



Government Affairs News

News for New Jersey Members on Legislation, Regulations, Legal Action & Codes

Michael G. McGuinness, Chief Executive Officer • Barbara A. Morford, Editor

In This Issue

February 13, 2012

Daily Updates at www.naiopnj.org

Mandatory LSRP Update & Roundtables with Industry Experts

February 17, 7:45 AM, NJ Law Center, New Brunswick *Earn CEUs* [Register Now](#)

Public Policy Symposium: The NJ Comeback-Incentives for Attracting & Retaining Jobs & Tenants, PLUS Sen. President Sweeney

March 7, 7:45 AM, East Brunswick Hilton
Earn CEUs [Register Now](#)

Action in Trenton & Policy News

- Permit Extension Bill Advances
- Bill Would Add \$1Billion to Incentives Pool
- State Strategic Plan Hearings & More

Gala News

- Last Call for Entries: Deal of the Year Awards • Members-Only PreSale through March 15

Association News

- Continuing Education Update • Calendar



Choose NJ CEO Tracye McDaniel met with real estate advisors at NAIOP NJ headquarters on February 10: McDaniel, Don Eisen of Cushman & Wakefield, Jeff Hipschman of CBRE and NAIOP NJ President George Sowa brainstormed the proposed NJ Site Certification Program, the goal of which is to bring more tenants, buyers and jobs to NJ.

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LSRP Update (and Roundtable)



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Industry Experts - Roundtables



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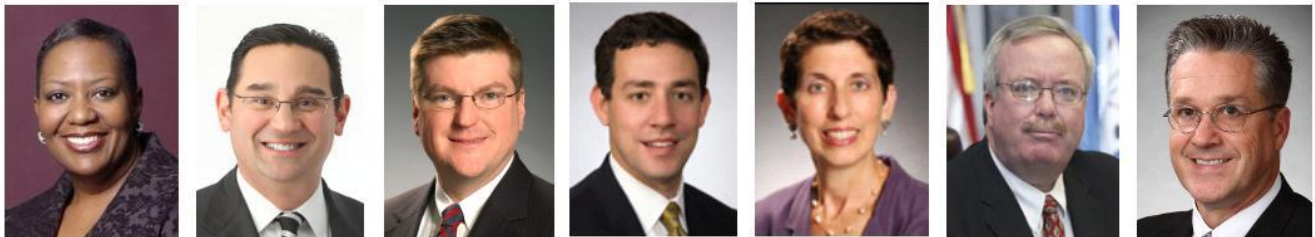
Leonard; Sean Monaghan of Drinker Biddle & Reath; and Andrew Robins of Sills Cummis & Gross. They will discuss new issues facing those remediating sites and answer the most pressing questions.

After the general session, you will be able to participate in several small-group Roundtables with Industry Experts on topics including Post-Remediation Site Care, LSRP in More Detail, an Update on Insurance and Retirement & Estate Planning and more. Our Roundtable Experts will also include: George Reilly, Reilly Financial; Don Richardson, EWMA; Gordon Duus, Mandelbaum Salsburg; Rubin Alspector of Marsh McLennan Agency LLC; and Greg Steinman of Synapse Services, LLC.

Details and registration at www.naiopnj.org: Members (must log in to access): \$85.00; Corporate Members: you may register yourself and any employee of your firm at the member rate of: \$85.00 by calling Kathy Iola at 732-729-9900 to access Corporate Concierge Registration Service; Colleagues employed with a Member's firm (subject to verification) \$110; Non-Members: \$145. Students: Call Mark Russo at 732-729-9900.

CEUs: Real Estate Brokers/Salespersons: 2 Core CE credits (pending); Attorneys: 2.5 CLE credits (pending); Engineers: 2 CPC credits (pending); Planners: 2.5 CM (includes 1.5 law credits) credits (pending). Accountants: 2 CEP credits (approved).

Event Sponsors: Birdsall Services Group; Sax Macy Fromm & Co., PC; T&M Associates; NJ Economic Development Authority; Greenbaum Rowe Smith & Davis; Drinker Biddle & Reath; Wilentz Goldman & Spitzer; Langan Engineering & Environmental Services; Reilly Financial; Marsh & McLennan Agency LLC; and Advanced Solar Products, Inc. Media Sponsor: Real Estate Forum/GlobeSt.



