

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

April 13, 2017

MINUTES OF THE MEETING

Members of the Authority present: Chairman Thomas Scrivo; Commissioner Richard Badolato of the Department of Banking and Insurance; James Kelly representing State Treasurer Ford M. Scudder; Jeffrey Stoller representing Acting Commissioner Aaron Fichtner of the Department of Labor and Workforce Development; Asst. Commissioner Dan Kennedy of the Department of Environmental Protection; Public Members: Larry Downes, David Huber, Fred B. Dumont, Patrick Delle Cava, First Alternate Public Member; and Harold Imperatore, Third Alternate Public Member.

Present via conference call: Rodney Sadler, Non-Voting Member.

Absent: Public Members: Charles Sarlo, Philip Alagia, Massiel Medina Ferrara, and William J. Albanese, Sr., Second Alternate Public Member.

Also present: Melissa Orsen, Chief Executive Officer of the Authority; Timothy Lizura, President and Chief Operating Officer; Deputy Attorney General Gabriel Chacon; Thomas Huth, Governor's Authorities' Unit; and staff.

Mr. Scrivo called the meeting to order at 10:00 a.m.

Pursuant to the Internal Revenue Code of 1986, Ms. Orsen announced that this was a public hearing and comments are invited on any Private Activity bond projects presented today.

In accordance with the Open Public Meetings Act, Ms. Orsen announced that notice of this meeting has been sent to the *Star Ledger* and the *Trenton Times* at least 48 hours prior to the meeting, and that a meeting notice has been duly posted on the Secretary of State's bulletin board at the State House.

MINUTES OF AUTHORITY MEETING

The next item of business was the approval of the March 24, 2017 meeting minutes. A motion was made to approve the minutes by Mr. Stoller, and seconded by Mr. Downes and was approved by the 10 voting members present.

Chairman Scrivo recused himself because he was not a member of the board at the previous meeting.

FOR INFORMATION ONLY: The next item was the presentation of the Chief Executive Officer's Monthly Report to the Board.

AUTHORITY MATTERS

ITEM: Capital City Redevelopment Corporation

REQUEST: To approve the extension of an MOU between the EDA and Capital City Redevelopment Corporation (CCRC) as an inter-department governmental agreement confirming the mutual understanding and intention between the agencies with respect to the provision of the Authority's support services to CCRC.

MOTION TO APPROVE: Comm. Badolato **SECOND:** Mr. Delle Cava **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 1

ITEM: Memorandum of Understanding between the Authority and the Office of the Secretary of Higher Education

REQUEST: To approve an MOU between the Authority and the Office of the Secretary of Higher Education (OSHE) to support the successful development, implementation and ongoing maintenance of a Statewide Research Asset Database.

MOTION TO APPROVE: Mr. Imperatore **SECOND:** Mr. Stoller **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 2

INCENTIVE PROGRAMS

Economic Redevelopment and Growth (ERG) Program

ITEM: ACB Ownership, LLC

APPL.#42120

REQUEST: To approve the application of ACB Ownership, LLC for a Project located in Atlantic City, Atlantic County for reimbursement of certain taxes. The recommendation is to award 27.8% of actual eligible costs, not to exceed \$38,400,000 based on the budget submitted.

MOTION TO APPROVE: Mr. Dumont **SECOND:** Comm. Badolato **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 3

Mr. Layton recused himself due to a previous business relationship.

Public Infrastructure Project Tax Credit Program (PIP)

ITEM: PH Urban Renewal, LLC

APPL.#43333

REQUEST: To approve the application of PH Urban Renewal, LLC for a project located in Jersey City, Hudson County for the issuance of tax credits. The recommendation is to give an award, not to exceed \$5,000,000.

MOTION TO APPROVE: Mr. Layton **SECOND:** Mr. Delle Cava **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

Grow New Jersey Assistance Program

ITEM: Biogenesis, Inc.

APPL.#444089

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Huber **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

ITEM: Biogenesis, Inc.

