

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**February 14, 2012**

**MINUTES OF THE MEETING**

Members of the Authority present: Al Koepp, Chairman; Matt McDermott representing the Executive Branch; Chris Jeter representing the State Treasurer; Wayne Staub representing the Commissioner of the Department of Environment Protection; Dr. Aaron Fichtner representing the Department of Labor and Workforce Development; Public Members: Larry Downes, Marjorie Perry, Charles Sarlo, Elliot M. Kosoffsky, Second Alternate Public Member; and Brian Nelson, Third Alternate Public Member.

Members of the Authority present via conference call: Public Members: Harold Imperatore, Kate Whitman, and Ray Burke, First Alternate Public Member.

Absent from the meeting: Nancy Graves representing the Commissioner of the Department of Banking and Insurance; Public Members: Joseph McNamara, Vice Chairman; Richard Tolson, and Rodney Sadler, Non-Voting Member.

Also present: Caren Franzini, Chief Executive Officer of the Authority; Sudi Solomon, Deputy Attorney General; Nicole Crifo, Governor's Authorities' Unit and staff.

Also present via conference call: Bette Renaud, Deputy Attorney General.

Chairman Koepp called the meeting to order at 10 a.m.

Pursuant to the Internal Revenue Code of 1986, Ms. Franzini 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. Franzini 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 January 17, 2012 meeting minutes. A motion was made to approve the minutes by Ms. Perry, seconded by Mr. Kosoffsky, and was approved by the 12 voting members present.

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

**AMENDED BOND RESOLUTIONS**

**PROJECT:** Railway Avenue Properties, LLC **APPL.#36938**  
**LOCATION:** Paterson City/Passaic  
**PROCEEDS FOR:** Building and Land Acquisition, Renovation, Debt Service  
**FINANCING:** \$11,645,000 (est.) Tax-Exempt Series A Bond & \$330,000 (est.) Taxable Series B Bond, \$16,525,000 (est.) Tax-Exempt Series C Bond  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. McDermott **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 1  
**PUBLIC HEARING:** YES

*Mr. Sarlo entered the meeting at this time.*

**PRELIMINARY BOND RESOLUTIONS**

**PROJECT:** TDAF I Springfield Avenue Holding **APPL.#37151**  
Urban Renewal Company  
**LOCATION:** Newark City/Essex  
**PROCEEDS FOR:** Development Financing  
**MOTION TO APPROVE:** Mr. Staub **SECOND:** Mr. Nelson **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 2

*Ms. Perry abstained because she may pursue a business relationship with the project.*

**LOANS/GRANTS/GUARANTEES**

**LOCAL DEVELOPMENT FINANCING FUND**

**PROJECT:** 2820 Mt Ephraim Avenue, LLC **APPL.#37149**  
**LOCATION:** Camden City/Camden  
**PROCEEDS FOR:** Building and Land Acquisition, Renovation  
**FINANCING:** \$3,500,000 term loan with a 35.7%, \$1,250,000, Authority Participation  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Nelson **AYES:** 13  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 3

**CAMDEN ECONOMIC RECOVERY BOARD**

**ITEM:** The Salvation Army, a New York Corporation **APPL.#17483**  
**REQUEST:** To approve the extension of the funding commitment for the non-recoverable infrastructure grant and public purpose grant under the Demolition and Redevelopment Financing Fund.  
**MOTION TO APPROVE:** Mr. Kosoffsky **SECOND:** Mr. McDermott **AYES:** 13  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 4

## PETROLEUM UNDERGROUND STORAGE TANK PROGRAM

The following projects were presented under the Petroleum Underground Storage Tank Program.

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Kosoffsky **AYES:** 13  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 5**

**PROJECT:** Margaret Horsch **APPL.#37031**  
**LOCATION:** Freehold Township/Monmouth  
**PROCEEDS FOR:** Remediation, Upgrade, Closure  
**FINANCING:** \$125,225, Petroleum UST remediation, Upgrade and Closure Fund Grant

**PROJECT:** Irina Skvortsov **APPL.#36943**  
**LOCATION:** Lincoln Park/Morris  
**PROCEEDS FOR:** Upgrade, Closure, Remediation  
**FINANCING:** \$93,711, Petroleum UST remediation, Upgrade and Closure Fund Grant

**FOR INFORMATION ONLY:** The next item is a summary of the Petroleum Underground Storage Tank Program projects approved by the Delegated Authority.

