

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

September 10, 2015

MINUTES OF THE MEETING

Members of the Authority present: Commissioner Hal Wirths of the Department of Labor and Workforce Development; Jennifer Duffy representing State Treasurer Robert Romano; Patrick Mullen representing the Commissioner of the Department of Banking and Insurance; Colleen Kokas representing the Commissioner of the Department of Environmental Protection; Public Members: Joseph McNamara, Vice Chairman; Charles Sarlo, Fred B. Dumont, Philip B. Alagia, David Huber, Massiel Medina Ferrara, William J. Albanese, Sr., Second Alternate Public Member; Harold Imperatore, Third Alternate Public Member; and Rodney Sadler, Non-Voting Member.

Present via conference call: Public Member: Larry Downes

Absent: Al Koeppel, Chairman; 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; Deputy Attorney General Bette Renaud; Michael Collins, Governor's Authorities' Unit; and staff.

Vice Chairman McNamara 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 August 11, 2015 meeting minutes. A motion was made to approve the minutes by Mr. Huber, seconded by Mr. Alagia, and was approved by the 11 voting members present.

Ms. Ferrara entered the meeting at this time.

Mr. Sarlo 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

AUTHORITY MATTERS

ITEM: Annual Meeting

REQUEST: To consider the recommendations associated with the annual reorganization meeting.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 1

Mr. Sadler entered the meeting at this time.

INCENTIVE PROGRAMS

Residential Economic Redevelopment and Growth Grant Program

ITEM: Beachway Urban Renewal Associates, L.P. and Life Management Inc.

APPL.#41316

REQUEST: To approve the application of Beachway Urban Renewal Associates, L.P. and Life Management, Inc. for a project located in Keansburg, Monmouth County for the issuance of tax credits. The recommendation is to award up to 30% of actual eligible costs, not to exceed \$17,022,967, in tax credits based on the budget submitted.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 2

ITEM: New Horizons Phase I Urban Renewal Associates, LP and Newark Housing Authority

APPL.#41281

REQUEST: To approve the application of New Horizons Phase I Urban Renewal Associates, LP and Newark Housing Authority for a project located in Newark, Essex County for the issuance of tax credits. The recommendation is to award up to 30% of actual eligible costs, not to exceed \$8,500,033, in tax credits based on the budget submitted.

MOTION TO APPROVE: Mr. Imperatore **SECOND:** Ms. Ferrara **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 3

Grow New Jersey Assistance Program

ITEM: Axtria, Inc.

APPL.#41318

REQUEST: To approve the finding of jobs at risk.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

ITEM: Axtria, Inc. APPL.#41318
REQUEST: To approve the application of Axtria, Inc. for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Berkeley Heights, NJ. Project location of Berkeley Heights, in Union 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 of Technology. The estimated annual award is \$365,600 for a 10-year term.
MOTION TO APPROVE: Ms. Kokas **SECOND:** Ms. Ferrara **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

ITEM: Chelten House Products, Inc. APPL.#41334
REQUEST: To approve the finding of jobs at risk.
MOTION TO APPROVE: Mr. Alagia **SECOND:** Mr. Huber **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

ITEM: Chelten House Products, Inc. APPL.#41334
REQUEST: To approve the application of Chelten House Products, Inc. for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Logan Township, NJ. Project location of Logan Township, Gloucester 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 Full-Time Jobs, Targeted Industry of Manufacturing, and Mega Ind. Project with Capital Investment in Excess of Minimum. The estimated annual award is \$2,343,000 for a 10-year term.
MOTION TO APPROVE: Ms. Ferrara **SECOND:** Ms. Kokas **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

ITEM: EMR Eastern LLC and affiliates APPL.#41233
REQUEST: To approve the finding of material factor in the decision to make capital investment and locate in Camden.
MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Alagia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

ITEM: EMR Eastern LLC and affiliates APPL.#41233
REQUEST: To approve the application of EMR Eastern LLC and affiliates for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Camden City, NJ. The estimated annual award is \$25,275,000 for a 10-year term.
MOTION TO APPROVE: Mr. Dumont **SECOND:** Ms. Ferrara **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

