

## NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

April 9, 2013

### MINUTES OF THE MEETING

Members of the Authority present: Al Koepp, Chairman; Melissa Orsen representing the Executive Branch; Jim Leonard representing the State Treasurer; Fred Zavaglia representing the Commissioner of the Department of Labor and Workforce Development; Nancy Graves 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; Marjorie Perry, Harold Imperatore, Charles Sarlo, Larry Downes, Richard Tolson, Jerry Langer, Ray Burke, First Alternate Public Member; Elliot M. Kosoffsky, Second Alternate Public Member; and Brian Nelson, Third Alternate Public Member; and Rodney Sadler, Non-Voting Member.

Also present: Michele Brown, Chief Executive Officer of the Authority; Timothy Lizura, President and Chief Operating Officer; Deputy Attorney General Bette Renaud; Amy Herbold, 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. Brown 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. Brown 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 March 14, 2013 regular and executive session meeting minutes. A motion was made to approve the minutes by Ms. Perry, seconded by Mr. McNamara, and was approved by the 15 voting members present.

Mr. Tolson abstained because he was not present for the meeting.

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

CEO Brown and Chairman Koepp welcomed new Board member Jerry Langer to the Board.

**AMENDED BOND RESOLUTIONS**

**PROJECT:** United Methodist Homes of N.J. Obligated Group      **APPL.#38126**  
**LOCATION:** Statewide  
**PROCEEDS FOR:** Refunding  
**FINANCING:** \$39,600,000, Tax-Exempt  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Ms. Graves **AYES:** 16  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 1**  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:** None

**COMBINATION PRELIMINARY AND BOND RESOLUTIONS**

**PROJECT:** Bais Yaakov High School of Lakewood, Inc.      **APPL.#38055**  
**LOCATION:** Lakewood Township/Ocean  
**PROCEEDS FOR:** Refinancing  
**FINANCING:** \$1,600,000, Tax-Exempt  
**MOTION TO APPROVE:** Mr. Zavaglia      **SECOND:** Mr. Kosoffsky **AYES:** 16  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 2**  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:** None

**PROJECT:** Blair Academy      **APPL.#38157**  
**LOCATION:** Blairstown Township/Warren  
**PROCEEDS FOR:** Construction of new building or addition, purchase of equipment and machinery  
**FINANCING:** \$10,000,000 Tax-Exempt  
**MOTION TO APPROVE:** Ms. Perry      **SECOND:** Ms. Graves **AYES:** 15  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 3**  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:** None

*Mr. Imperatore recused himself because his family is involved with Blair Academy.*

**PRELIMINARY RESOLUTIONS**

**PROJECT:** Newark City & 36-54 Rector Urban Renewal LLC      **APPL.#38101**  
**LOCATION:** Newark City/Essex  
**PROCEEDS FOR:** Construction of new building or addition, renovation of existing building  
**FINANCING:** N/A  
**MOTION TO APPROVE:** Mr. Tolson      **SECOND:** Mr. McNamara **AYES:** 15  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 4**

*Ms. Perry recused herself because she is familiar with the project.*

**PROJECT:** Portuguese Baking Company, LP **APPL.#38235**  
**LOCATION:** Newark City/Essex  
**PROCEEDS FOR:** Purchase of equipment and machinery  
**FINANCING:** N/A  
**MOTION TO APPROVE:** Mr. Kosoffsky **SECOND:** Ms. Perry **AYES:** 16  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 5**

**LOANS/GRANTS/GUARANTEES**

**PETROLEUM UNDERGROUND STORAGE TANK PROGRAM**

**INFORMATION ONLY:** The next item was a summary of Funding Status for the Petroleum Underground Storage Tank and Hazardous Discharge Site Remediation Fund Programs.

The following projects were presented under the Petroleum Underground Storage Tank Program.

