

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

January 12, 2016

MINUTES OF THE MEETING

Members of the Authority present: Al Koepp, Chairman; Commissioner Richard Badolato of the Department of Banking and Insurance; Colleen Kokas representing the Commissioner of the Department of Environmental Protection; Jeffrey Stoller representing Commissioner Hal Wirths of the Department of Labor and Workforce Development; Public Members: Joseph McNamara, Vice Chairman; Larry Downes, Charles Sarlo, Philip B. Alagia, David Huber, Fred B. Dumont, Patrick Delle Cava, First Alternate Public Member; and William J. Albanese, Sr., Second Alternate Public Member.

Members Present via conference call: Harold Imperatore, Third Alternate Public Member.

Absent: Steve Petrecca representing Acting State Treasurer Ford M. Scudder; Massiel Medina Ferrara, Public Member; and Rodney Sadler, Non-Voting 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 December 8, 2015 regular and executive session meeting minutes. A motion was made to approve the minutes by Commissioner Badolato and seconded by Mr. Huber, and was approved by the 12 voting members present.

Mr. Alagia entered the meeting at this time.

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

CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT TO THE BOARD

INCENTIVE PROGRAMS

Economic Redevelopment and Growth Grant Program

ITEM: Island Campus Redevelopment Associates LLC APPL.#41653
REQUEST: To approve the application of Island Campus Redevelopment Associates, LLC for a project located in Atlantic City, Atlantic County for the issuance of tax credits. The recommendation is to award up to \$29,925,360 in tax credits, based on the budget submitted.
MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Stoller **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 1

Chairman Koeppe recused himself because one of the applicants has a business relationship with New Jersey Resources and he is a member of the NJ Resources board.

Mr. Downes recused himself because one of the applicants has a business relationship with New Jersey Resources and he is the Chairman of the NJ Resources board.

Mr. Imperatore recused himself because some of his family members are involved with the project.

ITEM: Island Campus Redevelopment Associates LLC APPL.#41622
REQUEST: To approve the application of Island Campus Redevelopment Associates, LLC for a project located in Atlantic City, Atlantic County for the issuance of tax credits. The recommendation is to award 40% of actual eligible costs, not to exceed \$38,423,008, in tax credits, based on the budget submitted.
MOTION TO APPROVE: Mr. Huber **SECOND:** Mr. Stoller **AYES:** 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 2

Chairman Koeppe recused himself because one of the applicants has a business relationship with New Jersey Resources and he is a member of the NJ Resources board.

Mr. Downes recused himself because one of the applicants has a business relationship with New Jersey Resources and he is the Chairman of the NJ Resources board.

Mr. Imperatore recused himself because some of his family members are involved with the project.

ITEM: South Inlet Partners Urban Renewal LLC APPL.#41581
REQUEST: To approve the application of South Inlet Partners Urban Renewal, LLC for a project located in Atlantic City, Atlantic County for the issuance of tax credits. The recommendation is to award 40% of actual eligible costs, not to exceed \$24,433,560, in tax credits, based on the budget submitted.
MOTION TO APPROVE: Mr. McNamara **SECOND:** Mr. Delle Cava **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 3

Prior to the vote CEO Melissa Orsen summarized comments Senator Jim Whelan made to the New Jersey Housing and Mortgage Finance Agency, and provided to the EDA prior to the meeting, stating his opposition to the project.

Grow New Jersey Assistance Program

ITEM: Aralez Pharmaceuticals US, Inc.

APPL.#41817

REQUEST: To approve the application of Aralez Pharmaceuticals US, Inc., for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in West Windsor Twp., NJ. Project location of West Windsor Twp, in 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 Transit Oriented Development, Jobs with Salary in Excess of County Average and Targeted Industry of Life Sciences. The estimated annual award is \$562,500 for a 10-year term.

MOTION TO APPROVE: Mr. Albanese **SECOND:** Mr. Delle Cava **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

ITEM: C2 Imaging LLC

APPL.#41772

REQUEST: To approve the application of C2 Imaging LLC, for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Jersey City, NJ. Project location of Jersey City, in 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, Capital Investment in Excess of Minimum (non-Mega), and Targeted Industry of Manufacturing. The estimated annual award is \$1,155,000 for a 10-year term.

