

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

November 14, 2017

MINUTES OF THE MEETING

Members of the Authority present: Chairman Thomas Scivo; Commissioner Richard Badolato of the Department of Banking and Insurance; Shannon McManus representing State Treasurer Ford M. Scudder; Jeffrey Stoller representing Commissioner Aaron Fichtner of the Department of Labor and Workforce Development; Public Members: Massiel Medina Ferrara; Louis Goetting, and John Lutz, Third Alternate Public Member.

Present via conference call: Colleen Kokas representing Commissioner Bob Martin of the Department of Environmental Protection; Public Members Charles Sarlo, Philip Alagia, Fred B. Dumont, and Patrick Delle Cava, First Alternate Public.

Absent: Public Members: Larry Downes, Vice Chairman, William Layton, William J. Albanese, Sr., Second Alternate 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; Deputy Attorney General Gabriel Chacon; Thomas Huth, Governor's Authorities' Unit; and staff.

Mr. Scivo 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 October 12, 2017 meeting minutes. A motion was made to approve the minutes by Commissioner Badolato, and seconded by Mr. Lutz, and was approved by the 12 voting members present.

The next item of business was the approval of the October 12, 2017 executive session meeting minutes. A motion was made to approve the minutes by Mr. Lutz, and seconded by Commissioner Badolato, and was approved by the 12 voting members present.

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

AUTHORITY MATTERS

ITEM: Fort Monmouth Economic Revitalization Authority (FMERA)

REQUEST: Approval for a credit facility for up to \$5 million to FMERA for General working capital purposes.

MOTION TO APPROVE: Mr. Goetting **SECOND:** Mr. Lutz **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 1

INCENTIVE PROGRAMS

Economic Redevelopment and Growth (ERG) Grant Program- Modification

ITEM: Camden Hotel Partners, LLC

APPL.#44079

REQUEST: Approval to modify the applicant name and ownership; and change in the physical location of the project.

MOTION TO APPROVE: Commissioner Badolato **SECOND:** Ms. Ferrera **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 2

Grow New Jersey Assistance Program

ITEM: Corporate Synergies Group, LLC

APPL.#44616

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. Stoller **SECOND:** Mr. McManus **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 3

ITEM: Corporate Synergies Group, LLC

APPL.#44616

REQUEST: To approve the application of Corporate Synergies Group, LLC 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 Salary in Excess of GSGZ Average, Targeted Industry of Finance, 2007 Revit. Index>465 in Camden. The estimated annual award is \$1,562,000 for a 10-year term.

MOTION TO APPROVE: Mr. Stoller **SECOND:** Commissioner Badolato **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

ITEM: Hollister Construction Services, LLC

APPL.#44614

THIS ITEM WAS WITHHELD FROM CONSIDERATION.

ITEM: Konica Minolta Business Solutions U.S.A., Inc. APPL.#44585
REQUEST: To approve the finding of jobs at risk.
MOTION TO APPROVE: Mr. Lutz **SECOND:** Ms. Ferrier **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

ITEM: Konica Minolta Business Solutions U.S.A., Inc. APPL.#44585
REQUEST: To approve the application of Konica Minolta Business Solutions U.S.A., Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Ramsey Borough, NJ. Project location of Ramsey Borough, 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 Large Number of New/Retained F/T Jobs, Targeted Industry of Technology. The estimated annual award is \$2,939,866 for a 10-year term.
MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Stoller **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

ITEM: Laboratory Corporation of America Holdings dba LabCorp APPL.#44555
REQUEST: To approve the finding of jobs at risk.
MOTION TO APPROVE: Ms. Ferrara **SECOND:** Commissioner Badolato **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

ITEM: Laboratory Corporation of America Holdings dba LabCorp APPL.#44555
REQUEST: To approve the application of Laboratory Corporation of America Holdings dba LabCorp for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Raritan Borough, NJ. Project location of Raritan Borough, Somerset 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 Transit Oriented Development, Large Number of New/Retained F/T Jobs, Targeted Industry of Life Sciences. The estimated annual award is \$3,998,478 for a 10-year term.
MOTION TO APPROVE: Mr. McManus **SECOND:** Mr. Stoller **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

ITEM: Lonza America Inc. APPL.#44632
REQUEST: To approve the finding of jobs at risk.
MOTION TO APPROVE: Ms. Ferrara **SECOND:** Mr. Lutz **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

ITEM: Lonza America Inc.

