

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
AGENDA**

July 9, 2015 10:00 a.m.

EDA Boardroom – 36 West State Street, Trenton

- 1. NOTICE OF PUBLIC MEETING**
- 2. ROLL CALL**
- 3. APPROVAL OF PREVIOUS MONTH'S MINUTES**
- 4. CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT TO THE BOARD**

- 5. INCENTIVE PROGRAMS**

ITEM: Adoption of Rule Amendments – Economic Opportunity Act of 2014, Part 3
REQUEST: To approve the adoption of amendments to the rules implementing the Economic Redevelopment and Growth (ERG) Program, Grow New Jersey Assistance (Grow NJ) Program and Urban Transit Hub Tax Credit (UTHTC) Program, pursuant to statutory revisions enacted in the Economic Opportunity Act of 2014, Part 3, P.L. 2014, c. 63.

ITEM: Proposed Rule Amendments

Urban Transit Hub Tax Credit Program/ Grow NJ Program

REQUEST: To approve proposed rule amendments to clarify certain deadlines for application and reporting pursuant to statutory provisions under the Urban Transit Hub Tax Credit (UTHTC) Program; and to clarify the administration of certain statutory elements of the Grow New Jersey Assistance (Grow NJ) Program.

Economic Redevelopment and Growth Grant Program

ITEM: Economic Redevelopment Growth Grant (ERGG)

Urban Hub Tax Credit (HUB)

Policy Implementation

REQUEST: To approve 1) the establishment of new review guidelines and associated staff delegations in relation to the participation of non-profit entities in residential ERGG projects; 2) the application of a standard net present value review in the staffs' determination of whether HUB and ERGG tax credit buy-sell agreements meet the \$.75 sales standard as set forth in the law; and 3) authorize staff to designate newly created entities as Recipients of HB tax credits, where those entities were contemplated but not created or named at the time of approval and update Recipient designation to reflect immaterial changes to approved business structures in HUB and ERGG projects.

ITEM: Mt. Laurel Development, LLC

APPL.#37441

REQUEST: To approve the extension from June 30, 2015 to December 31, 2015 for Mt. Laurel Development, LLC to submit the required documentation in order to execute the ERG agreement.

ITEM: Carrino Plaza Apartments, LLC

APPL.#39030

REQUEST: To approve the addition of The Greater Newark Housing Partnership Inc. as the co-applicant to Carrino Plaza Apartments, LLC.

ITEM: KRE Hamilton Urban Renewal, LLC

APPL.#41104

REQUEST: To approve the application of KRE Hamilton Urban Renewal, LLC for a project located in Jersey City, Hudson County for the issuance of tax credits. The recommendation is to award 25.5% of actual eligible costs, not to exceed \$40,000,000, in tax credits based on the budget submitted.

Grow New Jersey Assistance Program

ITEM: Grow New Jersey Assistance Program

REQUEST: To consent to a policy that allows previously approved applicants who are subject to the 90% income tax withholding limit on award amounts to select a methodology that will determine the amount and timing of fee payments to the Authority; and to delegate to staff the approval of applicant requests to select the methodology.

ITEM: Atlantic City Contact Center, LLC

APPL.#41071

REQUEST: To approve the application of Atlantic City Contact Center, LLC for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Atlantic City, NJ. Project location of Atlantic City in Atlantic 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, Large Number of New Full-Time Jobs, and location in a municipality in Atlantic County with 2007 Revitalization Index greater than 465. The estimated annual award is \$3,274,080 for a 10-year term.

ITEM: Jaguar Land Rover North America, LLC

APPL.#41059

REQUEST: To approve the application of Jaguar Land Rover North America, LLC for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Mahwah Township, NJ. Project location of Mahwah Township, Bergen 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, Jobs with Salary in Excess of County Average, Large Number of New/Retained Full-Time Jobs, and Targeted Industry (Manufacturing). The estimated annual award is \$2,660,500 for a 10-year term.

PROJECT: Jaguar Land Rover North America, LLC

APPL.#41509

LOCATION: Mahwah/Bergen County

BUSINESS: Design, Development, Manufacture, and Sale

ESTIMATED ELIGIBLE EXPENSES: \$21,000,000

ESTIMATED AWARD: \$1,420,020 Sales and Use Tax Exemption

ITEM: JPMorgan Chase Bank, N.A.

REQUEST: Not to disqualify JPMorgan Chase Bank, N.A. after the review of legal matters.

ITEM: JPMorgan Chase Bank, N.A. APPL.#41066

REQUEST: To approve the application of JPMorgan Chase Bank, N.A. 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 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, Jobs with Salary in Excess of County Average, Large Number of New Full-Time Jobs, and Targeted Industry (Finance). The estimated annual award is \$18,778,100 for a 10-year term.

