

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

July 14, 2016

MINUTES OF THE MEETING

Members of the Authority present: Al Koepp, Chairman; Peter Simon representing Acting State Treasurer Ford M. Scudder; Patrick Mullen representing Commissioner Richard Badolato of the Department of Banking and Insurance; Jeffrey Stoller representing Commissioner Hal Wirths of the Department of Labor and Workforce Development; Public Members: Massiel Medina Ferrara, Larry Downes, Charles Sarlo, Philip B. Alagia, Fred B. Dumont, and Harold Imperatore, Third Alternate Public Member.

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

Absent: Public Members David Huber, 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; 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 June 14, 2016 regular and executive session meeting minutes. A motion was made to approve the minutes by Mr. Stoller and seconded by Mr. Mullen, and was approved by the 11 voting members present.

Chairman Koepp stated that because of the recent passing of long time Board Member Joseph McNamara, we would dispense with the usual Chief Executive Officer's Monthly Report to the Board for this meeting. Chairman Koepp shared his condolences on behalf of the Board with Mr. McNamara's widow, Ellen; his son Chris, his sister-in-law Joan, and his longtime friend and colleague Ciro Scalera, who were in the audience.

Chairman Keoppe stated that Joe proved to be indispensable to the board, sharing his vast wealth of knowledge regarding a multitude of subjects over the years. He also shared his knowledge with the Schools Development Authority, the Port Authority of New York and New Jersey amongst other organizations. Chairman Koepppe read a proclamation and stated that a memorial plaque would be placed at the head of the table where Joe sat during the board meetings.

EDA President and Chief Operating Officer Timothy Lizura stated that Joe was the “go to” voice in the room and that staff will miss his practicality, compassion, having him as a sounding board, and his willingness to bridge the divide between public and private interests.

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

INCENTIVE PROGRAMS

Business Employment Incentive Program

ITEM: Business Employment Incentives Program – Job Reporting Requirements for BEIP Terminations and Recaptures

REQUEST: To approve adding a Policy approach and two (2) year job reporting requirement (CEO certification) to existing BEIP delegations to enable a way for clients shorten up the term of the grant.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 1

Angel Investor Tax Credit Program

ITEM: Angel Investor Tax Credit Delegations

REQUEST: To approve amendments to the delegations for New Jersey Angel Investor Tax Credit Program to delegate approval to staff for applications with awards no greater than \$100,000 that otherwise meet the other criteria for existing delegated authority.

MOTION TO APPROVE: Mr. Mullen **SECOND:** Mr. Imperatore **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 2

Urban Transit HUB Tax Credit Program

ITEM: Proposed Rule Amendments

REQUEST: To approve proposed amendments to the Urban Transit HUB Tax Credit program rules, particularly to the definition for “capital investment”, based on enactment of recent statutory revisions.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 3

Grow New Jersey Assistance Program

ITEM: GROW NJ Delegation Changes

REQUEST: To approve delegation to staff for project modifications involving contributing jobs, capital investment and location.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

ITEM: Classic Cooking, LLC

APPL.#42726

REQUEST: To approve the application of Classic Cooking, LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Woodbridge Township, NJ. Project location of Woodbridge Township, Middlesex 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 (Manufacturing) and Capital Investment in Excess of Minimum (non-mega). The estimated annual award is \$750,000 for a 10-year term.

MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Alagia **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

ITEM: Clover Health LLC

APPL.#42753

REQUEST: To approve the finding of jobs at risk.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

ITEM: Clover Health LLC

APPL.#42753

REQUEST: To approve the application of Clover Health LLC for a Grow New Jersey Assistance Program Grant 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 (Health). The estimated annual award is \$625,650 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

ITEM: Ernst & Young U.S. LLP

APPL.#42755

REQUEST: To approve the application of Ernst & Young U.S. LLP. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Hoboken City, NJ. Project location of Hoboken 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, Jobs with Salary in Excess of County Average, Large Number of New/Retained F/T Jobs, Target Industry (Finance) and Exceeds LEEDs Silver or Substantial Environmental Remediation. The estimated annual award is \$3,977,500 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

ITEM: Flaum Appetizing Corp. APPL.#42606

REQUEST: To approve the application of Flaum Appetizing Corp. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Ridgefield Park Village, NJ. Project location of Ridgefield Park Village, 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 Capital Investment in Excess of Minimum (non-Mega) and Target Industry (Manufacturing). The estimated annual award is \$49,572 for a 10-year term.

MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Mullen **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

ITEM: First Data Corporation APPL.#42704

REQUEST: To approve the application of First Data Corporation for a Grow New Jersey Assistance Program Grant 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, Jobs with Salary in Excess of the County Average, Targeted Industry (Finance). The estimated annual award is \$425,000 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

ITEM: Marsh & McLennan Companies, Inc. APPL.#42746

REQUEST: To approve the finding of jobs at risk.

MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Imperatore **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

ITEM: Marsh & McLennan Companies, Inc. APPL.#42746

REQUEST: To approve the application of Marsh & McLennan Companies, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Hoboken City, NJ. Project location of Hoboken 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, Jobs with Salary in Excess of County Average, Large Number of New/Retained/ Full-Time Jobs and Targeted Industry (Finance). The estimated annual award is \$2,196,875 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

ITEM: Microcision LLC

APPL.#42712

REQUEST: To approve the application of Microcision LLC for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Pennsauken Township, NJ. Project location of Pennsauken Township, Camden 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 Capital Investment in Excess of Minimum (non-Mega), Targeted Industry (Manufacturing), Camden County 2007 Revitalization Index greater than 465 and Red. Area within V2 Mile of 1 US Hwy and 2 NJ Highways. The estimated annual award is \$700,000 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

ITEM: New Prime, Inc.

APPL.#41009

REQUEST: To approve the application of New Prime, Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Newark City, NJ. Project location of Newark City, Essex 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 Deep Poverty Pocket or Choice Neighborhood, Jobs with Salary in Excess of County Average and Targeted Industry (Transportation). The estimated annual award is \$507,500 for a 10-year term.

MOTION TO APPROVE: Mr. Alagia **SECOND:** Mr. Downes **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

ITEM: Omnicom Group Inc.

APPL.#42661

REQUEST: To approve the application of Omnicom Group Inc. for a Grow New Jersey Assistance Program Grant 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, Jobs with Salary in Excess of County Average and Large Number of New/Retained F/T Jobs. The estimated annual award is \$3,944,000 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

ITEM: RVM Enterprises, Inc.

APPL.#42752

REQUEST: To approve the application RVM Enterprises, Inc. for a Grow New Jersey Assistance Program Grant 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 Jobs with Salary in Excess of County Average. The estimated annual award is \$812,000 for a 10-year term.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

ITEM: Veeco Process Equipment Inc. APPL.#42744
REQUEST: To approve the finding of jobs at risk.
MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Imperatore **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 17

ITEM: Veeco Process Equipment Inc. APPL.#42744
REQUEST: To approve the application Veeco Process Equipment Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Franklin Township, NJ. Project location of Franklin, 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 Capital Investment in Excess of Minimum (non-Mega), Jobs with Salary in Excess of County Average and Targeted Industry (Manufacturing). The estimated annual award is \$418,500 for a 10-year term.
MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Stoller **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 18

ITEM: Virginia Dare Extract Co., Inc. APPL.#42707
REQUEST: To approve the application Virginia Dare Extract Co., Inc. for a Grow New Jersey Assistance Program Grant to encourage the applicant to make a capital investment and locate in Carteret Borough, NJ. Project location of Carteret, Middlesex 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 Capital Investment in Excess of minimum and Targeted Industry (Manufacturing). The estimated annual award is \$780,000 for a 10-year term.
MOTION TO APPROVE: Mr. Alagia **SECOND:** Mr. Stoller **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 19

ITEM: Zurich American Insurance Company APPL.#42728
REQUEST: To approve the application Zurich American Insurance Company for a Grow New Jersey Assistance Program Grant 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, Jobs with Salary in Excess of County Average, large Number of New/Retained F/T Jobs and Targeted Industry (Finance). The estimated annual award is \$2,826,000 for a 10-year term.
MOTION TO APPROVE: Mr. Downes **SECOND:** Ms. Ferrara **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT: 20

Mr. Mullen abstained because the Department of Banking and Insurance regulates the insurance industry.

Grow New Jersey Assistance Program – Modifications

ITEM: American Water Works Company, Inc. APPL.#40756
REQUEST: To approve the modification for location and extend deadline to complete the project and the issuance of the accompanying tax credits from June 9, 2018 to June 9, 2019.
MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Downes **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 21

BOND PROJECTS

Bond Resolutions

ITEM: Newark City & Two Center Street Urban Renewal, L.L.C. APPL.#38099
LOCATION: Newark City, Essex County
PROCEEDS FOR: Refinancing
FINANCING: \$1,500,000 Taxable Bond
MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Stoller **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT: 22

Mr. Alagia recused himself because his office met with the applicant recently.