ITEM: Hudson Group (HG) Retail, LLC APPL.#40422
REQUEST: To approve the finding of jobs at risk.
MOTION TO APPROVE: Mr. Huber **SECOND:** Mr. Imperatore **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

ITEM: Hudson Group (HG) Retail, LLC

APPL.#40422

REQUEST: To approve the application of Hudson Group (HG) Retail, LLC for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in East Rutherford Borough, NJ. Project location of East Rutherford 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 a bonus increase to the tax credit award for Large Number of New/Retained Full-Time Jobs. The estimated annual award is \$549,500 for a 10-year term.

MOTION TO APPROVE: Mr. Albanese

SECOND: Mr. Alagia

AYES: 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

ITEM: Yellowstone Capital, LLC

APPL.#41333

REQUEST: To approve the application of Yellowstone Capital, 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, 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 \$337,500 for a 10-year term.

MOTION TO APPROVE: Ms. Kokas

SECOND: Ms. Ferrara

AYES: 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

ITEM: B Positive National Blood Services, LLC and Affiliates

APPL.#41251

REQUEST: To approve the application of B Positive National Blood Services, LLC and Affiliates for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Glassboro Borough, NJ. Project location of Glassboro, in 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 Targeted Industry of Life Sciences and 2007 Revitalization Index greater than 465 in Gloucester County. The estimated annual award is \$357,500 for a 10-year term.

MOTION TO APPROVE: Mr. Albanese

SECOND: Mr. Alagia

AYES: 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

BOND PROJECTS

Combination Preliminary and Bond Resolutions

ITEM: LEAP Academy University Charter School, Inc.

APPL.#41359

LOCATION: Camden City/Camden

PROCEEDS FOR: Refinancing

FINANCING: \$5,940,000 Tax-exempt bond

MOTION TO APPROVE: Mr. Imperatore

SECOND: Ms. Ferrara

AYES: 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

ITEM: Seabrook Village, Inc. APPL.#41313
LOCATION: Tinton Falls Borough/Monmouth
PROCEEDS FOR: Refinancing
FINANCING: \$64,000,000 (Max.) Tax-exempt bond
MOTION TO APPROVE: Mr. Alagia **SECOND:** Ms. Kokas **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

Preliminary Resolutions

ITEM: Jewish Community Center on the Palisades APPL.#41373
LOCATION: Tenafly Borough/Bergen
PROCEEDS FOR: Refinancing/ Purchase of equipment & machinery/ Renovation of existing equipment & machinery
FINANCING: \$13,701,550
MOTION TO APPROVE: Ms. Ferrara **SECOND:** Mr. Alagia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

LOANS/GRANTS/GUARANTEES

Local Development Financing Fund Program

ITEM: Dave Realty LLC APPL.#40546
LOCATION: Irvington Township/Essex
PROCEEDS FOR: Acquisition of existing building
FINANCING: \$990,000 Provident Bank loan with a 44.44% (\$440,000) EDA participation
MOTION TO APPROVE: Mr. Alagia **SECOND:** Mr. Huber **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 17

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 Woodbine (Woodbine Landfill) APPL.#41091
LOCATION: Woodbine Borough/Cape May
PROCEEDS FOR: Remedial Investigation
FINANCING: \$175,319
MOTION TO APPROVE: Mr. Albanese **SECOND:** Ms. Kokas **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 18

BOARD MEMORANDUMS

FOR INFORMATION ONLY: Projects approved under Delegated Authority

Premier Lender Program: Carton Brewing Company, LLC (P41165; P41166; P41167)

Small Business Fund Program: 291 Main Street LLC (P41343); Habitat For Humanity, Burlington County (P41289); WJJ & Company LLC d/b/a Papertec (P41287)

Stronger NJ Business Loan Program: JMJ LLC d/b/a Jimbo's (P40986); Rayco II, World of Spoilers, Inc. (P38843)

NJ Main Street Program – Modification: CM&E Con, Inc. (P39419)