MOTION TO APPROVE: Mr. Alagia **SECOND:** Mr. McNamara **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

ITEM: Fabuwood Cabinetry Corp.

APPL.#41774

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Mr. McNamara **SECOND:** Mr. Alagia **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

ITEM: Fabuwood Cabinetry Corp.

APPL.#41774

REQUEST: To approve the application of Fabuwood Cabinetry Corp., for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Newark, NJ. Project location of Newark City, in Essex 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 Deep Poverty Pocket, Large Number of New/Retained F/T Jobs, Targeted Business of Manufacturing and Mega Ind. Project w/Cap. Inv. In Excess of Minimum. The estimated annual award is \$3,996,000 for a 10-year term.

MOTION TO APPROVE: Mr. McNamara **SECOND:** Mr. Albanese **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

ITEM: FXDirectDealer, LLC

APPL.#41717

REQUEST: To approve the application of FXDirectDealer, LLC, for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Jersey City, NJ. Project location of Jersey City, in 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 and Targeted Industry of Finance. The estimated annual award is \$907,500 for a 10-year term.

MOTION TO APPROVE: Mr. Albanese **SECOND:** Mr. Delle Cava **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

ITEM: Linde North America, Inc.

APPL.#41770

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Mr. McNamara **SECOND:** Mr. Stoller **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

ITEM: Linde North America, Inc.

APPL.#41770

REQUEST: To approve the application of Linde North America, Inc., for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Bridgewater, NJ. Project location of Bridgewater, in Somerset 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, and Targeted Industry of Manufacturing. The estimated annual award is \$1,102,350 for a 10-year term.

MOTION TO APPROVE: Mr. Huber **SECOND:** Mr. Stoller **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

ITEM: NYK Line (North America) Inc.

APPL.#41822

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Mr. McNamara **SECOND:** Mr. Downes **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

ITEM: NYK Line (North America) Inc.

APPL.#41822

REQUEST: To approve the application of NYK Line (North America) Inc., for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Secaucus, NJ. Project location of Secaucus Town, in Hudson 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 Salary in Excess of County Average and Targeted Industry of Logistics. The estimated annual award is \$285,000 for a 10-year term.

MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Albanese **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

ITEM: Rainforest Distribution Corp.

APPL.#41640

REQUEST: To approve the application of Rainforest Distribution Corp., for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Bayonne City, NJ. Project location of Bayonne City, in Hudson 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 Transit Oriented Development. The estimated annual award is \$240,000 for a 10-year term.

MOTION TO APPROVE: Ms. Kokas **SECOND:** Commissioner Badolato **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

ITEM: Showman Fabricators, Inc.

APPL.#41648

REQUEST: To approve the application of Showman Fabricators, Inc., for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Bayonne City, NJ. Project location of Bayonne City, in Hudson 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 Transit Oriented Development, Cap. Inv. In Excess of Minimum (non-Mega), Jobs with Salary in Excess of County Average and Targeted Industry of Manufacturing. The estimated annual award is \$877,500 for a 10-year term.

MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. McNamara **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

Grow New Jersey Assistance Program Modifications

ITEM: GBT US LLC

APPL.#41351

REQUEST: To approve the modification request for location, number of employees and name of entity.

MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Downes **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

BOND PROJECTS

ITEM: 2015 Carry Forward Request

REQUEST: The State Treasurer allocated \$110,000,000 to the New Jersey Economic Development Authority out of the State's 2015 Private Activity Bond Cap. The Authority may elect to carry forward any unused portion of the above noted 2015 Private Activity Bond allocation with the U.S. Department of Treasury.

