

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

August 9, 2016

MINUTES OF THE MEETING

Members of the Authority present: Al Koepp, Chairman; Commissioner Richard Badolato of the Department of Banking and Insurance; Jeffrey Stoller representing Commissioner Hal Wirths of the Department of Labor and Workforce Development; Colleen Kokas representing the Commissioner of the Department of Environmental Protection; Public Members: David Huber, Fred B. Dumont, and Harold Imperatore, Third Alternate Public Member.

Members Present via conference call: Charles Sarlo, Philip B. Alagia, William J. Albanese, Sr., Second Alternate Public Member; and Rodney Sadler, Non-Voting Member.

Absent: Peter Simon representing Acting State Treasurer Ford M. Scudder; Public Members Larry Downes, Massiel Medina Ferrara and Patrick Delle Cava, First Alternate Public Member.

Also present: Melissa Orsen, Chief Executive Officer of the Authority; Timothy Lizura, President and Chief Operating Officer; Bette Renaud, Deputy Attorney General; Michael Collins, Governor's Authorities' Unit; and staff.

Chairman Koepp called the meeting to order at 10 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 July 14, 2016 meeting minutes. A motion was made to approve the minutes by Mr. Stoller and seconded by Ms. Kokas, and was approved by the 9 voting members present.

Mr. Sarlo called into the meeting at this time.

INCENTIVE PROGRAMS

Economic Redevelopment and Growth Grant Program

ITEM: Downtown Works Urban Renewal Housing Co., LLC and
Cooper-Grant Neighborhood Association APPL.#40187

REQUEST: To approve funding authorization for \$2,177,000 non-recoverable grant from the Downtown Revitalization and Recovery Fund established through the Municipal Rehabilitation and Economic Recovery Act.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 1

ITEM: Downtown Works Urban Renewal Housing Co., LLC and
Cooper-Grant Neighborhood Association APPL.#40187

REQUEST: To approve the application of Downtown Works Urban Renewal Housing Co., LLC and Cooper Grant Neighborhood Association for a project located in the City of Camden, Camden County, for the issuance of tax credits. The recommendation is to award 40% of actual eligible costs, not to exceed \$2,706,272, in tax credits, based on the budget submitted.

MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Stoller **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 2

ITEM: Proposed Rule Amendments – Statutory and Policy Revisions
This project was withheld from consideration.

Grow New Jersey Assistance Program

ITEM: ACTEGA North America, Inc. APPL.#42866

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. Huber **SECOND:** Ms. Kokas **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 3

ITEM: ACTEGA North America, Inc. APPL.#42866

REQUEST: To approve the application of ACTEGA North America, 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, Camden 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 to receive per employee as a tax credit the total amount of capital investment for the project divided by the number of employees. The estimated annual award is \$4,000,000 for a 10-year term.

MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Huber **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

ITEM: Allergan Sales, LLC
REQUEST: To approve the recommendation not to disqualify.
MOTION TO APPROVE: Mr. Huber **SECOND:** Ms. Kokas **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

ITEM: Allergan Sales, LLC APPL.#42908
REQUEST: To approve the finding of jobs at risk.
MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Imperatore **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

ITEM: Allergan Sales, LLC APPL.#42908
REQUEST: To approve the application of Allergan Sales, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Madison Borough, NJ. Project location of Madison, Morris County qualifies as a Mega Project 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 Jobs with Salary in Excess of County Average, Large Number of New/Retained F/T Jobs, and Targeted Industry (Life Sciences). The estimated annual award is \$5,828,400 for a 10-year term.
MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Stoller **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

ITEM: Allergan Sales, LLC APPL.#42914
REQUEST: Consent the approval of Allergan Sales application to participate in the Sales and Use Tax Exemption (STX) Program.
MOTION TO APPROVE: Commissioner Badolato **SECOND:** Ms. Kokas **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

ITEM: Broadridge Financial Solutions, Inc. APPL.#42919
REQUEST: To approve the finding of jobs at risk.
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Stoller **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

ITEM: Broadridge Financial Solutions, Inc. APPL.#42919
REQUEST: To approve the application of Broadridge Financial Solutions, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Newark City, NJ. Project location of Newark, Essex County qualifies as an Urban Transit HUB 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 Average, Large Number of New/Retained F/T Jobs and Targeted Industry (Finance). The estimated annual award is \$2,340,849 for a 10-year term.
MOTION TO APPROVE: Mr. Stoller **SECOND:** Ms. Kokas **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

ITEM: Demountable Concepts, Inc.

APPL.#42850

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Mr. Huber

SECOND: Ms. Kokas

AYES: 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

ITEM: Demountable Concepts, Inc.

APPL.#42850

REQUEST: To approve the application of Demountable Concepts, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Glassboro Borough, NJ. The existing location of Glassboro, Gloucester County qualifies as a Distressed 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 Capital Investment in Excess of Minimum (non-Mega), Targeted Industry (Manufacturing), 2007 Revit. Index Greater than 465 in Gloucester County and On Site Solar Generation of ½ of Projects Electric Needs. The estimated annual award is \$225,840 for a 10-year term. The new location of Glassboro, Gloucester County qualifies as a Distressed 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 Capital Investment in Excess of Minimum (non-Mega), Targeted Industry (Manufacturing), 2007 Revit. Index Greater than 465 in Gloucester County and On Site Solar Generation of ½ of Projects Electric Needs. The estimated annual award is \$201,250 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

ITEM: Dubell Lumber Co.

