor license is required at a national facility. If a state liquor license is not required, we are doing a disservice to the operator who must comply with state law.
 - McLay: We require them to get a license from the State.
 - Walsh: We should know whether the NPS has the authority to allow for sale and distribution of liquor because if so, requiring a state liquor license hampers development.
 - McLay: We defer to the state.
 - Walsh: Policy vs. law?
 - Mercantante: The issue becomes one of process. If the federal government decided they wanted to start issuing their own licenses, there are all sorts of issues that arise.

Who will license? Who will enforce? What are the limitations? There is also liability that comes along with that.

- Michael Walsh: The issue are preempted when you discuss state vs federal law
- Mercantante: That may be true but the federal government defers so that they do not have to deal with the liability.
- Welch: You need an infrastructure to deal with alcohol. The NPS does not have the infrastructure to deal with it. Mercantante did us a favor in reaching out to the State even if it chafed us. The State may be stuck managing the licenses for the federal government. There are no licenses available in MT now. Welch asks what happens if the State says we will issue X number of licenses? Can you update the information? Mercantante: Yes.
- Welch: Thanks Fouratt for her service to MCAC. She brought AGFA into the arts festival and there is a quite a bit of interest from the NYC and NJ swing dance community and they are expecting record attendance. AGFA updates the group on the Sandy Hook Proving Ground's Turret Test Block, built in 1916. It is AGFA's project to support the NPS Centennial celebration.
- Facilitator thinks we should add an "other updates" section on the agenda.
- Glaser: These issues regarding taxation, etc. are up to the Committee to address. Do we want to form some sort of working group to pursue these issues? Definitely, says Wray. Glaser: Just to assess what might be done, what can be done. Without objection I'd like to form a working group and ask for volunteers so we can continue this discussion in a more productive way.
- No objections from the group. Wray is volunteered by Cohen. Superintendent volunteers Burry. Glaser volunteers Michael Holenstein.
- Superintendent asks if there are any other Committee members who have expertise in this area or can recommend additional resources. Rose will work on the resource issue.
- Tax Abatement work group is established. They will look at abatements and other methods of addressing tax questions.

LUNCH Speaker – Robert Baerenbach – Residential and Commercial Lending throughout the Country with concentration in NJ, particularly MC and OC.

- He was at the Eastern MC breakfast at which NPS gave a presentation.
- Funding –Baerenbach does not think it is too hard to get funding for a project. Any perception to the contrary is the result of the project as it was solicited 10 years ago – with very restrictive lease terms.
- Structured financing for business or second homes can happen.
- Baerenbach explains: The asset is the Lease. If leases can be transferred, inherited, or sold, they are considered assets. Baerenbach has gone through the standard NPS lease

with representatives of the Small Business Administration (SBA). Based on their discussions, there are financing opportunities available in connection with the RFPs.

- Baerenbach uses Building 27, the Bachelor Officers Quarters as an example for a Bed and Breakfast – a typical SBA financing opportunity.
- You have to watch the way you structure the deal – there has to be a return in order for SBA to approve it.
- Typically structured mezzanine financing is arranged as follows:
 - Bank lends \$250K
 - Lessee contributes \$150K
 - SBA contributes \$50K
 - All this leaves the Bank in an undesirable condition.
- If loan product is qualified as an SBA 7A – Real Estate/Real Asset Loan, a bank will put up all the loan funds based on a 75% guarantee from the SBA. Also, there are economies of scale to consider, which make a deal more “lucrative” from a banking perspective if there are multiple properties being rehabilitated with the same pot of money. The possibility for return (greater number of units available upon completion) is greater/more viable business opportunity.
- Government sponsored agencies such as Fannie Mae and Freddie Mac do renovation loans and have an entire section for renovation loans. There are criteria/requirements associated with those but the largest issue is one of collateral.
- The asset is the ability to sell, sublet, or transfer the interest in the lease. At the end of the loan payout, there is a renovated historic structure.
- Commercial loans Guaranteed by SBA come in the following forms:
 - Payment of 75% of loan amount guaranteed or
 - Position as second lien holder for second 50% of loan
 - Another alternative is Community Reinvestment Act credits (coop of multiple banks who pool together – one is the servicing bank).
- SBA guidelines identify the lease as an asset as do the Fannie Mae guidelines for eligibility and underwriting considerations.
 - Baerenbach – The only issue is what the taxes are.
 - There is a quick discussion/recap of the earlier property tax discussion. MT administrator explains that MT is not “excited” about inheriting FOHA on its tax rolls. Too many factors impact the value, all of which are being calculated into the formula. Building 21 calculation is approximately \$6,700 per year. By the time a Lessee has a real plan for what they want to do with the building, MT should have figured the taxes. He explains that NPS Law Enforcement Rangers do not conduct investigations, schools will have to accommodate students, Sandy Hook residents will have access to all sorts of county and township services. Additionally, all taxes pay towards school children in spite of the fact that no business has children in the school district. It should not be hard to project taxes. Now that we know what taxes are going