APPL.#44632

REQUEST: To approve the application of Lonza America Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Morris Township, NJ. Project location of Morris Township, 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 Jobs with Salary in Excess of County Average, Targeted Industry of Health. The estimated annual award is \$326,250 for a 10-year term.

MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Goetting **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

ITEM: Mars Wrigley Confectionery US LLC

APPL.#44618

REQUEST: To approve the finding of jobs at risk

MOTION TO APPROVE: Mr. Stoller **SECOND:** Ms. Ferrara **AYES: 11**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

Mr. Lutz recused himself because his law firm represents the applicant.

ITEM: Mars Wrigley Confectionery US LLC

APPL.#44646

REQUEST: To approve the application of Mars Wrigley Confectionery US LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Hackettstown, NJ. Project location of Hackettstown, Warren County qualifies as an Other Eligible 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, Targeted Industry of Manufacturing. The estimated annual award is \$115,000 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

Mr. Lutz recused himself because his law firm represents the applicant.

ITEM: Quest Diagnostics Incorporated

APPL.#44573

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Ms. Ferrara **SECOND:** Mr. Lutz **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

ITEM: Quest Diagnostics Incorporated

APPL.#44573

REQUEST: To approve the application of Quest Diagnostics Incorporated for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Clifton City, NJ. Project location of Clifton City, Passaic 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 Large Number of New/Retained F/T Jobs, Targeted Industry of Health, Exceeds LEEDs Silver or Substantial Env. Remed. The estimated annual award is \$5,517,250 for a 10-year term.

MOTION TO APPROVE: Mr. Stoller **SECOND:** Commissioner Badolato **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

ITEM: Quest Diagnostics Incorporated

APPL.#44573

LOCATION: Clifton City, Passaic County

ESTIMATED ELIGIBLE EXPENSES: \$106,587,315

ESTIMATED AWARD: \$5,862,302 Sales and Use Tax Exemption

MOTION TO APPROVE: Mr. Lutz **SECOND:** Commissioner Badolato **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

ITEM: Ralph Lauren Corporation

APPL.#44618

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Lutz **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

ITEM: Ralph Lauren Corporation

APPL.#44618

REQUEST: To approve the application of Ralph Lauren Corporation for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Nutley Township, NJ. Project location of Nutley Township, Essex 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, Large Number of New/Retained F/T Jobs, Vacant Commercial Building in excess of 1,000,000 sq. ft. The estimated annual award is \$3,308,500 for a 10-year term.

MOTION TO APPROVE: Mr. Goetting **SECOND:** Ms. Ferrara **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 17

ITEM: RSM US LLP

APPL.#44615

REQUEST: To approve the application of RSM US LLP for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Edison Township, NJ. Project location of Edison 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 Jobs with Salary in Excess of County Average. The estimated annual award is \$210,000 for a 7-year term.

MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Lutz **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 18

ITEM: Vineland Poultry, LLC

APPL.#44625

REQUEST: To approve the application of Vineland Poultry, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Vineland City, NJ. Project location of Vineland City, Cumberland 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 Targeted Industry of Manufacturing, 2007 Revit. Index>465 in Cumberland. The estimated annual award is \$220,000 for a 10-year term.

MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. McManus **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 19

ITEM: Yoland Corporation

APPL.#44623

REQUEST: To approve the application of Yoland Corporation 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 City, 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, Targeted Industry of Manufacturing, GSGZ Ind. Project w/ Cap. Inv. In Excess of Min. The estimated annual award is \$386,900 for a 10-year term.

MOTION TO APPROVE: Mr. McManus **SECOND:** Mr. Lutz **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 20

BOND PROJECTS

Board member Louis Goetting acted as Chairman of the Board for the next item.

Bond Resolutions

ITEM: UMM Energy Partners, LLC APPL.#44560
LOCATION: Little Falls Township, Passaic County
PROCEEDS FOR: Machinery & Equipment, Construction, Working Capital
TOTAL COSTS: \$19,840,000 (Federally Taxable Bond)
MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. McManus **AYES: 11**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 21

Chairman Scrivo recused himself because his firm represents the applicant.

