

**New Jersey Commerce Commission
May 21, 2008
Board of Directors Meeting Minutes**

Members of the Board Present:

Gary Rose, designee for Governor Corzine; Marilyn Davis, designee for LWD Commissioner David Socolow; Jane Oates, designee for the Commission on Higher Education; Dan Ryan, designee for DEP Commissioner Lisa Jackson; Jim Lewis, designee for DOT Commissioner Kris Kolluri; Patrick O'Connor, designee for the State Treasurer; and Sang Kim, public member.

Also present at the table were Angie McGuire, Interim Executive Director; Laura Rivkin, DAG; Rob Shane of the Governor's Authorities Unit; and Maggie Manza, Board Secretary.

Minutes:

The meeting was called to order at 10:15 am.

Open Public Meetings Act Statement:

Ms. Manza announced that this was a regular meeting of the New Jersey Commerce Commission and that adequate notice of the meeting had been provided in accordance with the Open Public Meetings Act. On May 16, 2008, notice was mailed to the Star Ledger, the Trenton Times, the Trentonian, the Courier Post, the Atlantic City Press, the Bergen Record and the Home News and notice was duly filed with the Secretary of State and posted on the Secretary of State's bulletin board at the State House.

Resolutions:

Res. No. 08-98 Approves Minutes of April 16, 2008 Board of Directors meeting

Dr. Kim made a motion to approve NJC08-98 and Mr. Lewis seconded the motion. The motion was approved by a 7 - 0 vote.

Res. No. 08-99 Robert K. Foster, Inc. – Approves WBE Final Decision

Ms. Oates made a motion to approve NJC08-99 and Ms. Davis seconded the motion. The motion was approved by a 7 - 0 vote.

Res. No. 08-100

Verizon New Jersey - Urban Transit Hub Tax Credit Program Application

Chairman Rose noted that the Commission is still working with Verizon on the best means to expand in New Jersey.

NJC08-100 was held.

Res. No. 08-101

DPT Lakewood, Inc. – Approves UEZ Energy Sales Tax Exemption Renewal Application

Kathy Kube, Acting Executive Director of the UEZA, described the resolution to approve the UEZ Energy Sales Tax Exemption Renewal Application of DPT Lakewood, a pharmaceutical and healthcare manufacturing, packaging and technical services company. This is the company's third exemption renewal. The estimated annualized U-STX benefit to DPT Lakewood, Inc. is \$115,000. Ms. Kube noted that the company has increased its Statewide employment.

Ms. Davis made a motion to approve NJC08-101 and Dr. Kim seconded the motion. The motion was approved by a 7 - 0 vote.

Res. No. 08-102

InVentiv Health, Inc. – Approves BRRAG Application

Lauren Moore, Director, Office of the Business Advocate, described the resolution to approve the BRRAG Application of InVentiv Health Inc., a company that provides a broad range of communications and commercialization services to pharmaceutical and life sciences companies. InVentiv's BRRAG Application proposes consolidating three of its existing Somerset County, New Jersey locations where leases are expiring to a single location in either Franklin Township, New Jersey or Pennsylvania. If the project moves forward in New Jersey, the company projects a total investment of \$9.5 million in a facility at 500 Atrium Drive, Franklin Township, Somerset County. The estimated value of the BRRAG benefit for this project is \$621,000, based on 414 retained New Jersey employees times \$1,500 per employee. Mr. Moore noted the high average salary for the retained jobs - \$84,000.

Chairman Rose thanked InVentiv company representatives for attending the meeting.

Mr. Ryan made a motion to approve NJC08-102 and Ms. Davis seconded the motion. The motion was approved by a 7 - 0 vote.

Res. No. 08-103

Approves MOU with New Jersey Transit to fund the cost of providing information required by the Urban Transit Hub Tax Credit Act

Ms. McGuire described the resolution to approve a MOU with New Jersey Transit to provide rail platform surveys necessary to implement the Urban Transit Hub Tax Credit Act. Ms. McGuire noted that it is appropriate to enter into this agreement to allow the transportation experts at New Jersey Transit to ensure that accurate surveys are conducted.