Stronger NJ Business Loan Program - Modification: Purpuri Shoes, Inc. (P38657)

REAL ESTATE

ITEM: Premier Education Group
Surrender and Cancellation of Lease and Occupancy Agreement
The Technology Centre of New Jersey

REQUEST: Approval to enter into a Surrender and Cancellation of Lease and Occupancy Agreement between Premier Education Group and the NJ Economic Development Authority for the 36,500 square foot building at the Technology Centre of New Jersey known as "Tech VI". Premier Education Group intends to pay two months advance rent for September and October and will pay monthly thereafter. Premier will also perform routine maintenance on the building with a per incident limitation of \$5,000.

MOTION TO APPROVE: Ms. Ferrara **SECOND:** Mr. Alagia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 19

ITEM: Security Services
NJEDA Headquarters and Barnes Street Parking Lot, Trenton, NJ and Waterfront Technology Center, Camden, NJ

REQUEST: Approval to enter into contracts for security services with Universal Protection Services of Trenton, New Jersey, for security related services for the following properties: (i) NJEDA Headquarters and Barnes Street Parking Lot, Trenton; and (ii) Waterfront Technology Center, Camden.

MOTION TO APPROVE: Mr. Albanese **SECOND:** Mr. Alagia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 20

Higher Education Public Private Partnership Program

ITEM: Higher Education Public Private Partnership Program
The College of New Jersey
Campus Town Center 2nd Amendment
REQUEST: To approve The College of New Jersey's second amendment to the Campus Town Center project.
MOTION TO APPROVE: Mr. Dumont **SECOND:** Ms. Kokas **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 21

Commissioner Wirths recused himself because his daughter attends The College of New Jersey.

ITEM: Higher Education Public Private Partnership Program
The College of New Jersey
Campus Town Center Phase 2
Buildings 8, 9, and 2,362 SF Commercial Pad Site
REQUEST: To approve The College of New Jersey's application to develop the second phase of the Campus Town Center.
MOTION TO APPROVE: Mr. Alagia **SECOND:** Mr. Imperatore **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 22

Commissioner Wirths recused himself because his daughter attends The College of New Jersey.

ITEM: Higher Education Public Private Partnership Program
New Jersey City University
West Campus Blocks 2 and 3 (Claremont Construction Group, Inc.)
REQUEST: To approve New Jersey City University's application to develop a mixed use development in two phases.
MOTION TO APPROVE: Mr. Albanese **SECOND:** Mr. Alagia **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 23

Ms. Ferrara recused herself because Hudson County is involved in the project.

ITEM: Higher Education Public Private Partnership Program
New Jersey City University
West Campus Blocks 1 and 5B (KKF University Enterprises, LLC)
REQUEST: To approve New Jersey City University's application to develop a mixed use development in two phases.
MOTION TO APPROVE: Mr. Albanese **SECOND:** Mr. Alagia **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 24

Ms. Ferrara recused herself because Hudson County is involved in the project.

ITEM: Higher Education Public Private Partnership Program
New Jersey City University
West Campus Block 6 (Crossroads Companies)
REQUEST: To approve New Jersey City University's application to develop 110,000 square foot commercial space.
MOTION TO APPROVE: Mr. Albanese **SECOND:** Mr. Alagia **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 25

Ms. Ferrara recused herself because Hudson County is involved in the project.

PUBLIC COMMENT

Mr. Richard Tolson, Director, Bricklayers & Allied Craftworkers of NJ and former EDA Board Member informed the Board that he was responsible for the banner in front of the building and for the handbills that were passed out this morning. He stated his concern was that construction jobs related to projects approved by the Board were not guaranteed to go to New Jersey workers. He added that construction workers from out of state spend their wages out of state. He wants to ensure that the New Jersey construction trades become a priority on New Jersey projects.

There being no further business, on a motion by Mr. Alagia, and seconded by Mr. Imperatore, the meeting was adjourned at 11:15 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.



Lori Matheus, Sr. Vice President, Strategic Partnerships
Assistant Secretary