**PROJECT:** Kathy Bonilla **APPL.#37846**  
**LOCATION:** Howell Township/Monmouth  
**PROCEEDS FOR:** Upgrade, Closure, Remediation  
**FINANCING:** \$133,922 Petroleum UST Remediation, Upgrade and Closure Fund Grant  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Ms. Kokas **AYES:** 16  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:6**

**PROJECT:** Graciliano Carmona and Claudia Carmona **APPL.#37861**  
**LOCATION:** Paterson City/Passaic  
**PROCEEDS FOR:** Upgrade, Closure, Remediation  
**FINANCING:** \$149,004 Petroleum UST Remediation, Upgrade and Closure Fund Grant  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Ms. Kokas **AYES:** 16  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 6**

**INFORMATION ONLY:** The next item was is a summary of the Petroleum Underground Storage Tank Program projects approved by the Delegated Authority.

**HAZARDOUS DISCHARGE SITE REMEDIATION FUND PROGRAM**

The following municipal projects were presented under the Hazardous Discharge Site Remediation Fund Program

**PROJECT:** Tri-County Community Action Partnership **APPL.#37808**  
**LOCATION:** Bridgeton City/Cumberland  
**PROCEEDS FOR:** Remedial Investigation  
**FINANCING:** \$130,342 Hazardous Discharge Site Remediation Fund Grant  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Ms. Kokas **AYES:** 16  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 7**

## INCENTIVE PROGRAMS

### BUSINESS EMPLOYMENT INCENTIVE PROGRAM

**PROJECT:** High Road Press, LLC **APPL.#38176**  
**LOCATION:** Moonachie Borough/Bergen **BUSINESS:** Printing & Publishing  
**GRANT AWARD:** 50% **Business Employment Incentive grant**, 10 years  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Burke **AYES:** 16  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 8

**PROJECT:** New Prime, Inc. **APPL.#38195**  
**LOCATION:** To Be Determined **BUSINESS:** Shipping/Transportation  
**GRANT AWARD:** 35% **Business Employment Incentive grant**, 10 years  
**MOTION TO APPROVE:** Mr. Nelson **SECOND:** Mr. Zavaglia **AYES:** 15  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 8

*Mr. Langer recused himself because of a potential conflict of interest regarding the transportation industry.*

### URBAN TRANSIT HUB TAX CREDIT PROGRAM

**ITEM:** College Avenue Redevelopment Associates LLC  
**REQUEST:** To approve the Urban Transit Hub Tax Credit program application for College Avenue Redevelopment Associates LLC under P.L. 2007, c.346, P.L. 2008, as amended on July 26, 2011, for the amount of up to 35% of eligible costs, not to exceed \$33 million.  
**MOTION TO APPROVE:** Mr. Tolson **SECOND:** Mr. Nelson **AYES:** 15  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 9

*Mr. Imperatore recused himself because a family member is on the advisory board.*

**ITEM:** Beacon Redevelopment LLC or Nominee  
**REQUEST:** To approve the Urban Transit Hub Tax Credit program application for Beacon Redevelopment LLC or Nominee under P.L. 2007, c.346, P.L. 2008, as amended on July 26, 2011, for the amount of up to 35% of eligible costs, not to exceed \$33 million.  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Tolson **AYES:** 15  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 10

*Mr. Sarlo recused himself because he previously worked on the project..*

**ITEM:** Journal Square Associates LLC  
**REQUEST:** To approve the Urban Transit Hub Tax Credit program application for Journal Square Associates LLC under P.L. 2007, c.346, P.L. 2008, as amended on July 26, 2011, for the amount of up to 35% of eligible costs, not to exceed \$33 million.  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. McNamara **AYES:** 16  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 11

**ITEM:** Urban Transit Hub Tax Credit Program Residential Competitive Solicitation Project Recommendations

**REQUEST:** To approve the declination of Harborside Unit A LLC. Although this project was deemed eligible under terms of the solicitation, it is being recommended for declination as it received the lowest score of the four firms that were scored and was the third Jersey City Project (which exceeds the two projects per municipality maximum established in the solicitation). There were an additional seven submissions received. Although these projects were meritorious in their own right, they did not meet all the technical eligibility requirements of the solicitation, and therefore were not scored and are being recommended for declination. The seven projects are: 1) RBH-TRB Newark Holdings LLC, 2) PHMII Associated LLC, 3) Matrix Upper Lot Urban Renewal LLC, 4) Two Center Street Urban Renewal LLC, 5) TDAF 1 Springfield Avenue Holding Urban-Renewal Company LLC, 6) Haddon Avenue UTH LLC, and 7) Bridge View Development LLC.