- to be for Building 21, we should have no problem estimating taxes for the other facilities.
- Mercantante: The taxes are not exactly per square foot though they are based on the value of the property.
 - McLay explains we have property tax card for Building 21 now and all buildings will be assessed in their as is condition (basis of between \$15 - \$25k) and will be reassessed upon completion of improvements.
 - Baerenbach asks if there is an ability to tell him where MT is headed. Banks do not like not knowing this information. He understands that in a sense it is very much like trying to determine taxes on new construction.
 - According to Mercantante there is no cap on an increase to assessed value though nothing prevents you from appealing. Once you know the tax rate or you know the value of the work you propose to do, you can calculate the jump between as is an as complete/based on actual value (formula is \$2.13 per \$100 of assessed value). So it is not much of an unknown – it can be calculated.
 - Wray asks if abatement factors in to the banks considerations. Baerenbach says it will help but a ten-year abatement is better for cash flow considerations.
 - Baerenbach will send us the PDF of the information he provided the group.
 - Krauss: Asks is NPS has any concerns of resale of a lease after foreclosure? McLay: No. We will subordinate. The leases are saleable, assignable, transferable.
 - Glaser asks about the multiple banks which come together to provide financing. Does that start before the lease negotiations?
 - Baerenbach: That is a process I would start now so we can identify what the product is that we will bring to the bank and determine what sorts of options/products a bank is willing to provide.
 - Mercantante: After Sandy we worked with a 203K mortgage loan (for property that requires rehabilitation). Is something similar available here? Baerenbach explains that there are similar programs available from Fannie Mae or Freddie Mac. Some lenders are more concerned with the rehabilitation of a property that drives economic development (reuse, resale, etc.). Others are more concerned with ability of a borrower to pay back the loan. In any case, the after repair value is always a consideration. The location of a home is taken into consideration by the lender in terms of its value. Baerenbach also points out that land value increases based on location of the property. This consideration is not supposed to apply here for purposes of MT assessment since the land is not included in the assessment.
 - The bank identifies the value based on the time value of the lease (as opposed to the typically assessed value of the land).
 - Next Agenda Topic: **Committee Opportunities**
 - RFP Proposal Support from Committee
 - Marine Access

- Outreach and Marketing
- Other Models for Residential Housing
- NPS Investment to leverage restoration
- Welch and Glaser would like to know how to assist parties interested in submitting proposals with the responses to the RFPs.
- Stevenson: We should be very careful from an ethics perspective. We are an advisory committee formed to advise the NPS. We should make it clear that our interest is in the development of FOHA and hopefully our interests are aligned with those of the Lessees.
- Wray: So does any interest we get regarding requests for help, does that have to remain confidential?
- McLay: We have already included Glaser's and Welch's contact information in the updates to the RFP. Often, the Committee can speak about things in less government-y terminology. If an applicant is comfortable reaching out to a committee member, we have no issue with that. Also, Glaser got a meeting pulled together with a potential Lessee. Glaser coordinated the meeting and let the NPS provide the salient details. We would love it if other Committee members would like to coordinate similar meetings.
- Rose is concerned that Committee members may not have the correct information.
- McLay recommends she call us regarding any questions or information. BMD will attend any meeting requested in connection with FOHA.
- Mercantante: You don't want potential applicants to start lobbying members of the Committee as opposed to making general inquiries. Once a potential Lessee has applied, it may not be appropriate for them to continue contact with the Committee.
- McLay: We limited the contact to the co-chairs. Chances are that you as committee members won't be answering questions in the same amount of detail. Also, it is not likely that you can influence any decision by the NPS to accept or reject a proposal.
- Welch: It serves as a conduit and sounding board.
- Glaser wants to address how to support people who are considering submitting an application, who might raise issues that are important to know about before they result in problems.
- Facilitator asks Glaser: How can the committee or its members participate more broadly in terms of support?
- Glaser: When the proposals come to the park, the NPS has to determine whether they are responsive. I have some experience with this sort of activity and it is shocking to me how many applicants do not provide the requested information in their responses. My offer to assist is to make sure that potential applicants have someone to go to and ask if they have adequately responded. I don't think it is proper to sit down and help someone write a proposal but it is appropriate to point out that an applicant has omitted important information about construction drawings for example. I envision that we have a way to talk to potential applicants about what the NPS wants to see in response to proposals.

