

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

May 11, 2017

MINUTES OF THE MEETING

Members of the Authority present: Chairman Thomas Scrivo; Commissioner Richard Badolato of the Department of Banking and Insurance; Peter Simon representing State Treasurer Ford M. Scudder; Jeffrey Stoller representing Acting Commissioner Aaron Fichtner of the Department of Labor and Workforce Development; Public Members: Charles Sarlo, Philip Alagia, Massiel Medina Ferrara, Patrick Delle Cava, First Alternate Public Member; and Harold Imperatore, Third Alternate Public Member.

Present via conference call: Public Member: Colleen Kokas representing Commissioner Bob Martin of the Department of Environmental Protection; Public Member Larry Downes, William Layton, William J. Albanese, Sr., Second Alternate Public Member and Rodney Sadler, Non-Voting Member.

Absent: Public Members: David Huber, and Fred B. Dumont.

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. Scrivo 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 April 13, 2017 meeting minutes. A motion was made to approve the minutes by Mr. Alagia, and seconded by Mr. Delle Cava and was approved by the 11 voting members present.

The next item of business was the approval of the April 13, 2017 executive session meeting minutes. A motion was made to approve the minutes by Commissioner Badolato, and seconded by Mr. Simon and was approved by the 11 voting members present.

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

FOR INFORMATION ONLY: The next item was the presentation of a proclamation recognizing Lauren Moore's many years of service and dedication to building the State's economy.

Ms. Ferrara entered the meeting at this time.

Mr. Albanese joined the meeting via conference call at this time

BOND PROJECTS

Bond Resolutions

CEO Orsen presented the NJEDA/State Lease Revenue Bonds 2017 Series and State Lease Revenue Refunding Bonds 2017 Series (State House Project) that was being brought before the board for their consideration today.

PUBLIC COMMENT:

Gordon MacInnes, President, New Jersey Policy Perspective in addition to providing a prepared document, stated that the State House renovation building project raises a few issues. First, it is unclear if the EDA has the authority to issue 300 million in bonds, under the constitution. The project is being pursued without any public access to information concerning the cost of the project.

He stated that proof that \$300 million being sufficient funds to cover the project is not backed up anywhere and that there was no guarantee that the \$300 million quote would be honored.

Mr. MacInness stated the this would be the largest obligation for the State of New Jersey, behind the Pension Fund and the School Development Authority. He added that it's curious that given the statutory obligation of the leasing and space utilization committee that these are moving forward without approval of this committee, which needs to consider obligations of much lower amounts.

Finally, we have an amendment to our constitution, The Lance Act, and Congressman Lance has stated that this is in violation.

He urged the board not to rush to judgment today following four minutes of discussion among the Board. It deserves careful and prudent attention by the Administration, by this body and the Legislature.

EXECUTIVE SESSION

The next item was to adjourn the public session of the meeting and enter into Executive Session to discuss possible litigation. The minutes will be made public when the need for confidentiality no longer exists.

MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Alagia **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 1

The Board returned to Public Session.

BOND PROJECTS

Bond Resolutions

ITEM: NJEDA/State Lease Revenue Bonds 2017 Series and State Lease Revenue Refunding Bonds 2017 Series (State House Project)

REQUEST: To approve the actions associated with and necessary to the adoption and issuance of the NJEDA/State Lease Revenue Bonds 2017 Series and State Lease Revenue Refunding Bonds 2017 Series, including the forms of the Lease, Sublease and Bond Purchase Contract and related items.

MOTION TO APPROVE: Mr. Simon **SECOND:** Commissioner Badolato **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 2

ITEM: Friends of Teaneck Community Charter School

APPL.#44146

LOCATION: Teaneck Township, Bergen County

PROCEEDS FOR: Construction, Refinancing

FINANCING: \$12,700,000 Tax exempt bond/\$300,000 Taxable Bond

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 3

PUBLIC HEARING: Yes

PUBLIC COMMENT: None

Amended Bond Resolutions

ITEM: The Kintock Group of New Jersey, Inc.

APPL.#42759

THIS ITEM WAS WITHHELD FROM CONSIDERATION.

INCENTIVE PROGRAMS

Economic Redevelopment and Growth (ERG) Program

ITEM: Raymour & Flanigan Properties, LLC or Nominee APPL.#43966
REQUEST: Consent to the designation of the ERG recipient as Vineland Delsea Drive, LLC as the ultimate owner of the project site. The developer and the principals responsible for the project are consistent with those approved by the members in March 2017.
MOTION TO APPROVE: Mr. Delle Cava **SECOND:** Mr. Alagia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

Grow New Jersey Assistance Program

ITEM: AeroFarms Camden, LLC APPL.#42323
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. Simon **SECOND:** Mr. Alagia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

ITEM: AeroFarms Camden, LLC APPL.#42323
REQUEST: To approve the application of AeroFarms Camden, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Camden City, 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 estimated total award is \$11,147,360 for a 10-year term.
MOTION TO APPROVE: Mr. Simon **SECOND:** Mr. Alagia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