MOTION TO APPROVE: Mr. Delle Cava **SECOND:** Mr. Alagia **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

Combination Preliminary and Bond Resolutions

ITEM: LEAP Cramer Hill, LLC APPL.#41961
LOCATION: Camden City/Camden County
PROCEEDS FOR: Renovation of existing building
FINANCING: \$1,000,000 Series C Taxable Bond
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Albanese **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 17

Bond Projects

ITEM: Jewish Community Center on the Palisades APPL.#41373
LOCATION: Tenafly Borough/Bergen County
PROCEEDS FOR: Refinancing
FINANCING: \$12,000,000 Tax-exempt bond
MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Huber **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 18
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

Preliminary Resolutions

ITEM: Allied Specialty Foods, LLC APPL.#41908
LOCATION: Vineland City/Cumberland County
PROCEEDS FOR: Renovation/Acquisition of Existing Building/Purchase of equipment and machinery
FINANCING: \$15,000,000
MOTION TO APPROVE: Mr. McNamara **SECOND:** Ms. Kokas **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 19

ITEM: Standard Merchandising Co. APPL.#41708
LOCATION: Camden City/Camden County
PROCEEDS FOR: Renovation/Construction of Existing Building or Addition
FINANCING: \$6,598,925
MOTION TO APPROVE: Mr. Stoller **SECOND:** Ms. Kokas **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 20

LOANS/GRANTS/GUARANTEES

Petroleum Underground Storage Tank Program

FOR INFORMATION ONLY: Petroleum Underground Storage Tank Program (PUST) – Delegated Authority Fourth Quarter 2015 Approvals

Hazardous Discharge Site Remediation Fund Program

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

PROJECT: Borough of Point Pleasant Beach (Sea Coast Oil Company) APPL.#41543

LOCATION: Point Pleasant Borough/Ocean County

PROCEEDS FOR: Remedial Investigation

FINANCING: \$81,566

MOTION TO APPROVE: Ms. Kokas **SECOND:** Mr. Downes **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 21

FOR INFORMATION ONLY: Hazardous Discharge Site Remediation Fund (HDSRF) – Delegated Authority Fourth Quarter 2015 Approvals

BOARD MEMORANDUMS

FOR INFORMATION ONLY: Delegated Authority Approvals for 4th Quarter 2015

FOR INFORMATION ONLY: Incentives Modifications

FOR INFORMATION ONLY: Retail Fuel Station – Energy Resilience Program

FOR INFORMATION ONLY: Projects Approved Under Delegated Authority

Direct Loan Program: The Fred 101, LLC (P41248)

New Jersey Advantage Program: Grant Group, LLC and Nova Development Group, Inc. (P41691 and P41690)

Small Business Fund Program:

FHG Properties LLC (P41791)

TDH Penn Properties LLC (P41769)

Stronger NJ Business Loan Program:

Blue Water Properties, LLC d/b/a The Beach Home (P41523)

Double O Seven d/b/a Ohana Grill (P41082)

Hamlett Management LLC (P41545 and P41546)

Renova Environmental Services, LLC (P41879)

New Jersey Business Growth Fund – Modification:

Candace Real Estate Holding LLC and Happy Today and Bright Tomorrow, LLC
(P41877)

Galloway Pediatrics, LLC (P41768)

FOR INFORMATION ONLY: Real Estate Division Delegated Authority for Leases, CCIT Grants and Right of Entry (ROE)/ Licenses for Fourth Quarter 2015

FOR INFORMATION ONLY: Real Estate Division Delegated Authority for Approval of Projects under the Streetscape Revitalization Program for the Fourth Quarter 2015

REAL ESTATE

ITEM: Premier Education Group

REQUEST: To extend the term of the Surrender and Cancellation of Lease and Occupancy Agreement – The Technology Centre of New Jersey

MOTION TO APPROVE: Mr. Sarlo **SECOND:** Mr. Downes **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 22

ITEM: NJ Unmanned Aircraft Systems (UAS) Consortium

REQUEST: To approve requests associated with the continuation of the NJ UAS Program.

MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Alagia **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 23

AUTHORITY MATTERS

FOR INFORMATION ONLY: Summary of resolved executive session items.

PUBLIC COMMENT

There were no public comments.

There being no further business, on a motion by Commissioner Badolato, and seconded by Mr. Albanese, the meeting was adjourned at 11:19 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, Governance & Communications
Assistant Secretary