

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

AGENDA

December 9, 2014 10:00 a.m.

EDA Boardroom – 36 West State Street, Trenton

- 1. NOTICE OF PUBLIC MEETING**
- 2. ROLL CALL**
- 3. APPROVAL OF PREVIOUS MONTH'S MINUTES**
- 4. CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT TO THE BOARD**
- 5. AUTHORITY MATTERS**

ITEM: 2015 Strategic Business Plan

REQUEST: To review and approve the 2015 Strategic Business Plan that has been reviewed by the Policy and Audit Committees.

ITEM: FY15 Fiscal Plan

REQUEST: To review and approve the proposed FY15 Fiscal Plan.

6. BOND PROJECTS

*Public hearings are being conducted for these projects.

ITEM: NJEDA/School Facilities Construction Bonds Portfolio

REQUEST: Approval of a qualified independent representative policy and delegation to the Authorized Officers of the Authority to execute safe harbor letters in accordance with new regulatory requirements with respect to parties involved in derivative transactions, including interest rate swap agreements.

ITEM: Atlantic City Sewerage Company* **APPL.#39369**

LOCATION: Atlantic City/Atlantic

PROCEEDS FOR: Purchase of equipment and machinery

FINANCING: \$6,000,000 Tax-exempt Bond

ITEM: SCF Realty III, LLC* **APPL.#39892**

LOCATION: Bayonne/Hudson

PROCEEDS FOR: Acquisition of existing building

FINANCING: \$10,000,000 Tax-exempt Bond

Amended Bond Resolutions

ITEM: Bayonne Industries , Inc., IMTT-Bayonne & IMTT-BC* **APPL.#40183**

LOCATION: Bayonne/Hudson

PROCEEDS FOR: Refinancing

FINANCING: \$36,300,000 Tax-exempt Bond

ITEM: The Seeing Eye, Inc.* **APPL.#40135**

LOCATION: Chester Township/Morris

PROCEEDS FOR: Refinancing

FINANCING: \$18,340,000 Tax-exempt Bond

Combination Preliminary and Bond Resolutions

ITEM: The Gill St. Bernard's School* **APPL.#40208**
LOCATION: Peapack-Gladstone Borough/Somerset
PROCEEDS FOR: Refinancing
FINANCING: \$8,250,000 Tax-exempt Bond

ITEM: The Gill St. Bernard's School* **APPL.#40211**
LOCATION: Peapack-Gladstone Borough/Somerset
PROCEEDS FOR: Refinancing
FINANCING: \$6,250,000 Tax-exempt Bond

ITEM: Uncommon Properties V, LLC **APPL.#40207**
LOCATION: Newark/Essex
PROCEEDS FOR: Renovation of existing building
FINANCING: \$7,145,000 Tax-exempt Bond

7. LOANS/GRANTS/GUARANTEES

Direct Loans

PROJECT: 2000 West Street, LLC **APPL.#40099**
LOCATION: Union/Hudson
PROCEEDS FOR: Acquisition of existing building
FINANCING: \$684,000 loan

PROJECT: Public Media NJ, Inc. **APPL.#40166**
LOCATION: Newark/Essex
PROCEEDS FOR: Purchase of equipment & machinery/Acquisition of existing building
FINANCING: \$1,250,000 loan

Statewide Loan Pool

PROJECT: 8 Boys LLC **APPL.#39844**
LOCATION: Glassboro Borough/Gloucester
PROCEEDS FOR: Purchase of equipment & machinery/Acquisition of existing building
FINANCING: \$5,000,000 TD Bank loan with a \$1,000,000 EDA participation

PROJECT: Liscio's Italian Bakery, Inc. **APPL.#39842**
LOCATION: Glassboro Borough/Gloucester
PROCEEDS FOR: Purchase of equipment & machinery/Acquisition of existing building
FINANCING: \$5,000,000 TD Bank loan with a \$1,000,000 EDA participation

Fund for Community Economic Development

PROJECT: Trenton Business Assistance Corporation **APPL.#39986**
LOCATION: Hamilton/Mercer
PROCEEDS FOR: Revolving Loan Fun

FINANCING: \$500,000 loan

Petroleum Underground Storage Tank Program

ITEM: Summary of Petroleum UST Remediation, Upgrade & Closure Fund Program projects approved by the Department of Environmental Protection.