- Tyler: That sounds a lot like a patient advocate at the hospital where the advocate does not have a say in the outcome but they help the patient navigate the process and policy. I think that is a great idea.
- Mercantante thinks it is risky for the Committee members to get into discussions with potential Lessees. McLay: They already have.
- Mercantante: Once a proposal is submitted, I do not think applicants should be allowed to have further discussions with Committee members.
- Linda Cohen (who joined the meeting after lunch): How qualified are we to assist people when we are not qualified to weigh in on the final decision? We do not know what determines a yes or a no precisely.
- Michael Walsh: We have to be very careful. We also have to avoid any appearance of impropriety. We don't know as much as McLay. I don't think it is bad for an applicant to be able to talk to committee members but they should know that we are an advisory Committee to the NPS. I run a compliance department and I look at conflicts of interest on a daily basis. I would hate to cut the public off from access to this committee as one of the big criticisms was a lack of transparency. We have some experience that may be useful to applicants. We should remain accessible to the public including people who have applied. We should just be clear about our position as advisors to the park.
- Stevenson: Not sure we can set up blackout periods since we are not supposed to know who applies/ied. If you are not comfortable with it, just decline.
- Facilitator: You can set up guidelines about what types of assistance you are willing to provide.
- Welch: I think we are process assisters. We can also pick up on questions and bring it the NPS. Topics such as taxes and compliance are issues we have helped clarify. We can set up meetings. Burry and Mercantante have set up meetings to address them on different levels of resolution.
- Michael Walsh: We are advisory. We can provide advice and answer questions. We cannot provide specifics about what is required. We are advisory. We are not helping or assisting – we simply provide advice.
- Facilitator: Points out that the update states that if you require assistance in submitting a proposal you should contact one of the co-chairs. So the question is should the language be changed? Do other people want to add their names? Or there more generic resources the Committee wants to provide?
- Glaser: I would stay away from anything that is specific to a proposal.
- Michael Walsh agrees to be available for questions.
- Glaser: Asks if we have a checklist that identifies what should be submitted with a proposal?
- Stevenson asks if there is a checklist attached to any of the RFP documents. No – but we can create one.
- Facilitator: we want volunteers to work on a checklist? Stevenson volunteers.

- Next issue: Marine access (resulting from brainstorming session which took place at the last meeting). Glaser: There is no way to access Sandy Hook other than driving or Ferry. Is there another way to get folks onto Sandy Hook? There used to be docks at Fort Hancock that allowed for easier arrival/departure. Should we consider a mooring field? Maybe we should consider methods that increase access and exposure to the park.
- Nersesian: Our GMP provides a foundation for water based access to parts of the park.
- Glaser: I see people beaching their kayaks on Sandy Hook or creeping through the woods to find a place to launch.
- Rose: Too bad Tim Hill is not here right now. He would love to help with kayaking opportunities. Right now there is no place to eat or shop at Sandy Hook. People just go to Highlands.
- McLay: Not sure we would consider a full blown marina but we might be interested in a mooring field.
- Rose: Maybe a water taxi. What would that take?
- McLay: We could do that now.
- Welch: There were docks at Battery Aerosmith. The New York district of US Army Corps of Engineers (USACE) will have to be involved in any opportunity for moorings or docks. Welch explains that there are boats moored in the harbor all night long and that the remains of Batteries Kingman and Mills might be used as maritime support and ability to dock. This is discussed in the GMP.
- Facilitator: The reason this is in this part of the agenda is because it emerged in the small group breakout session and the park asked for help making it a reality.
- Rose is happy to serve on a committee regarding water based transportation or mooring. She has a lot of contacts that might be helpful.
- NPS will have to reach out to the DEP.
- Michael Walsh talks about having restaurants in Highlands and Sea Bright sponsor a water taxi to and from Sandy Hook.
- McLay: We could use your help working with restaurants in the community.