APPL.#444089

REQUEST: To approve the application of Biogenesis, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Paterson City, NJ. Project location of Paterson, Passaic County qualifies as a Garden State Growth Zone under N.J.S.A. 34:1B-242 et seq and the program's rules, N.J.A.C. 19:31-18. The project is eligible, pursuant to the statute, for bonus increases to the tax credit award for Deep Poverty Pocket, Target Industry (Manufacturing), GSGZ Ind. Project w/ Cap. Inv. In Excess of Min. The estimated total award is \$9,360,000 for a 10-year term.

MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Imperatore **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

ITEM: Turtle & Hughes, Inc.

APPL.#44128

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Mr. Imperatore **SECOND:** Mr. Dumont **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

Mr. Huber recused himself due to a longstanding business relationship with the applicant company's CFO.

ITEM: Turtle & Hughes, Inc.

APPL.#44128

REQUEST: To approve the application of Turtle & Hughes, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Piscataway Township, NJ. Project location of Piscataway Township, Middlesex County qualifies as a Priority Area under N.J.S.A. 34:1B-242 et seq and the program's rules, N.J.A.C. 19:31-18. The project is eligible, pursuant to the statute, for bonus increases to the tax credit award for Large Number of New/Retained F/T Jobs, On site Solar Generation of ½ of Projects Electric needs. The estimated total award is \$6,468,750 for a 10-year term.

MOTION TO APPROVE: Mr. Delle Cava **SECOND:** Mr. Dumont **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

ITEM: United States Cold Storage, Inc. APPL.#44081
REQUEST: To approve the finding of a material factor in the decision to make a capital investment and locate in municipality for GROW New Jersey Assistance program project.
MOTION TO APPROVE: Mr. Layton **SECOND:** Mr. Huber **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

ITEM: United States Cold Storage, Inc. APPL.#44081
REQUEST: To approve the application of United States Cold Storage, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Camden City, NJ. Project location of Camden City, Camden County qualifies as a Garden State Growth Zone Municipality under N.J.S.A. 34:1B-242 et seq and the program's rules, N.J.A.C. 19:31-18. . The project is eligible, pursuant to the statute, for bonus increases to the tax credit award for Deep Poverty Pocket, Transit Oriented Development, Jobs with Salary in Excess of County/GSGZ Average, Target Industry (Logistics), 2007 Revit. Index greater than 465 in Camden County. The estimated total award is \$9,790,000 for a 10-year term.
MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Huber **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

BOND PROJECTS

Amended Bond Resolutions

ITEM: Partial Redemption & Payment of NJEDA/State Lease Revenue Refunding Bonds, 2004 Series A (State Office Buildings Projects) APPL.#15682
REQUEST: To authorize an Authorized Authority Representative to direct the Trustee to redeem a portion of the Authority's 2004 Series A Bonds, to take any and all actions necessary to sell the Camden State Office Building to the State, and to approve the use of professionals and authorize Authority staff to take all necessary actions incidental to the transactions.
MOTION TO APPROVE: Mr. Huber **SECOND:** Mr. Delle Cava **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

Combination Preliminary and Bond Resolutions

ITEM: NSA 18th Avenue, LLC APPL.#44147
LOCATION: Newark, Essex County
PROCEEDS FOR: Construction, Renovation and debt-refinancing
FINANCING: \$26,500,000 Tax exempt bond
MOTION TO APPROVE: Mr. Delle Cava **SECOND:** Mr. Downes **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT: 12
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

Preliminary Bond Resolutions

ITEM: Friends of Teaneck Community Charter School APPL.#44146
LOCATION: Teaneck, Bergen County
PROCEEDS FOR: Refinancing, Construction, Equipment and machinery
FINANCING: \$13,537,685 total costs
MOTION TO APPROVE: Comm. Badolato **SECOND:** Mr. Imperatore **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT: 13
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

LOANS/GRANTS/GUARANTEES

Petroleum Underground Storage Tank (PUST)