Mr. Ryan made a motion to approve NJC08-103 and Mr. Lewis seconded the motion. The motion was approved by a 7 - 0 vote.

Res. No. 08-104 Linden Development, LLC - Approves Brownfield Contaminated Site Reimbursement Application

Mr. Moore described the resolution approving the brownfields application of Linden Development and authorizing the Interim Executive Director to execute a Brownfield Redevelopment Agreement with Linden Development and the State Treasurer. The recommended reimbursement is up to \$20,625,000.

The project site is approximately 102 acres and is the former location of GM's Linden vehicle assembly plant. The developer plans to construct two 353,000 square foot retail spaces and three warehouse spaces which total 1.15 million square feet. In addition, there are plans to include a minimum two-acre senior housing development. The retail component is estimated to generate \$111.75 million in annual gross sales, generating approximately \$5.48 million in eligible sales taxes.

Mr. O'Connor questioned the Treasurer's involvement in assessing the application. Mr. Moore explained that the Treasurer makes an independent assessment of the application and the estimated tax revenues, that reimbursement is contingent upon the Treasurer's determination that the project generates sufficient tax revenues to exceed the reimbursement amount and that reimbursement begins only after the project has been constructed and new tax revenues have been generated.

Dr. Kim made a motion to approve NJC08-104 and Ms. Davis seconded the motion. The motion was approved by a 7 - 0 vote.

Res. No. 08-105 Updates Maximum Loan Threshold and Loan Application Fee for the Sustainable Development Loan Fund Program

Ms. McGuire described the resolution, which increases the maximum loan amount from the Sustainable Development Loan Fund Program from \$250,000 to \$500,000 and increases the loan application fee from \$700 (\$200 for the Commission and \$500 for the New Jersey Economic Development Authority (EDA)) to \$1,000 (\$500 for the Commission and \$500 for EDA), to reflect inflation. Currently, the Commission and EDA collect their fees from applicants separately; however, the agencies have agreed that the Commission will collect both agencies' fees and forward to EDA its portion.

Mr. Lewis made a motion to approve NJC08-105 and Mr. Ryan seconded the motion. The motion was approved by a 7 - 0 vote.

Res. No. 08-106

Authorizes extending the contract between the New Jersey Commerce Commission and Mercadien, P.C. through August 31, 2009

Chairman Rose discussed the resolution. The Commission selected Mercadien to provide audited financial statements and semi-annual internal control and assessment services for fiscal year 2007 for the Commission and the Urban Enterprise Zone (UEZ) Assistance Fund. On November 16, 2007 Mercadien issued audit reports on the Commission and the UEZ Assistance Fund, which the Commission's Audit Committee found presented an accurate assessment of the fiscal condition and practices of the Commission. The Commission's current contract with Mercadien expires on August 31, 2008. Pursuant to the terms of the RFP, the contract between the Commission and Mercadien may be extended for periods of up to one year. Accordingly, the Commission wants to extend its contract with Mercadien for one year, through August 31, 2009, after which the Commission will issue a RFP to select the next auditor. On May 20, 2008, the Audit Committee authorized the contract extension.

A motion was made and seconded to approve NJC08-106. The motion was approved by a 7 - 0 vote.

Public Comment

Ms. McGuire thanked Commission staff for their efforts during Kevin Drennan's absence.

Ms. McGuire then noted that a newsletter had been handed out which outlined some of the Commission's recent successes. The Commission has helped several companies expand in New Jersey through business advocacy, regulatory assistance and financial incentive programs like BRRAG. Commission staff is also working with a number of companies to coordinate Urban Transit Hub projects to bring capital and jobs to urban areas.

Adjournment

Ms. Oates made a motion to adjourn the meeting and Mr. Ryan seconded the motion. The motion was approved by a vote of 7 – 0 and the meeting was adjourned at 10:45 am.