### EDISON INNOVATION FUND

**ITEM:** EDA-BPU Clean Energy Program MOU Amendment  
New Product – Large Scale CHP-Fuel Cells Program  
Product Update – Edison Innovation Green Growth Fund (EIGGF 2.0) and the Energy Efficiency Revolving Loan Fund (EE RLF 1.1)  
**REQUEST:** Approve the Memorandum of Understanding (MOU) amendment between the Board of Public Utilities and the Authority concerning the transfer of \$55 million in new Clean Energy Program funds for the development of the new Large Scale Combined Heat and Power (CHP)-Fuel Cell program anticipated to launch in the spring of 2012. In addition, to approve modifications to the existing Edison Innovation Green Growth Fund and Energy Efficiency Revolving Loan Fund Programs.

**MOTION TO APPROVE:** Mr. Staub **SECOND:** Ms. Perry **AYES:** 13  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 6**

**ITEM:** Technology Accelerator  
**REQUEST:** Approve entering into a subscription agreement for an investment in TechLaunch, LLC as a “Limited Partner”.  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Staub **AYES:** 13  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 7**

**INCENTIVE PROGRAMS**

**ITEM:** Incentive Program Modifications

**REQUEST:** Approve proposed modifications to the Business Employment Incentive Program, the Grow New Jersey Program and the Urban Transit Hub Tax Credit Program in order to align with the new State Strategic Plan and to provide clarification in rules.

**MOTION TO APPROVE:** Mr. Staub **SECOND:** Mr. McDermott **AYES:** 13

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 8**

**BUSINESS EMPLOYMENT INCENTIVE PROGRAM, BUSINESS RETENTION & RELOCATION ASSISTANCE GRANT PROGRAM**

**PROJECT:** A.P. Deauville, LLC

**APPL.#37052**

**LOCATION:** TBD

**BUSINESS:** Manufacturing

**GRANT AWARD:** 30% **Business Employment Incentive grant**, 10 years

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. McDermott **AYES:** 13

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 9**

**PROJECT:** GAD Bakeries LLC

**APPL.#37051**

**LOCATION:** Carteret/Middlesex

**BUSINESS:** Food Products

**GRANT AWARD:** 80% **Business Employment Incentive grant**, 10 years.

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Staub **AYES:** 13

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 9**

**PROJECT:** Global Equipment Company Inc. and Systemax Inc. **APPL.#37240**

**LOCATION:** Robbinsville Township/Mercer

**BUSINESS:** Distribution

**GRANT AWARD:** 60% **Business Employment Incentive grant**, 10 years

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. McDermott **AYES:** 13

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 9**

**PROJECT:** IPAK, Inc.

**APPL.#37237**

**LOCATION:** West Deptford Township/Gloucester **BUSINESS:** Printing and Publishing

**GRANT AWARD:** 50% **Business Employment Incentive grant**, 10 years

**MOTION TO APPROVE:** Mr. Downes **SECOND:** Ms. Perry **AYES:** 13

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 9**

**PROJECT:** IPAK, Inc.

**APPL.#37526**

**LOCATION:** West Deptford Township/Gloucester **BUSINESS:** Printing and Publishing

**GRANT AWARD:** \$191,250 (est.), **Business Retention and Relocation Assistance grant**, 1 year

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Downes **AYES:** 13

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 10**

**PROJECT:** Mycone Dental Supply Co., Inc. **APPL.#37238**  
**LOCATION:** Greenwich Township/Gloucester **BUSINESS:** Wholesale  
**GRANT AWARD:** 55% **Business Employment Incentive grant**, 10 years  
**MOTION TO APPROVE:** Mr. Staub **SECOND:** Mr. McDermott **AYES:** 13  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 9