APPL.#42607

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. Huber

SECOND: Ms. Kokas

AYES: 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

ITEM: Dubell Lumber Co.

APPL.#42607

REQUEST: To approve the application of Dubell Lumber Co 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, Camden 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, Transit Oriented Development, Targeted Industry (Manufacturing), Mega/GSGZ Ind. Project w/ Cap. Inv. In Excess of Min, 2007 Revit. Index greater than 465 in Camden County. The estimated annual award is \$1,830,000 for a 10-year term.

MOTION TO APPROVE: Ms. Kokas **SECOND:** Commissioner Badolato **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

ITEM: New Avon, LLC APPL.#42909

REQUEST: To approve the application of New Avon, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Jersey City, NJ. Project location of Jersey City, Hudson County qualifies as an Urban Transit HUB 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 Transit Oriented Development, Jobs with Salary in Excess of County Average and Large Number of New/Retained F/T Jobs. The estimated annual award is \$3,168,000 for a 10-year term.

MOTION TO APPROVE: Mr. Stoller **SECOND:** Commissioner Badolato **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

ITEM: PsychoGenics Inc. APPL.#42895

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Dumont **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

ITEM: PsychoGenics Inc. APPL.#42895

REQUEST: To approve the application of PsychoGenics Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Paramus Borough, NJ. Project location of Paramus, Bergen 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 Jobs with Salary in Excess of County Average and Targeted Industry (Life Sciences). The estimated annual award is \$373,125 for a 10-year term.

MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Stoller **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 17

ITEM: United Asphalt Company APPL.#42711

REQUEST: To approve the finding of jobs at risk.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 18

ITEM: United Asphalt Company APPL.#42711

REQUEST: To approve the application of United Asphalt Company for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Winslow Township, NJ. Project location of Winslow, Camden County qualifies as a Distressed 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 Capital Investment in Excess of Minimum (non-Mega) and Targeted Industry (Manufacturing). The estimated annual award is \$131,250 for a 10-year term.

MOTION TO APPROVE: Mr. Huber **SECOND:** Ms. Kokas **AYES:** 10

RESOLUTION ATTACHED AND MARKED EXHIBIT: 19

Grow New Jersey Assistance Program – Modifications

ITEM: Mallinckrodt Enterprises, LLC. APPL.#42291
REQUEST: To approve the modification request for location.
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Huber **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 20

BOND PROJECTS

Preliminary Bond Resolutions

ITEM: KIPP:Cooper Norcross, A New Jersey Nonprofit Corporation APPL.#42944
LOCATION: Camden City, Camden County
PROCEEDS FOR: Renovation/Acquisition/Equipment and Machinery
FINANCING: \$29,833,634 Taxable QSCB
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Huber **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 21

ITEM: Memorial Sloan-Kettering Cancer Center APPL.#42959
LOCATION: Multiple Locations
PROCEEDS FOR: Renovation/Acquisition/Equipment and Machinery
FINANCING: \$145,000,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Stoller **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 22
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

LOANS/GRANTS/GUARANTEES

Premier Lender Program

ITEM: Post Closing Credit Delegations – Premier Lender Program(“PLP”)
REQUEST: To Increase the previously approved PLP post-closing staff delegations from \$1,250,000 to \$2,750,000.
MOTION TO APPROVE: Mr. Huber **SECOND:** Ms. Kokas **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 23

Petroleum Underground Storage Tank Program

FOR INFORMATION ONLY – PUST and HDSRF Program Funding Status

ITEM: Summary of NJDEP Petroleum UST Remediation, Upgrade & Closure Fund Program projects approved by the Department of Environmental Protection.
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Stoller **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 24

PROJECT: Estate of Vincent Cloge and Rose Marie Cloge APPL.#41835
LOCATION: Vineland City/Cumberland
PROCEEDS FOR: Remediation
FINANCING: \$15,443

PROJECT: Rosa Joao APPL.#42366
LOCATION: Elizabeth City/Union
PROCEEDS FOR: Remediation
FINANCING: \$222,602

Hazardous Discharge Site Remediation Fund Program

ITEM: Summary of NJDEP Hazardous Discharge Site Remediation Fund Program projects approved by the Department of Environmental Protection.