ITEM: Summary of NJDEP Petroleum UST Remediation, Upgrade & Closure Fund Program projects approved by the Department of Environmental Protection.
MOTION TO APPROVE: Asst. Comm. Kennedy **SECOND:** Mr. Imperatore **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

PROJECT: MBDF, LLC APPL.#43753
LOCATION: Newark City, Essex County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$748,184

PROJECT: Saint Michael the Archangel APPL.#42991
LOCATION: Lyndhurst Township, Bergen County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$259,225

PROJECT: St. Thomas of Aquin Parish
LOCATION: Ogdensburg Borough, Sussex County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$100,802

APPL.#43047

PROJECT: Eliot Zigmund
LOCATION: Teaneck Township, Bergen County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$135,545

APPL.#43652

PROJECT: Hipolito Beato and Leonor Beato
LOCATION: Perth Amboy City, Middlesex County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$111,864

APPL.#43715

PROJECT: Katheryn Septak
LOCATION: Jamesburg Borough, Middlesex County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$113,243

APPL.#43515

PROJECT: Nakida Williams
LOCATION: Winslow Township, Camden County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$105,515

APPL.#43266

PROJECT: Vincent R. Martino and Rose Martino
LOCATION: Woodbridge Township, Middlesex County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$140,452

APPL.#42658

EDISON INNOVATION FUND

ITEM: NJ CoVest Fund – Early Stage Technology Company Investment Program
REQUEST: To approve a \$3 million investment program – NJ CoVest Fund - for early stage technology and life sciences companies
MOTION TO APPROVE: Mr. Huber **SECOND:** Mr. Imperatore
RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

AYES: 11

OFFICE OF RECOVERY

Office of Recovery Modifications

ITEM: Yank Marine Services, LLC

APPL.#39754

REQUEST: To increase the \$2,072,250 construction loan under the Stronger NJ Business Loan program approved on February 26,2015 to \$2,572,250.

MOTION TO APPROVE: Mr. Huber **SECOND:** Mr. Stoller **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

REAL ESTATE

ITEM: Identification of City of Trenton Downtown Redevelopment Sites

REQUEST: To approve an MOU comprised of public and private partners to prepare a report of redevelopment sites within the City's downtown which may serve as future public or private commercial redevelopment opportunities for public or private entities.

MOTION TO APPROVE: Mr. Dumont **SECOND:** Commissioner Badolato **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 17

BOARD MEMORANDUMS

FOR INFORMATION ONLY: Petroleum Underground Storage Tank Program – Delegated Authority Approvals

FOR INFORMATION ONLY: Hazardous Discharge Site Remediation Fund - Delegated Authority First Quarter 2017 Approvals

FOR INFORMATION ONLY: Projects approved under Delegated Authority

Direct Loan Program: ACMY, LLC (P44061)

NJ Main Street Program: San Antonio Broker Services (P44110 & P44111)

Premier Lender Program: 800 Coopertown Rd. LLC (P44082)

Small Business Fund Program: JA Properties, LLC (P44064)

PUBLIC COMMENT

There were no public comments.

EXECUTIVE SESSION

The next item was to adjourn the public session of the meeting and enter into Executive Session to discuss a legal matter. The minutes will be made public when the need for confidentiality no longer exists.

MOTION TO APPROVE: Comm. Badolato **SECOND:** Mr. Imperatore **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 18

The Board returned to Public Session.

OFFICE OF RECOVERY

Stronger NJ Business Grants

ITEM: Surf City Marina

APPL.#55079

REQUEST: To suspend the applicant during the OSHA legal proceeding and Richmond County (NY) District Attorney's investigation of which applicant's counsel informed the Authority.

MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Downes **AYES:** 11

RESOLUTION ATTACHED AND MARKED EXHIBIT: 19

There being no further business, on a motion by Mr. Delle Cava, and seconded by Mr. Imperatore, the meeting was adjourned at 10:55 am.

Certification: The foregoing and attachments represent a true and complete summary of the actions taken by the New Jersey Economic Development Authority at its meeting.



Erin Gold, Director, Marketing & Public Affairs
Assistant Secretary