Combination Preliminary and Bond Resolutions

ITEM: Masonic Charity Foundation of New Jersey APPL.#44670
LOCATION: Burlington City, Burlington County
PROCEEDS FOR: Refinancing
TOTAL COSTS: \$55,000,000 (Tax-Exempt Bond)
MOTION TO APPROVE: Ms. Ferrara **SECOND:** Mr. Stoller **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 22
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

LOANS/GRANTS/GUARANTEES

Hazardous Discharge Site Remediation Fund

ITEM: Summary of NJDEP Hazardous Discharge Site Remediation Fund Program projects approved by the Department of Environmental Protection.
MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. McManus **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 23

PROJECT: Township of Montclair (Southern Pyramid) APPL.#44516
LOCATION: Montclair Township, Essex County
PROCEEDS FOR: Remedial Action
FINANCING: \$41,022

PROJECT: City of Perth Amboy (2nd Street Park)
LOCATION: Perth Amboy City, Middlesex County
PROCEEDS FOR: Remedial Action
FINANCING: \$718,869

APPL.#44253

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: Mr. Stoller **SECOND:** Mr. McManus **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 24

PROJECT: John R. Johnson
LOCATION: Hackensack City, Bergen County
PROCEEDS FOR: Remediation
FINANCING: \$53,684

APPL.#41900

PROJECT: T&J Service Center Inc.
LOCATION: Madison Borough, Morris County
PROCEEDS FOR: Remediation
FINANCING: \$191,240

APPL.#44422

PROJECT: Antionette Iorio
LOCATION: Jersey City, Hudson County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$116,086

APPL.#43596

PROJECT: Gladys Moreira
LOCATION: Weehawken Township, Hudson County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$129,577

APPL.#43774

PROJECT: Herman Conklin and Anna Conklin
LOCATION: Franklin Borough, Sussex County
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$125,870

APPL.#43620

OFFICE OF RECOVERY

Energy Resilience Bank (ERB)

ITEM: University Hospital-Newark Power Plant Repowering Project

REQUEST: Approval for 1. Deem the Project preliminarily eligible for ERB funding; 2. Approve moving the project to the next phase of program review and approval process; 3. Reserve \$36,267,500 of ERB funds for the project; 4. Authorize execution of ERB program funding documents

MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Goetting **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 25

Energy Resilience Bank (ERB)- Modifications

ITEM: Hunterdon Medical Center Project

REQUEST: Modify the reserved amount of ERB funding from \$10,930,000 to \$9,527,715 due to a reconfiguration in preliminary project design

MOTION TO APPROVE: Mr. Goetting **SECOND:** Ms. Ferrara **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 26

REAL ESTATE

ITEM: FMERA Purchase and Sale & Redevelopment Agreement and Ground Lease

REQUEST: To consent to FMERA entering into the redevelopment agreement with Fort Monmouth B.E.C., LLC for the sale of the Bowling Center and lease of its underlying land in the Eatontown Reuse Area.

MOTION TO APPROVE: Mr. Goetting **SECOND:** Ms. Ferrara **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 27

ITEM: 609 Commercial Master Tenant LLC

APPL.#44579

LOCATION: Newark City, Essex County

PROCEEDS FOR: Renovations

FINANCING: \$1,000,000

MOTION TO APPROVE: Ms. Ferrara **SECOND:** Mr. Stoller **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 28

ITEM: State Lease Revenue Bonds

THIS ITEM WAS WITHHELD FROM CONSIDERATION.

ITEM: New Health & Taxation Buildings in Trenton, Mercer County

THIS ITEM WAS WITHHELD FROM CONSIDERATION.

ITEM: Lease Amendment with Ascendia Pharmaceuticals, Inc., The Technology Centre of New Jersey

REQUEST: To approve entering into a Second Amendment to the Lease Agreement for occupancy of approx. 825 sq. ft. in the Phase II Premises for storage use

MOTION TO APPROVE: Commissioner Badolato **SECOND:** Ms. Ferrara **AYES: 12**

RESOLUTION ATTACHED AND MARKED EXHIBIT: 29

BOARD MEMORANDUMS

FOR INFORMATION ONLY: Projects approved under Delegated Authority

Premier Lender Program: 78 Apple Associates, L.L.C. (44602)

FOR INFORMATION ONLY: PUST and HDSRF Program Funding Status

PUBLIC COMMENT

There was no public comment.

There being no further business, on a motion by Commissioner Badolato, and seconded by Mr. Lutz, the meeting was adjourned at 10:55am.

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