ITEM: Barclays Services Corporation APPL.#44090
REQUEST: To approve the application of Barclays Services Corporation for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Hanover Township, NJ. Project location of Hanover 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, Large Number of New/Retained F/T Jobs and Targeted Industry of Finance. The estimated annual award is \$4,000,000 for a 10-year term.
MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Albanese **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

ITEM: E Mortgage Management LLC APPL.#44088
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. Simon **SECOND:** Mr. Delle Cava **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

ITEM: E Mortgage Management LLC APPL.#44088
REQUEST: To approve the application of E Mortgage Management LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Camden City, NJ. Project location of Camden City, Camden County qualifies as a Garden State Growth Zone Municipality under N.J.S.A. 34:1B-242 et seq and the program's rules, N.J.A.C. 19:31-18. The estimated total award is \$23,658,600 for a 10-year term.
MOTION TO APPROVE: Mr. Stoller **SECOND:** Ms. Ferrara **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

ITEM: Maestri d'Italia Inc. APPL.#44124
REQUEST: To approve the application of Maestri d'Italia Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Lakewood Township, NJ. Project location of Lakewood Township, Ocean 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, Capital Investment in Excess of Minimum (non-Mega) and Targeted Industry of Manufacturing. The estimated annual award is \$68,152 for a 10-year term.
MOTION TO APPROVE: Mr. Alagia **SECOND:** Mr. Imperatore **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

ITEM: Professional Disposables International, Inc. APPL.#44173
REQUEST: **REQUEST:** To approve the finding of jobs at risk.
MOTION TO APPROVE: Mr. Simon **SECOND:** Mr. Imperatore **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

ITEM: Professional Disposables International, Inc. APPL.#44173
REQUEST: To approve the application of Professional Disposables International, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Woodcliff Lake Borough, NJ. Project location of Woodcliff Lake 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 Jobs with Salary in Excess of County Average, Large Number of New/Retained F/T Jobs and Targeted Industry of Manufacturing. The estimated annual award is \$799,029 for a 10-year term.
MOTION TO APPROVE: Commissioner Badolato **SECOND:** Mr. Simon **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

LOANS/GRANTS/GUARANTEES

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. Delle Cava **SECOND:** Mr. Simon **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

PROJECT: Double D Service Company, Inc. APPL.#44070

LOCATION: Union Township, Union County

PROCEEDS FOR: Remediation

FINANCING: \$217,855

PROJECT: Richard B. Treacy III APPL.#44071

LOCATION: Roxbury Township, Morris County

PROCEEDS FOR: Remediation

FINANCING: \$394,870

PROJECT: Robert So APPL.#44135

LOCATION: Edison Township, Middlesex County

PROCEEDS FOR: Remediation

FINANCING: \$183,669

PROJECT: Scott's Auto, LLC APPL.#44008

LOCATION: Carney's Point Township, Salem County

PROCEEDS FOR: Remediation

FINANCING: \$103,236

PROJECT: Transworld Transmission APPL.#39930

LOCATION: New Providence Borough, Union County

PROCEEDS FOR: Remediation

FINANCING: \$375,141

Hazardous Discharge Site Remediation Fund (HDSRF)

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

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

PROJECT: Township of Maplewood (Fresco Silver)

APPL.#44098

LOCATION: Maplewood Township, Essex County

PROCEEDS FOR: Remedial Investigation

FINANCING: \$748,600

OFFICE OF RECOVERY

Energy Resilience Bank (ERB)

ITEM: Ocean County Utilities Authority – Southern Water Pollution Control Facility Cogeneration Improvements

REQUEST: 1) To deem the Ocean County Utilities Authority – Southern Water Pollution Control Facility Cogeneration Improvements project preliminarily eligible for ERB Funding, 2) Approve moving the project forward to the next phase, 3) Reserve \$5,080,000 of funds for the project, 4) Authorize the execution of ERB Funding documents.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

Stronger NJ Neighborhood and Community Revitalization Program

ITEM: Stronger NJ Neighborhood and Community Revitalization Program

REQUEST: To approve modifications to the NCR Streetscape and D&I programs, including funding allocation, disbursement deadline and project approvals.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

BOARD MEMORANDUMS

FOR INFORMATION ONLY: Projects Approved Under Delegated Authority

Premier Lender Program: Wayside Bus Depot LLC (P44136) and Rutgers Bus Depot LLC (P44137)

Camden ERB: Denise English (P42951)

FOR INFORMATION ONLY: PUST and HDSRF Program Funding Status

FOR INFORMATION ONLY: Technology and Life Sciences-Delegated Authority Approvals for Q1 2017


PUBLIC COMMENT

There was no public comment.

There being no further business, on a motion by, and seconded by Mr., the meeting was adjourned at 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, Marketing & Public Affairs
Assistant Secretary