**MOTION TO APPROVE:** Mr. Leonard **SECOND:** Mr. McNamara **AYES:** 16

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 12**

President/COO Lizura provided a brief overview of the Urban Transit Hub Tax Credit program to enhance clarity for the public on how benefits are awarded under the program.

*Mr. Nelson left and reentered the room at this time.*

### **BOARD MEMORANDUMS**

**ITEM:** Carlin Realty  
\$354,111 Direct Loan  
P19091

**REQUEST:** Extend the loan balloon maturity for 5 years to 02/01/2018.

**MOTION TO APPROVE:** Mr. Tolson **SECOND:** Ms. Graves **AYES:** 16

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 13**

**ITEM:** Gran Prix Partners, LP  
P37573

**REQUEST:** To the release of the limited personal guarantees of Kenneth Brier and Ted Drauschak, which were provided in consideration of the EDA's direct loan to Gran Prix Partners approved by the board on August 14, 2012.

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Tolson **AYES:** 16

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 14**

**FOR INFORMATION ONLY:** Summary of the projects approved under Delegated Authority in March 2013:

**New Jersey Business Growth Fund:** Humes & Kaplan, LLC (P38189).

**Premier Lender Program:** 60 Lockwood Associates, LLC (P38082).

**Small Business Fund Program:** Hampton-Clarke, Inc. (P38056).

**Camden ERB:** Camden Special Services District (37953).

**FOR INFORMATION ONLY:** Summary of the projects approved under Delegated Authority during the first quarter of 2013.

**FOR INFORMATION ONLY:** Summary of the incentives modifications approved during the first quarter of 2013.

### **REAL ESTATE**

**ITEM:** License Agreement

Waterfront Technology Center at Camden

**REQUEST:** To approve to enter into a License Agreement with Sunesys, LLC, a service provider to tenants at the Waterfront Technology Center at Camden that is owned and operated by the Authority.

**MOTION TO APPROVE:** Ms. Perry      **SECOND:** Mr. Tolson **AYES:** 16

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 15**

### **OFFICE OF RECOVERY**

**ITEM:** NJEDA Office of Recovery – Hurricane Sandy

Appointment of Accountability Officer and Designation of Records Custodian

**REQUEST:** To designate an “Accountability Officer” and a “Records Custodian” for the Authority’s newly created Office of Recovery to administer Sandy-related Federal reconstruction funds for business assistance and economic revitalization efforts.

**MOTION TO APPROVE:** Ms. Perry      **SECOND:** Mr. McNamara **AYES:** 16

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 16**

**ITEM:** Tourism Marketing of Superstorm Sandy-Impacted Areas

*The project was withheld from consideration.*

**PUBLIC COMMENT**

Mr. Carl J. Kuehner, Sr., consultant to BLT Real Estate thanked the board for supporting the Beacon Redevelopment project, adding that the former site of the Margaret Hague Hospital has been vacant for over 20 years.

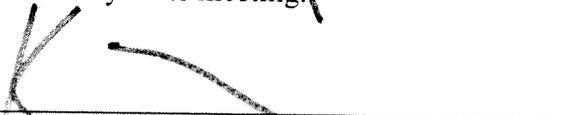
Mr. Christopher Paladino, President of Devco thanked the Board for this for its support of the College Avenue Redevelopment project, an investment which will create a thousand construction jobs.

Mr. Murray Kushner, Chairman of Kushner Real Estate Group, thanked the Board for its support of the Journal Square Associates project, and added that but for the EDA's prior assistance in Jersey City, the new project would not have happened.

There being no further business, on a motion Ms. Perry, and seconded by Mr. Zavaglia, the meeting was adjourned at 11:25.

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.



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Kim Ehrlich, Assistant Secretary