PROJECT: Joseph Zipeto **APPL.#39792**
LOCATION: West Orange/Essex
PROCEEDS FOR: Remediation
FINANCING: \$168,198 Petroleum UST Remediation, Upgrade and Closure Fund Grant

Hazardous Discharge Site Remediation

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

PROJECT: Michael Flamos **APPL.#39925**
LOCATION: South Orange/Essex
PROCEEDS FOR: Remedial Investigation
FINANCING: \$26,614

PROJECT: Villarroel, Patricio and Omaira **APPL.#39911**
LOCATION: Point Pleasant Beach/Ocean
PROCEEDS FOR: Remedial Investigation
FINANCING: \$214,310

PROJECT: Borough of Somerville **APPL.#39541**
LOCATION: Somerville/Somerset
PROCEEDS FOR: Remedial Action
FINANCING: \$4,877,906

PROJECT: Camden Redevelopment Agency **APPL.#40147**
LOCATION: Camden/Camden
PROCEEDS FOR: Remedial Action
FINANCING: \$269,034

PROJECT: Camden Redevelopment Agency **APPL.#40179**
LOCATION: Camden/Camden
PROCEEDS FOR: Remedial Action
FINANCING: \$1,800,000

8. EDISON INNOVATION FUND

Technology Business Tax Certificate Transfer Program

ITEM: Technology Incentives Delegations

REQUEST: Increase delegations for New Jersey Angel Investor Tax Credit Program and create delegation for Technology Business Tax Certificate Transfer Program.

Angel Investor Tax Credit Program

INVESTOR: Care Capital Investments III LP **APPL.#** 40069
TECHNOLOGY BUSINESS: Agile Therapeutics, Inc.
LOCATION: Princeton/Mercer
QUALIFIED INVESTMENT: \$4,250,045.86

INVESTOR: Shanghai Aucta Pharmaceuticals Co., Ltd **APPL.#** 40086
TECHNOLOGY BUSINESS: Aucta Pharmaceuticals, LLC
LOCATION: North Brunswick/Middlesex
QUALIFIED INVESTMENT: \$140,000.00

INVESTOR: Core Ventures II LLC **APPL.#** 40127
TECHNOLOGY BUSINESS: ElectroCore
LOCATION: Bernards Township/Somerset
QUALIFIED INVESTMENT: \$5,000,000.00

INVESTOR: Conure ElectroCore, LLC **APPL.#**40129
TECHNOLOGY BUSINESS: ElectroCore
LOCATION: Bernards Township/Somerset
QUALIFIED INVESTMENT: \$4,000,000.00

INVESTOR: Conure ElectroCore, LLC **APPL.#**40126
TECHNOLOGY BUSINESS: ElectroCore
LOCATION: Bernards Township/Somerset
QUALIFIED INVESTMENT: \$1,333,333.00

ITEM: Zipz Inc.

REQUEST: To approve Angel Investor Tax Credit applications for investments made in Zipz Inc.

9. OFFICE OF RECOVERY

ITEM: Stronger NJ Business Grant Program Appeal – GNG Investments LLC(NCR)

REQUEST: To approve the Hearing Officer’s recommendation to uphold the declination of the Stronger NJ Business Grant for GNG Investments LLC.

10. INCENTIVE PROGRAMS

ITEM: Revised Incentive Programs Rules Amendments
New Jersey Economic Opportunity Act of 2013
And Economic Opportunity Act of 2014, Part 3

REQUEST: To approve 1) the proposed amendments to the rules implementing the Economic Redevelopment and Growth Program, Business Employment Incentive Program, Business Retention and Relocation Assistance Grant Program, BRRAG Tax

Credit Certificate Program and Grow New Jersey Assistance Program as well as certain Authority administrative rules regarding fees based on statutory revisions enacted pursuant to the New Jersey Economic Opportunity Act of 2013, P.L. 2013, c. 161; and 2) the attached proposed rule amendments revising the ERG Program, Urban Transit Hub Tax Credit Program and Grow NJ Program pursuant to statutory revisions enacted in the Economic Opportunity Act of 2014, Part 3, P.L. 2014, c. 63.