ITEM: Kering Eyewear USA, Inc. APPL.#41093

REQUEST: To approve the application of Kering Eyewear USA, Inc. for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Bridgewater Township, NJ. Project location of Bridgewater Township, 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 estimated annual award is \$150,000 for a 10-year term.

ITEM: Nestle HealthCare Nutrition, Inc. and Nestle Nutrition R&D Center Inc. APPL.#41050

REQUEST: To approve the application of Nestle HealthCare Nutrition, Inc. and Nestle Nutrition R&D Center Inc. for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Bridgewater Township, NJ. Project location of Bridgewater Township, 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 \$1,445,500 for a 10-year term.

ITEM: Peeq Imaging, LLC APPL.#40947

REQUEST: To approve the application of Peeq Imaging, LLC for tax credits under the Grow New Jersey Assistance Program to encourage the applicant to make a capital investment and locate in Carlstadt, NJ. Project location of Carlstadt, 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 Targeted Industry (Manufacturing) and Capital Investment in Excess of Minimum (non-Mega). The estimated annual award is \$495,000 for a 10-year term.

Grow New Jersey Assistance Program - Modification

ITEM: Subaru of America, Inc.

REQUEST: To approve an extension of its deadline to complete its project and the issuance of the accompanying tax credits from December 9, 2017 to December 9, 2018.

Brownfield Redevelopment Initiative Program

ITEM: Application for Brownfield Reimbursement Agreement
Pennview Partners, LLC

REQUEST: To approve the application for a Brownfield Redevelopment Agreement for Pennview Patners, LLC, for reimbursement of clean-up costs for a Pennsauken, Camden County project. The total remediation expenses for the site are estimated to be\$1,281,008. The recommended reimbursement is 75% of the actual reimbursable remediation costs, not to exceed \$960,756.

6. BOND PROJECTS

ITEM: NJEDA/School Facilities Construction Refunding Obligations; School
Facilities Construction Bonds

REQUEST: To approve the issuance of one or more series of the 2015 School
Facilities Construction Refunding Bonds, 2015 School Facilities Construction Refunding
Notes, 2015 School Facilities Construction Bonds and various related actions.

Amended Bond Resolutions

*Public hearings are being conducted for these projects.

ITEM: The Peddie School* APPL.#41168
LOCATION: Hightstown Borough/Mercer
PROCEEDS FOR: Refinancing
FINANCING: \$11,475,000 Tax-exempt Bond

Public Hearing Only

ITEM: NJEDA/Liberty State Park Refunding Bonds APPL.#41239
LOCATION: Jersey City/Hudson
PROCEEDS FOR: Refinancing
FINANCING: \$86,000,000

Bond Resolutions with Authority Exposure

ITEM: East Park Street Hospitality Urban Renewal Inc. APPL.#39805
LOCATION: Newark/Essex
PROCEEDS FOR: Acquisition/Renovation of existing building and Purchase of
equipment & machinery
FINANCING: \$420,000 Taxable

PROJECT: East Park Street Hospitality Urban Renewal Inc. APPL.#38705
LOCATION: Newark/Essex
PROCEEDS FOR: Acquisition/Renovation of existing building
FINANCING: \$1,250,000 Direct Loan Program

PROJECT: East Park Street Hospitality Urban Renewal Inc. APPL.#38704
LOCATION: Newark/Essex
PROCEEDS FOR: Acquisition/Renovation of existing building and Purchase of equipment & machinery
FINANCING: \$2,000,000 Local Development Financing Fund Program

7. **LOANS/GRANTS/GUARANTEES**

Petroleum Underground Storage Tank Program

ITEM: Summary of Petroleum UST Remediation, Upgrade & Closure Fund Program projects approved by the Department of Environmental Protection.

PROJECT: Bildee Corporation APPL.#40633
LOCATION: Middletown Township/Monmouth
PROCEEDS FOR: Remediation
FINANCING: \$97,308 Petroleum UST Remediation, Upgrade and Closure Fund Grant

PROJECT: Estate of Thomas McAllister APPL.#40117
LOCATION: Washington Township/Gloucester
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$232,516 Petroleum UST Remediation, Upgrade and Closure Fund Grant

PROJECT: Veronica R. Mastroiacovo APPL.#40051
LOCATION: East Hanover Township/Morris
PROCEEDS FOR: Upgrade, Closure, Remediation
FINANCING: \$105,196 Petroleum UST Remediation, Upgrade and Closure Fund Grant

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 High Bridge (Lake Solitude Dam) APPL.#39887
LOCATION: High Bridge Borough/Hunterdon
PROCEEDS FOR: Remedial Action
FINANCING: \$440,188 (75% Matching Grant)

PROJECT: Edward R. Freed APPL.#39497
LOCATION: Clifton City/Passaic
PROCEEDS FOR: Remedial Investigation
FINANCING: \$62,327

8. **OFFICE OF RECOVERY**

Energy Resilience Bank

ITEM: Energy Resilience Bank Program Documents

REQUEST: To approve changes to the Energy Resilience Bank (ERB) Financing Program Guide; the ERB Funding Round 1: Water and Wastewater Treatment Facilities Program Guide; and the Challenge/Appeals Process.