Tracye McDaniel Ted Zangari Tim Lizura David Opper Caren Franziri Mayor McCormac Lauren Moore

Signature Event-Earn CEUs

Meet Senate President Sweeney at March 7 Public Policy Symposium:

“The New Jersey Comeback: Incentives for Attracting & Retaining Jobs & Tenants”

The New Year brings a new format for our Annual Public Policy Symposium (March 7, East Brunswick Hilton). You've told us you want to hear more from Senate President Steve

Seminar-Earn CEUs

Mandatory LSRP Update & Roundtables with Industry Experts February 17

New Jersey's site remediation landscape changed dramatically with the passage of the Site Remediation Reform Act. Whether you are an environmental professional or a business or property owner, March and May of 2012 will bring unprecedented and mandatory changes to the way site remediation is performed, and **ignorance could cost you up to \$25,000 per violation.**

Don't miss NAIOP NJ's "Mandatory LSRP Update & Roundtables with Industry Experts" at the NJ Law Center (NJ ICLE) in New Brunswick (registration begins at 7:45 AM, program begins at 8:30 AM). The program will feature a general session with some of New Jersey's top site remediation consultants: Jorge Berkowitz of Langan Engineering & Environmental Services; David Roth of Greenbaum Rowe Smith & Davis; Rich Ericsson of Cole Schotz Meisel Forman &

Sweeney, and this is your opportunity to hear his plans for the 215th Legislative Session and ask him questions directly. The Symposium will also feature a Public/Private Panel Discussion on **“The NJ Comeback: Incentives for**

Attracting and Retaining Jobs and Tenants". "Business Incentives" has become a hotly debated topic in New Jersey, and our discussion will cover everything from the details of the new Grow NJ Assistance program, "net benefits" tests, the "fine print" of qualifying for programs, and engaging brokers and tenants in the process to the future of business incentives in New Jersey, financial and otherwise.

Our outstanding panel of public/private speakers will include: Caren Franzini, NJ EDA; Tracye McDaniel, Choose New Jersey (invited); Ted Zangari, Sills Cummis & Gross, PC; David Opper, CB Richard Ellis; Tim Lizura, NJ EDA; Mayor John McCormac, Woodbridge; and Lauren Moore, NJ Business Action Center. Additional speakers are being finalized. The panel will engage in an interactive dialogue that will give the audience a comprehensive understanding of the life cycle of a development project relative to New Jersey's business climate, tax policy and incentive programs (financial and otherwise), as well as lessons learned and likely trends.

Registration/breakfast/networking begins at 7:45 AM, followed by the program at 8:30 AM: **\$60 for Members who paid their 2012 dues by January 15, 2012** (you will need your code to get this rate: if you missed the email, call Bonnie at 732-729-9900); \$120 for Members who paid their dues after January 15, 2012; Corporate Members: you may register yourself and any employee of your firm at the member rate of: \$120 by calling Kathy Iola at 732-729-9900 to access Corporate Concierge Registration Service; \$135 for Colleagues employed with a member's firm (subject to verification). This event is not open to non-members. Join now for access to and the best price for this event! Visit www.naiopnj.org/Membership.

CEUs: Real Estate Brokers/Salespersons: 2 Core CE credits (pending); Attorneys: 2.4 CLE credits (pending); Engineers: 2 CPC credits (pending); Planners: 2 CM credits (pending).

Thank you to our **Event Sponsor Sills Cummis & Gross, PC**, and our **Media Sponsor Real Estate Forum/GlobeSt**.

Action in Trenton & Policy News

Bill Would Add \$1 Billion to NJ Incentives Pool Senator Ray Lesniak and Assemblyman Al Coutinho have introduced legislation to beef up business incentive programs. [S-1562/A-2442](#) would increase the maximum total amount of tax credits allowable under the Urban Transit Hub Tax Credit Act from \$1,500,000,000 to \$2,500,000,000, and under the Grow New Jersey Assistance Act from \$200,000,000 to \$400,000,000. Lesniak said the increases are needed because demand for tax breaks is so great. "We are bumping up against the ceiling, it's so successful," he said. "We may exceed the cap and we still have a lot of room to bring in investment and create jobs in New Jersey."