The Members are also asked to authorize staff to submit the adoption and proposed amendments for promulgation in the February 2, 2015 edition of the New Jersey Register, subject to final review and approval by the Office of the Attorney General and the Office of Administrative Law (OAL). The Authority will operate with the proposed rule amendments upon submission to OAL, with risk to the applicant if changes are not adopted as proposed.

Economic Redevelopment and Growth Grant Program

ITEM: Amendment to Residential Economic Redevelopment Growth Grants
REQUEST: To approve an amendment to the August 12, 2014 Residential Economic Redevelopment Growth Grants Analysis memo to include projects that are awarded 9% Low Income Housing Tax Credit (“LIHTC”) through NJHMFA and display a funding GAP such that the project could not be complete without a Residential ERG award

ITEM: 609 HoldCo. LLC, 609 Broad Street, LLC and Commercial Broad Street, LLC
REQUEST: To approve the application of 609 HoldCo. LLC, 609 Broad Street, LLC and Commercial Broad Street, LLC for a project located in Newark, Essex County for the issuance of tax credits. The recommendation is to give up to 25.07% of the eligible costs, not to exceed \$40,000,000 in tax credits based on the budget submitted.

ITEM: Makers Village QALICB, LLC
REQUEST: To approve the application of Makers Village QALICB, LLC for a project located in Newark, Essex County for the issuance of tax credits. The recommended reimbursement is 9.48% of the eligible costs, not to exceed \$2,214,192 based on the budget submittal.

Grow New Jersey Assistance Program

ITEM: Just Greens, LLC dba Aerofarms APPL.#39142
REQUEST: To approve the application of Just Greens, LLC dba Aerofarms for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Newark, NJ. Project location of Newark, Essex County qualifies as a 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 and Capital Investment in Excess of Minimum. The estimated annual award is \$655,500 for a 10-year term.

ITEM: Cooper Health System APPL.#40148

REQUEST: To approve the application of Cooper Health System for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Camden, 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, Jobs with Salaries in Excess of the Garden State Growth Zone Average, Large number of New/Retained Full-Time Jobs, the presence of a Targeted Industry (health business), and location in a municipality in Camden County with 2007 Revitalization Index greater than 465. The estimated annual award is \$3,999,000 for a 10-year term.

ITEM: Direct Energy GP, LLC

APPL.#40027

REQUEST: To approve the application of Direct Energy GP, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Woodbridge, NJ. Project location of Woodbridge, Middlesex 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 Jobs with Salaries in Excess of the County Average, Large Number of New/Retained Full-Time Jobs, and the presence of a Targeted Industry (Energy business). The estimated annual award is \$1,019,452 for a 10-year term.

ITEM: GGB, LLC

APPL.#39591

REQUEST: To approve the application of GGB, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in West Depford, NJ. Project location of West Depford, Gloucester 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 Capital Investment in Excess of Minimum and the presence of a Targeted Industry (Manufacturing). The estimated annual award is \$328,250 for a 10-year term.

ITEM: Physician and Tactical Healthcare Services, LLC and SPARHC, LLC

APPL.#40037

REQUEST: To approve the application of Physician and Tactical Healthcare Services, LLC and SPARHC, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Pennsauken, NJ. Project location of Pennsauken, 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 Deep Poverty Pocket, a presence of a Targeted Industry (Health), and location in a municipality in Camden County with 2007 Revitalization Index greater than 465. The estimated annual award is \$328,680 for a 10-year term.

ITEM: Radical Cosmetics, LLC

APPL.#39996

REQUEST: To approve the application of Radical Cosmetics, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in New Brunswick, NJ. Project location of New Brunswick, Middlesex 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 and a presence of a Targeted Industry (Manufacturing). The estimated annual award is \$225,000 for a 10-year term.