Action items:

- Water Taxi
- Moorings and Tender
- Leverage connections with Universities (Monmouth University, Brookdale Community College, NPCA, Nichols University)
- Leverage the wedding connections (planners or publications).
- Moorings on the October agenda for development and discussion
- Rose asks if Highlands residents have to pay for water taxi to Sandy Hook in the summer. That is something to consider. McLay: Water taxi operator may charge a fee.

- Glaser: Is there anything the park wants to do to facilitate greater use along the lines of kayak and canoeing? McLay: We have CUA operators in those locations.
- Michael Walsh wants NPS to identify locations for kayak access – primarily wants to know if kayakers can access ferry dock (no – it is a conflicting use). Welch also points out that this area is close to US Coast Guard docks. Should we be encouraging people to use the old post area to access the water? That is one way to encourage people to access the area.
- Nersesian: Kayaks aside, looking at moorings, that is a complementary opportunity to short term use of facilities at Sandy Hook.
- McLay: Brian Samuelson has expressed interest in moorings.
- Welch: There used to be a large amount of jetties near officers row in the 1940s.
- Margot Walsh: I think that if we ask USACE, they will require a study which will take years to complete and evaluate.
- McLay: We'd have to do our own planning as well.
- Stevenson: Stick with the first two things on the list and move from there.
- McLay: Could we work with local water taxi to coordinate with restaurants? How would we work with mooring fields out here?
- Wray: There is already an organization out here that raises money for charity through boat parades. There are already boaters out here linked to a lot of the restaurants. Also, Windansea has a man who tenders folks to and from their restaurant and for patrons of Inlet Café. Bahr's Restaurant might have something like that too. Also, there was a water taxi several years ago that was enjoyed for about one year but was phased out. (**NOTE:** This was well before Hurricane Sandy; the storm had nothing to do with its demise.)
- Rose, Wray, and Cohen agree to follow up on tendering and water taxis.
- Stevenson asks if we can talk about NPS investment to leverage restoration before she has to leave.
- Glaser: The brainstorming session resulted in a request for the park itself to think big. Maybe the park itself could find resources to build something out that supports the efforts.
- Stevenson: Recommends getting a BPI intern to undertake a revenue analysis related to the possible use of a building by NPS that NPS pays to rehabilitate.
- Glaser thinks that we should approach WASO and explain how the investment is beneficial to the park from a financial perspective, not just from the point of rehabilitating Fort Hancock Historic Post. Maybe consider Building 7 for this purpose.
- McLay: Building 7 can be used for seasonal housing or in connection with the Chapel events.
- Glaser: Invest in infrastructure items that would otherwise make a lease unattractive – for example, if a sprinkler system in buildings on Officers Row is required, maybe the NPS can make that investment to make a lease more attractive for a potential lessee.

- Also, the Brookdale Community College students and the corresponding projects are the result of a connection with Michael and Kathleen Walsh concerning how we can we generate more such connections that we can implement immediately – not in one year’s time.
- Stevenson has a connecting with Nichols University. The park has a connection with Monmouth University. Abugel explains that work and projects are tied to classwork and course load.
- Glaser will follow up with NPCA. He has a bunch of irons in the fire with them.
- Everyone agrees to leverage their connections with Universities for students/programs/interns
- Rose asks if there is any interest in destination events (festivals, bikeathon, etc.?) Glaser points out that NOAA has often expressed interest in having this as a conference destination.
- Glaser: Conference capability is important. This is an excellent location for that.
- Welch: We are shifting paradigms and need to find a new way to manage the facilities.
- Agreed this is a future discussion/agenda item.
- Next topic: Other Models for Residential Housing which is a topic that emerged from the brainstorming sessions and the recent focus on communal housing which is making a comeback.
- McLay: It is also consistent with what NPS considers a compatible use. We have never talked about what we don’t consider a compatible use. Do we have a feeling about what we consider non- or incompatible? Have we thought about it? Do we have any concerns?
- Mercantante: When I first came on board I raised this topic and talked about affordable housing and residential rehabilitation as possible uses. Some people think those uses impact the economic viability of a developing community. We should talk about those now because we do not want to have to address it is being addressed as a real possibility. Not that I am saying that kind of thinking is right or wrong. People may say that they don’t want to live near or invest near a particular type of use. We should get our thoughts on the table as to how we feel about potentially controversial uses.
- McLay: Right now our RFP does not restrict any type of use in particular. If a use is not illegal and it conforms to the mission and values of the park, we can consider it.
- Stevenson: We also have a high school out here and some types of use may be incompatible with the use (according to the community).
- Welch points out a similar issue played out in his home town. There was a rehabilitation facility for disruptive kids placed next to a school. It was eventually moved because of its disruption and public protests.
- Mercantante points out that in NJ you are prohibited from preventing the use of a residential treatment program in a residential zone. It is the law. The difference here is that you can make some choices regarding same.