Amazon Plans NJ Warehouses, Seeks Tax Holiday Online mega-retailer Amazon.com is in talks to open two warehouses in New Jersey in a deal that could bring 1,500 full-time jobs to the state. Amazon is seeking a 22-month sales tax holiday: the Seattle-based retailer is currently not required to collect the 7 percent NJ sales tax, but a physical presence here would trigger sales tax collection requirements. Amazon has already agreed to build distribution centers in Indiana, California, Tennessee and South Carolina in exchange for sales-

tax exemptions through 2014 or later. New Jersey stands to collect \$200 million or more a year in sales taxes if Amazon locates in the state (after any "holiday" ends). The jobs the deal would create would pay an estimated \$40,000 to \$50,000 with health benefits. Senator Ray Lesniak opposes giving Amazon a sales tax holiday, and is sponsoring a bill ([S-1305](#)) requiring companies like Amazon to collect sales taxes in the state. He said the retailer was free to take advantage of other New Jersey tax incentive programs. NAIOP NJ is confident that our policy makers in Trenton will put together the right mix of incentives to secure these good private-sector jobs for New Jersey.

Permit Extension Bill Advances Assembly Majority Leader Lou Greenwald's Permit Extension legislation ([A-1338](#)) was approved, with amendments, by the Assembly Housing and Local Government Committee on January 30 (the Senate version is S-743/Sarlo).

The bill would: extend the permit/approval deadline to December 31, 2014; expand upon the current Permit Extension Act to include the Highlands and Pinelands; clarify that sewer capacity reservation agreements

are covered under PEA; and conform with the State Strategic Plan's "economic zones" (rather than planning areas) once the final State Strategic Plan is adopted in 2013.

Public Hearings Scheduled on State Strategic Plan The State Planning Commission has scheduled a series of February/March public hearings on the Christie Administration's [State Strategic Plan](#). Find the schedule and locations [here](#). If you attend, we would like to hear feedback on the issues raised (by you and others). Please share your thoughts with Mike McGuinness or Barbara Morford at 732-729-9900.

In Case You Missed It

Christie Signs Critical WQMP Bill NAIOP-backed Water Quality Management Planning legislation (S-3156 Sarlo/A-4335 Coutinho) was signed by Governor Christie on January 17. The measure extends the requirement of wastewater management planning agencies to establish or update wastewater management plans by 6 months from date of enactment, keeps existing plans in place, allows for plan amendments to continue, and gives the DEP Commissioner discretion to further

extend the deadline for planning agencies by another 18 months. The WQMP legislation will maintain sewer service areas, protect financial investments in infrastructure, uphold environmental standards and restore certainty to landowners and towns, as a comprehensive statewide approach to the treatment of wastewater is thoughtfully developed and implemented. Read the [WQMP Legislation](#) as passed.

Societal Benefits Bill Signed

On January 17, Gov. Christie signed legislation (A-2528/Chivukula, S-2344/Smith) to allow commercial and industrial ratepayers to take a credit of

up to 50 percent of the Societal Benefits Charge to offset the cost of BPU-approved energy efficient projects. [Read the bill as passed.](#)

Christie Calls for 10% Tax Cut in "State of the State" Address

"The New Jersey comeback has begun" was the takeaway catch phrase from Governor Chris Christie's State of the State address delivered to a joint session of the Legislature on January 17. The Governor recited a list of companies that have moved to the state because "We have changed the business environment in this state and, as a result, we are changing the jobs environment." He then called for an

across-the-board 10 percent cut in the state income tax (to be phased in over three years), which Senate President Sweeney termed "another windfall for multimillionaires across the state at the expense of schools." Read the entire [State of the State Address](#). **Next up: Budget Address February 21.**

Links to the new legislative session:

215th Legislature [Leadership](#)
215th Legislature [Roster](#)
215th Legislature [Senate Committees](#)
215th Legislature [Assembly Committees](#)
215th Legislature [Joint Committees](#)

Gala News



Members-Only PreSale Until March 15

Until March 15, NAIOP New Jersey members may purchase Gala tickets at a discount and receive a bonus **FREE TICKET** with every ten tickets purchased. The Gala sold out in 2011, so don't delay!