ITEM: Solvay USA Inc. APPL.#40024

REQUEST: To approve the application of Solvay USA Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in West Windsor Township, NJ. Project location of West Windsor, Mercer 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 Salaries in Excess of the County Average, Large Number of New/Retained Full-Time Jobs and has a presence as a Targeted Industry (Manufacturing). The estimated annual award is \$965,250 for a 10-year term.

ITEM: Subaru of America, Inc. APPL.#40170

REQUEST: To approve the application Subaru of America, Inc for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Camden, NJ. Under N.J.S.A. 34:1B-242 et seq, projects located in Camden City, Camden County are eligible to receive per employee as a tax credit the total amount of capital investment for the project divided by the number of employees, subject to certain limits, provided that the project represents a net positive benefit to the State over a 35 year period. Subaru's estimated capital investment for this project is \$117,832,868. The estimated annual award is \$11,783,286 for a 10-year term

ITEM: York Risk Services Group, Inc. APPL.#40141

REQUEST: To approve the application of York Risk Services Group, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Parsippany, NJ. Project location of Parsippany, Morris 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 the presence as a Targeted Industry (Finance). The estimated annual award is \$316,360 for a 10-year term.

Grow New Jersey Assistance Program

ITEM: Grow New Jersey modification request for Pollaro Custom Furniture, Inc. P39849

REQUEST: To approve the request to modify the project site previously approved by the Board.

ITEM: Grow New Jersey modification request for Webimax, LLC P38627

REQUEST: To approve the request for the reduction in full-time jobs being incented of the WebiMax Project.

11. BOARD MEMORANDUMS

ITEM: Incentives Delegations – Brownfields Reimbursement Program

REQUEST: Expand delegations to staff under the Brownsfields Reimbursement Program to assign and transfer existing grant agreements.

ITEM: New Markets Tax Credit/NJUSB Investment Fund II, LLC

REQUEST: Consent to the actions required to wind-up Loan Pool 2

ITEM: New Markets Tax Credit Loan Restructures

REQUEST: To approve the restructure guidelines for maturing NMTC loans

ITEM: Retail Fuel Station—Energy Resiliency Program

REQUEST: Consent to the following actions:

1) Advance a second round of funding for all retail fuel stations statewide and lower the minimum eligibility of gasoline capacity to 18,000 gallons; and

2) Approve the attached form of the Sub-Grant Agreement between the New Jersey Office of Emergency Management and EDA for the allocation of funding for payment of administrative costs incurred by EDA.

ITEM: Vineland Community Health and Education Center, LLC

REQUEST: Consent to the actions required to wind-up the NJCDE-2's sub-allocation of New Markets Tax Credits to VCHEC

FOR INFORMATION ONLY: Summary of projects approved under Delegated Authority in November 2014:

Small Business Fund Program: MG Realty Holding, LLC (P40036);
Upper Mountain Properties LLC (P39998)

New Jersey Business Growth Fund - Modification: Atlantic Cardiac Realty LLC (P40056); Placko Signs LLC (P40168); Pollack Health and Wellness Center Inc. and Steven J. Pollack (P40143)

12. REAL ESTATE

ITEM: Health/Agriculture and Treasury Taxation Buildings

REQUEST: Approve a reimbursement resolution to allow the use of bond proceeds to permit the reimbursement of expenses for the Feasibility Study the will be prepared for the renovation, demolition or replacement office space for the Health/Agriculture and Treasury Taxation buildings.

ITEM: Selection of Feasibility Study Consultant
Health/Agriculture and Taxation Buildings (Trenton)

REQUEST: To approve the selection of an architectural/engineering firm to conduct a Feasibility Study for the Health/Agriculture and Taxation Buildings (Trenton)

ITEM: Primer Education Group
The Technology Centre of New Jersey

REQUEST: Approval to (1) enter into a ten year six month Lease Agreement between Premier Education Group and the NJ Economic Development Authority to lease a 36,500 square foot building at the Technology Centre of New Jersey know as “Tech VI”; and (2) direct NJEDA’s property management firm to perform base building improvements to the Tech VI building as a cost not to exceed \$500,000.

13. EXECUTIVE SESSION

14. PUBLIC COMMENT

15. ADJOURNMENT