ITEM: Uncommon CP Properties I, LLC APPL.#40716
LOCATION: Camden City, Camden County
PROCEEDS FOR: Renovation/Acquisition/Equipment and Machinery
FINANCING: \$47,500,000 Taxable QSCB
MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Mullen **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 23

Amended Bond Resolutions

ITEM: The Actors' Fund of America APPL.#42799
LOCATION: Englewood City, Bergen County
PROCEEDS FOR: Refinancing
FINANCING: \$5,000,000 tax-exempt bond
MOTION TO APPROVE: Mr. Alagia **SECOND:** Ms. Ferrara **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 24
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

ITEM: The Actors' Fund of America APPL.#42798
LOCATION: Englewood City, Bergen County
PROCEEDS FOR: Renovation of existing building; purchase of equipment/ machinery
FINANCING: \$20,000,000 tax-exempt bond
MOTION TO APPROVE: Mr. Alagia **SECOND:** Mr. Downes **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 25
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

LOANS/GRANTS/GUARANTEES

Premier Lender Program

PROJECT: Respond, Inc. APPL.#24031
ITEM: Approve the extension of EDA's 25% participation in a Sun National Bank Premier Lender Loan for one year.
MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Stoller **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 26

New Market Tax Credit

PROJECT: Goodmill, LLC APPL.#16938
ITEM: Approve the restructure and extension of maturing NMTC loan for five years.
MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Stoller **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 27

Camden Economic Recovery Board

ITEM: Camden Economic Recovery Board Modifications for Previously Approved Projects
REQUEST: To approve modifications for previously approved projects, Coopers Hill Housing Development, LLC, Parkside Business and Community in Partnership grant, reallocation of funds from Higher Education and Regional Healthcare Development Fund to Downtown Revitalization and Recovery Fund.
MOTION TO APPROVE: Mr. Downes **SECOND:** Ms. Ferrara **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 28

ITEM: Cooper's Ferry Partnership – Infrastructure Grant APPL.#42557
REQUEST: To approve a \$4.2 million non-recoverable infrastructure grant to fund the costs associated with infrastructure improvements in North Camden.
MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Mullen **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 29

ITEM: Parking Authority of the City of Camden Non-Recoverable Grant APPL.#41065
REQUEST: Approve a \$3 million non-recoverable grant to fund the costs associated with the development of a parking garage in Camden.
MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Mullen **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 30

Petroleum Underground Storage Tank Program

ITEM: Summary of NJDEP Petroleum UST Remediation, Upgrade & Closure Fund Program projects approved by the Department of Environmental Protection.
MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Stoller **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 31

PROJECT: Croitor Feed APPL.#41839
LOCATION: Middle Township/Cape May
PROCEEDS FOR: Remediation
FINANCING: \$117,841

PROJECT: Sallie Schoneboom APPL.#42233
LOCATION: Montclair Township/Essex
PROCEEDS FOR: Upgrade, Closure, & Remediation
FINANCING: \$125,674

OFFICE OF RECOVERY

Energy Resilience Bank (ERB)

ITEM: Energy Resilience Bank- Bergen County Utilities Authority Resiliency Project Funding Recommendation
REQUEST: Approve the actions required to advance the project to the next stage of the review process.
MOTION TO APPROVE: Mr. Sarlo **SECOND:** Mr. Imperatore **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 32

ITEM: Energy Resilience Bank- Cooper University Health Care CHP project Funding Recommendation
REQUEST: Approve the actions required to advance the project to the next stage of the review process.
MOTION TO APPROVE: Mr. Stoller **SECOND:** Mr. Mullen **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 33

REAL ESTATE

ITEM: Fort Monmouth Economic Revitalization Authority MOU
REQUEST: To enter a Memorandum of Understanding with FMERA to provide Predevelopment Services on parcel F-1 and approve funding for the Predevelopment Services

MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Alagia **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 34

ITEM: Higher Education Public Private Partnership Program - New Jersey City University, West Campus Blocks 2 and 3

REQUEST: Approve the amended application due to financing changes

MOTION TO APPROVE: Mr. Dumont **SECOND:** Mr. Downes **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 35

ITEM: Higher Education Public Private Partnership Program New Jersey City University, West Campus Blocks 1 and 5B

REQUEST: Approve the amended application due to financing changes

MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Dumont **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 36

BOARD MEMORANDUMS

FOR INFORMATION ONLY: Real Estate Division Delegated Authority for Leases, CCIT Grants, and Right of Entry/Licenses for Second Quarter 2016

FOR INFORMATION ONLY: Projects approved under Delegated Authority

Small Business Fund Program: 171 Coit Street LLC (P42723); EF4T, LLC (P42507); East Orange Land Holding, LLC and Metro Burger, LLC (P41970)

Stronger NJ Business Loan Program: All Seasons Marina, LLC (P42418); Barry L Day, LLC d/b/a The Lobster Shack (P41338); Parlay Studios Limited Liability Company (P42709)

FOR INFORMATION ONLY: Technology and Life Sciences – Delegated Authority Approvals for 1st Half 2016


PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

There being no further business, on a motion by Mr. Downes, and seconded by Mr. Dumont, the meeting was adjourned at 11:30 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.



Maureen Hassett, SVP, Governance, Communications and
Strategic Initiatives
Assistant Secretary