- Welch: If it is going to trigger a required increase in a capacity such as law enforcement, it generates additional costs the park is not prepared to address. That could be an issue for the NPS. If you can't say no to it, you have to accommodate it. I do get a sense that the parents of MAST watch what happens at the post and are very vocal about what happens across Sandy Hook.
- Glaser: We have identified what is compatible use and assuming the proposals now in are consistent with what is considered a compatible use, and a lease is executed as a result, and that information reaches the community once the lease is either in negotiation or actually executed, that is a situation we will have to consider. I am not sure we are comfortable changing the definition of "compatible use" midstream. That is going to be on the park when the decision is made and I don't know what to do about that.
- Michael Walsh: I am sure the NPS considers uses that are compatible with the status of the place as a National Park and a former army facility. With respect to the proposals, I don't need to know who the party is that is planning a proposed use but what I find frustrating is that we are not allowed to know what proposals are for and we were formed as a committee to provide a level of transparency. There is a level of frustration here and I feel that we are acting in the dark. At the end of the day, there is going to be an announcement that a party has been selected to execute a lease and I am not comfortable with that.
- McLay: That is why there is framework that you helped us establish in effect. All the uses have to be consistent with the framework established by the committee. If there are restrictions or other considerations we need to address, I need to know that so I can institute those considerations in the solicitations.
- Margot Walsh: I can appreciate Michael Walsh's frustration. People are always asking me what is going on at FOHA and I can only answer that I don't know. If I could for example answer that there are two proposals for Doctors office, a proposal for a B&B, I would feel better. I don't care who is applying – I would like to know what they are applying for so we can envision how things are coming together. We cannot envision anything if we do not know where the excitement is coming from. Is it residential? Commercial? Etc.?
- McLay: We identified the buildings that proposals came in for and we can share the zone in which they are located.
- Nersesian: Can we share information about the proposals before leases are signed?
- McLay: We can ask the Solicitor.
- Welch: Things that are contract sensitive are not up for discussion. I do not believe the NPS understands the need for information vs. what is considered sensitive information. NPS has to go back to the Solicitors and tell them we need the ability to give good advice based on sound information. We should be able to talk about the types of proposals received. There are a lot of things we need to see in order to properly advise. Right now

we are discussing ten buildings that make up the vast majority of the buildings available in those two zones. We don't know anything about it.