MOTION TO APPROVE: Ms., Kokas **SECOND:** Commissioner Badolato **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 25

PROJECT: Camden Redevelopment Agency (Camden Laboratories) APPL.#42488
LOCATION: Camden City/Camden
PROCEEDS FOR: Remedial Investigation
FINANCING: \$192,051

PROJECT: Jersey City Redevelopment Agency (Berry Lane Park) APPL.#42680
LOCATION: Jersey City/Hudson
PROCEEDS FOR: Remedial Investigation
FINANCING: \$267,329

PROJECT: Jersey City Redevelopment Agency (Grant Cleaners/DB Luckys Auto Service) APPL.#42679
LOCATION: Jersey City/Hudson
PROCEEDS FOR: Remedial Investigation
FINANCING: \$211,778

PROJECT: Township of Hanover (Fmr Van Dyk Research Corp.) APPL.#42789
LOCATION: Hanover Township/Morris
PROCEEDS FOR: Remedial Investigation
FINANCING: \$113,235

Edison Innovation Fund

ITEM: Edison Innovation Venture Capital Investment Program Update
REQUEST: To approve an update to the Authority's Venture Fund investment policy, along with the implantation of a scoring model.
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Stoller **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 26

Technology Business Tax Certificate Transfer Program

ITEM: Technology Business Tax Certificate Transfer Program: 2016
Program Approvals
REQUEST: To approve the applicants which have met the evaluation criteria.
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Huber **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 27

OFFICE OF RECOVERY

Stronger New Jersey Business Loan Program

ITEM: Formica Brothers LLC, \$2,095,216 Loan APPL.#38858
REQUEST: To extend the maturity and amortization of the loan.
MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Huber **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 28

ITEM: Delegations for the Stronger NJ Business Loan Program
REQUEST: To approve post-closing delegations for the Stronger New Jersey Business
Loan Program.
MOTION TO APPROVE: Commissioner Badolato SECOND: Mr. Huber **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 29

Energy Resilience Bank (ERB)

ITEM: South Monmouth Regional Sewerage Authority (SMRSA) Cogen
Islanding Expansion Project Funding Recommendation
REQUEST: To approve the actions required to advance the project to the next stage of
the review process.
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Imperatore **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 30

REAL ESTATE

ITEM: FMERA Purchase and Sale & Redevelopment Agreement with Monmouth
County for Motor Pool Area in the Eatontown Section of Fort Monmouth
REQUEST: Consent to FMERA entering into the redevelopment agreement contained
within the Purchase and Sale & Redevelopment Agreement with
Monmouth County for redevelopment of the Motor Pool Area.
MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Stoller **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 31

ITEM: FMERA Purchase and Sale & Redevelopment Agreement with Monmouth County for 3-Acre Parcel for Emergency Homeless Shelter in the Oceanport Section of Fort Monmouth
REQUEST: Consent to FMERA entering into the redevelopment agreement that is contained within the Purchase and Sale & Redevelopment Agreement with Monmouth County for redevelopment of a 3-acre parcel.
MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Huber **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 32

ITEM: Coopers Poynt Park and Road Construction Project
REQUEST: To approve the award of a construction services contract to D'Angelo Bros. Inc. of Philadelphia, PA for the construction of the Cooper's Poynt Park and Road Project located on the former Riverfront State Prison Site Located in Camden, NJ
MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Huber **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 33

ITEM: Premier Education Group
REQUEST: To approve the amendment of the existing Surrender and Cancellation of Lease and Occupancy Agreement between Premier Education Group and the NJEDA for the Tech VI building at the Technology Centre of New Jersey.
MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Imperatore **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 34

ITEM: Update to Operating Authority Real Estate Division and Technology & Life Sciences (TLS)
REQUEST: Approve the modification of the Real Estate Division and CCIT Operating Authority.
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Huber **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 35

BOARD MEMORANDUMS

FOR INFORMATION ONLY: Projects approved under Delegated Authority

Camden ERB: W Keith Williams II (P42660 & P42662)

Premier Lender Program: 6001 Bordentown, LLC (P42826); Richard E. Pierson Material Corporation "REPMC" (P42797),

Stronger NJ Business Loan Program: C & C Marine Services LLC (P42708); Headquarters Pub LLC d/b/a Tun Tavern (P41880 & P40592); LaGrutta-Russo, LLC d/b/a Mulberry Street Restaurant & Bar (P41919 & P41922); Payton Enterprises, LLC (P42555)

FOR INFORMATION ONLY: Petroleum Underground Storage Tank Program – Delegated Authority Second Quarter 2016 Approvals

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FOR INFORMATION ONLY: Hazardous Discharge Site Remediation Fund – Delegated Authority Second Quarter 2016 Approvals

FOR INFORMATION ONLY: Retail Fuel Station – Energy Resiliency Program Modifications

FOR INFORMATION ONLY: Retail Fuel Station – Energy Resiliency Program Delegated Authority Second Quarter 2016 Approvals

FOR INFORMATION ONLY: Post Closing Delegated Authority Second Quarter 2016 Approvals

FOR INFORMATION ONLY: Incentives Modifications Delegated Authority Second Quarter 2016 Approvals

FOR INFORMATION ONLY: Sale of Property to KTR Property Trust III

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

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

MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Huber **AYES:** 10


RESOLUTION ATTACHED AND MARKED EXHIBIT: 36

The Board returned to Public Session.

ADJOURNMENT

There being no further business, on a motion by Mr. Imperatore, and seconded by Commissioner Badolato, the meeting was adjourned at 11:40am.

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 and Public Affairs
Assistant Secretary