Stronger New Jersey Business Loan Program - Appeals

ITEM: Stronger NJ Business Loan Program Appeal – Lincoln Harbor Yacht Club
REQUEST: To approve the Hearing Officer’s recommendation to uphold the declination of the Stronger NJ Business Loan for Lincoln Harbor Yacht Club.

Stronger New Jersey Business Grant Program - Appeals

ITEM: Stronger NJ Business Grant Program Appeal – Emory Rehabilitation Service Inc. and Mijack Corporation
REQUEST: To approve the Hearing Officer’s recommendation to uphold the declination of the Stronger NJ Business Grant for Emory Rehabilitation Service Inc. and Mijack Corporation.

9. BOARD MEMORANDUMS

ITEM: Danic Two, LLC APPL.#19949
Elizabeth, New Jersey
\$5,500,000 New Market Tax Credit (NMTC) Loan
Aggregate Exposure - \$8,584,983
REQUEST: Extend the maturing NMTC loan for 20 years with call options and rate resets at the end of each five year period.

FOR INFORMATION ONLY: Incentive Modifications

FOR INFORMATION ONLY: Projects approved under Delegated Authority for 2nd Quarter 2015

FOR INFORMATION ONLY: Projects approved under Delegated Authority

Premier Lender Program: Britton Realty of Lawrenceville, LLC (P40543)

Small Business Fund Program: West Ivy Englewood, LLC (P41125)

Stronger NJ Business Loan Program: Coast Whistle Stop, Inc. d/b/a Pier House Restaurant (P39328)

Camden ERB: Trinity Live Entertainment and Events, LLC (P40992)

Community Economic Development Program - Modification: Greater Wildwood Tourism Improvement and Development Authority (P39676)

Direct Loan Program – Modification: Cooperative Business Assistance Corporation (P40434)

New Jersey Business Growth Fund – Modification: Blue Rock Holdings LLC and Advanced Infrastructure Design, Inc. (P41241)

Statewide Loan Pool Program – Modification: Scott Real Estate LLC (P40538)

Stronger NJ Business Loan Program – Modification: Yank Marine Services, LLC (P39754)

FOR INFORMATION ONLY: Technology & Life Sciences – Delegated Authority Approvals for 1st Half 2015

FOR INFORMATION ONLY: Petroleum Underground Storage Tank Program (PUST) – Delegated Authority Second Quarter 2015 Approvals

FOR INFORMATION ONLY: Hazardous Discharge Site Remediation Fund – Delegated Authority Second Quarter 2015 Approvals

10. REAL ESTATE

ITEM: Camden Waterfront Development
Approval of the Second Amendment to the Development and Option Agreement (dated October 19, 2004 and amended November 18, 2013)

REQUEST: To approve the Second Amendment to the Development and Option Agreement between Camden Town Center, L.L.C and the Authority, dated October 19, 2004 and amended on November 18, 2013 which will provide an additional four months to fulfill the \$25 million minimum threshold expenditure currently due on July 31, 2015.

ITEM: Lease between New Jersey Economic Development Authority and MacroCure, Inc.
The Technology Centre of New Jersey

REQUEST: To approve (1) entering into a ten year, three month Lease Agreement between MacroCure, Inc. and the New Jersey Economic Development Authority for the Tech V building at the Technology Centre of New Jersey, (2) renovate the Tech V building at a cost of \$2 million, (3) increase the contract for pre-construction services with Torcon, the Tech Centre's Construction Management firm of the record, by \$60,000, and for general construction management services based upon the previously established fee of 1.0% with an incentive clause, and (4) increase the contract with HDR, the Tech Centre's Architectural and Engineering firm of record.

FOR INFORMATION ONLY: Real Estate Division Delegated Authority for Leases, CCIT Grants, and Right of Entry/ Licenses for Second Quarter 2015

FOR INFORMATION ONLY: Real Estate Division Delegated Authority for Approval of Projects under the Streetscape Revitalization Program

11. AUTHORITY MATTERS

ITEM: Independent Auditor Services – Audit Committee

REQUEST: To approve entering into a contract with Ernst & Young, LLP to provide Independent Auditor Services to the Authority’s Board and its Audit Committee.

FOR INFORMATION ONLY: EDA Programs For Small Businesses

ITEM: Technical Assistance for Small Businesses
2015 RFQ/P - 069

REQUEST: To approve entering into a contract with Union County Economic Development Corporation (UCEDC) to provide technical assistance services to start-up and existing small businesses, minorities’ and women’s enterprises statewide (3 regions).

12. PUBLIC COMMENT

13. ADJOURNMENT