The recipients of the 25th Annual Commercial Real Estate Awards were announced at NAIOP NJ's Annual Meeting & Commercial Real Estate Forecast on January 24. A sell-out crowd of 280 was on hand as President George Sowa revealed the Gala Design Competition winner and the 2012 honorees:

L. Robert "Bob" Lieb will receive the Lifetime Achievement Award, which recognizes an individual with a distinguished and longstanding record of service to the industry and community, as well as significant personal accomplishments. The Impact Awards, which recognize firms and/or individuals

that have had a significant impact on New Jersey's commercial and industrial real estate development industry, will be presented to T&M Associates, and Andrew Merin of Cushman & Wakefield of New Jersey, Inc. Wilentz Goldman & Spitzer, P.A., will receive the Industry Service Award, in recognition of the firm's substantial contribution to the commercial and industrial real estate industry in support of the industry's goals. The Chairman's Award, which honors a person, entity or real estate transaction that has had a profound influence on the industry, will be presented to Seena Stein of Newmark Knight Frank.

The 25th Annual Commercial Real Estate Awards Gala Committee is chaired by: Gretchen Wilcox, GS Wilcox & Co.; William Hanson, NAI Hanson; and Clark Machemer, Rockefeller Group Development Corporation. For more information, please visit www.naiopnj.org/25Gala.

Deal of the Year Entries are Due Friday, February 17

There are just a few days left to submit entries for the NAIOP NJ Annual Deal of the Year Awards. Among the most coveted honors in the real estate community, the Deal of the Year Awards will be presented at the 25th Annual Commercial Real Estate Awards Gala on May 17 at The Palace at Somerset Park. Up to three Deal of the Year Awards will be presented: Economic Impact; Creative Office; and Creative Industrial.

An independent panel of judges will evaluate the merits of all submissions and their impact on the community and the real estate market. All deals submitted for consideration must have a commercial (office/ industrial) component. Finalists in all categories will be asked to make an in-person presentation before the judges. At least one principal partner in the deal must

be a NAIOP New Jersey member in good standing (currently and at the time of the deal), and all deals must have been completed by December 31, 2011.

There is no limit to the number of deals that may be submitted by any one entity, and deals may be submitted for one or more categories. **The deadline for submissions is Friday, February 17.** For a submission form, please visit www.naiopnj.org/25Gala, or contact Bonnie Sovinee by phone (732-729-9900) or email sovinee@naiopnj.org. Finalists will be announced in March. The winners will be revealed at the Gala on May 17.

Association News



Continuing Education Update

◀ NAIOP NJ President George Sowa signs in for his CEU credit at the January 24 Annual Meeting. Chapter Administrator Kathy Iola and Student Members Portia Henry and Joe Zagari signed in over 100 CEU seekers.

NAIOP NJ offers Continuing Education Credits for several professions to allow licensed real estate brokers, attorneys, professional planners, accountants and civil engineers to earn required credits for attending our seminars. Our January 24 Commercial Real Estate Forecast has been approved for 1 CEU each for Accountants and Professional Planners, and has applied for CEU credit for Licensed Real Estate Brokers & Salespersons and Engineers.

Upcoming CEU opportunities include the February 17 Mandatory LSRP Update & Roundtables with Industry Experts, and the March 7 Public Policy Symposium. Details and registration at www.naiopnj.org. For the latest status of our CEU approvals, be sure to bookmark www.naiopnj.org/ceu and check for frequent updates. This section includes general information, upcoming CEU programs, an FAQ page, and a dedicated page for each discipline. Contact Education Coordinator [Mark Russo](mailto:Mark.Russo@naiopnj.org) for more information (732-729-9900).

Do You Need Professional Help?

Are you looking for an Environmental Consultant, an Architect or an Attorney? It's good business to do business with your fellow NAIOP NJ members! Log in at www.naiopnj.org to access the [New Jersey Chapter Member Directory](#) and find the professionals you need.

NAIOP NJ Calendar

details at www.naiopnj.org

February 17: Seminar
Mandatory LSRP Update & Roundtables with Industry Experts
NJ Law Center, New Brunswick

March 7: Signature Event
Public Policy Symposium
Meet Senate President Steve Sweeney
East Brunswick Hilton

March 27: Chapter Meeting
Industrial vs. Office: The CEO Perspective
Details coming soon!

May 17
The 25th Annual Commercial Real Estate Awards Gala
The Palace at Somerset Park

June 14 & 15
I.con The Industrial Conference for Commercial Real Estate
Hyatt Regency, Jersey City

September 24
NAIOP NJ Annual Golf Classic
Trump National Golf Club, Bedminster