- McLay: A lot of the proposals we receive are marked confidential and we have to respect that.
- Margot Walsh: Telling us that we received a proposal for a building is not enough.
- Nersesian: We will have to go back and have some more conversations with the Solicitor and determine what if anything we can share with the Committee.
- Mercantante: It may be less important to me than it is to other people getting ready to submit proposals. If someone is getting ready to spend money on a proposal and they would not submit it if they knew there was already a proposal in for that building, then that is important to know.
- McLay: This is why it is important to discuss sideboards. If we want to make changes to the solicitation, we need to have these discussions.
- Facilitator: Right, if I have a proposal for a B&B but don't know there are nine other proposals for B&Bs, I am going to be upset when I find out that there are leases signed for nine other B&Bs.
- Krauss: Having a lot of B&Bs is good if you want to have a community like Cape May.
- Agreed: We will revisit this question with the Solicitor.
- McLay: I suspect the answer is that if the applicant is willing to share the information, we may be able to release it.
- Mercantante: Why should anyone be allowed to keep the information confidential? Why so secretive?
- McLay: It's a "secret" until the lease is negotiated.
- Margot Walsh: We want to know who we are not reaching and who is not putting in proposals.
- Michael Walsh: My recommendation is that you go back to the Solicitors, ask them if you can make the proposals available to the committee and if the Solicitors say no, because it is confidential, you should amend the proposals to state that proposals will be shared with the Committee only.
- Michael Walsh: The public expects us to provide good advice based on good information. One of the problems you have had in the past is the lack of transparency. If you are unwilling to allow us to make decision based on sound information, we should disband. You are undertaking a real estate transaction in a national park. That has the potential for wide reaching implications.
- Cohen: When we did the RFEI we had full access to all the information and it generated a lot of excitement and interest. Why is this so different? How can we make informed decisions?
- McLay: An RFEI does not result in a federal contract and that is why this information can be shared. We will go back to the Solicitor and ask about this.

- Welch: We were appointed by the SOI to make recommendation on the adaptive reuse of buildings (reading from RFP) and on matters relating to the development of the Fort Hancock Historic Post. Welch then reads from the register which states the purpose of the committed is: "...to advise the Secretary through the Director of the National Park Service, on the development of a reuse plan and on matters relating to future uses of the Fort Hancock Historic Landmark District of Gateway National Recreation area." Welch discusses the difference between the two and asks the Committee to think about the need to have good information in order to make good recommendations. Welch's point is that per the Federal Register description of the Committee's purpose, their purpose is broad. as the NHL covers the entire Sandy Hook peninsula.
- Mercantante: You can't possibly think of every use that might come through your door. If you consider cooperative housing, you may be thinking about one type of residence but it may in fact be a "frat house" which was not the intended purpose as far as the NPS might be concerned. That is why you should provide us with a written summary of the type of use that is proposed.
- McLay: I know we can't think of everything but to be fair if there is a type of use we are not anticipating or object to, we should identify those right off the bat.
- Rose and others: So a shooting range or vape shop – are we eliminating those right here?
- McLay: We should come up with a framework of uses the Committee would not consider compatible.
- Also, previously, McLay mentioned that we did ask some of the applicants who submitted proposals if they are interested in speaking before the Committee and they preferred not to.
- The Committee agrees to start thinking about what they consider to be potentially incompatible uses. The NPS can update the RFPs on a pretty regular basis.
- Michael Walsh: We do not need to go through a list of proposed uses and make a laundry list of things that are "bad." The Committee should be informed about potential applicants so they can have broader discussions about actual proposals.
- McLay: The review panel looks at the RFP as the limitation on the types of use. Right now the only sideboards we have are the use zone designations.
- Glaser: Sides with Michael Walsh but thinks making a laundry list of prohibited uses is not the answer to this problem and asks NPS to revisit the issue with the Solicitor.
- Glaser asks if the discussion with the Solicitor will impact the proposals for use of the ten buildings that are in right now. This a two part question:
 - Can NPS share information/proposals?
 - If not, can we ask the applicants whether we can identify the type of use they are proposing in connection with their proposals.
- NPS will follow up with the Solicitor on this matter.

Adjourned 3:37 PM.

APPENDIX A: ATTENDEES

NPS: Jennifer T. Nersesian, GATE Superintendent; Pam McLay, GATE Chief Business Services (Chief, BSD); Karen Edelman, GATE BSD; Daphne Yun, GATE Public Affairs; Jim Grant, GATE Chief of Facilities; Marilou Ehrler, GATE Historical Architect; Pete McCarthy, SANDY HOOK Unit Coordinator.

FACA Committee members: Lillian Burry, Linda Cohen (joined after lunch), John Ekdahl, Mary Eileen Fouratt, Gerry Glaser (co-chair), James Krauss, Anthony Mercantante, Dr. Howard Parish, Dan Saunders (by phone), Kate Stevenson, Jeff Tyler (by phone), Lynda Rose, Margot Walsh, Michael Walsh, Shawn Welch (co-chair), Karolyn Wray.

Stacie Smith, facilitator.

Absent: Guy Hembling, Timothy Hill, Michael Hostenstein, Stephanie Murray.