*Mr. Burk left the call at this time.*

**PROJECT:** Mycone Dental Supply Co., Inc. **APPL.#37257**  
**LOCATION:** Greenwich Township/Gloucester **BUSINESS:** Wholesale  
**GRANT AWARD:** \$168,750 (est.), **Business Retention and Relocation Assistance grant**,  
1 year  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Kosoffsky **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 11

**PROJECT:** Tropical Cheese Industries, Inc. and affiliates **APPL.#37236**  
**LOCATION:** Perth Amboy City/Middlesex **BUSINESS:** Food Products  
**GRANT AWARD:** 55% **Business Employment Incentive grant**, 10 years  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. McDermott **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 9

**PROJECT:** Tropical Cheese Industries, Inc. and affiliates **APPL.#37243**  
**LOCATION:** Perth Amboy City/Middlesex **BUSINESS:** Food Products  
**GRANT AWARD:** \$1,161,000 (est.), **Business Retention and Relocation Assistance**  
**grant**, 2 year  
**MOTION TO APPROVE:** Mr. Staub **SECOND:** Mr. McDermott **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 12

**ITEM:** Tyco international Ltd, Inc., collectively "TYCO" Modification  
**REQUEST:** To approve the reduction of the New Employee Commitment from 300 to 150  
and rescore the grant as a result of the change in the corporate structure and amend the  
existing agreement to: remove TV&CG Holding and Tyco Flow Control Company from the  
grant, remove entities that are no longer affiliated with Tyco and/or those entities that have  
dissolved as legal entities and to add Keystone (US) Management, Inc. and SimplexGrinnell  
LP to the Tyco International Ltd. grant.  
**MOTION TO APPROVE:** Mr. Kosoffsky **SECOND:** Mr. Nelson **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 13

**PROJECT:** Tyco Flow Control US Holding Corporation **APPL.#37261**  
**LOCATION:** West Windsor/Mercer **BUSINESS:** Industrial/Electrical Equipment  
**GRANT AWARD:** 55% **Business Employment Incentive grant**, 10 years  
**MOTION TO APPROVE:** Mr. Kosoffsky **SECOND:** Mr. Nelson **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 9

**ECONOMIC REDEVELOPMENT AND GROWTH PROGRAM**

**PROJECT:** MSST Fidelco Properties, LLC

**LOCATION:** Newark/Essex County

**REIMBURSEMENT GRANT:** Up to \$5,640,161

**MOTION TO APPROVE:** Mr. Staub **SECOND:** Mr. Nelson **AYES:** 11

**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 14

*Ms. Perry abstained because she may pursue a business relationship with the project.*

**URBAN TRANSIT HUB TAX CREDIT PROGRAM**

**ITEM:** Urban Transit Hub Tax Credit Program – Report on Activity and Program Recommendations

**REQUEST:** To review and approve the analysis and recommendations for the future administration of the program based upon the most recent legislative enhancements, including the Grow NJ program, Urban Transit Hub Tax Credit project pipeline review, and staff analysis.

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

**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 15

**ITEM:** Pennrose Properties LLC (Carl Miller Homes)

**REQUEST:** To approve the application for Pennrose Properties LLC for the Urban Transit Hub Tax Credit program application for 35% of the eligible costs, not to exceed \$17,716,713 or \$1,771,671 annually for 10 years.

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Staub **AYES:** 12

**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 16

**FILM TAX CREDIT TRANSFER PROGRAM**

The following projects were presented under the New Jersey Film Tax Credit Program.

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

**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 17

**PROJECT:** Northern Entertainment Inc. (*Law & Order: SVU – Season 10*)

**MAX AMOUNT OF TAX CREDITS:** \$1,281,086

**PROJECT:** Open 4 Business, LLC (*Mercy, Pilot*)

**MAX AMOUNT OF TAX CREDITS:** \$1,247,603

**PROJECT:** Open 4 Business, LLC (*Mercy, Series*)

**MAX AMOUNT OF TAX CREDITS:** \$7,297,061

**PROJECT:** Northern Entertainment Inc. (*Law & Order: SVU – Season 11*)  
**MAX AMOUNT OF TAX CREDITS:** \$594,250

**TECHNOLOGY BUSINESS TAX CERTIFICATE TRANSFER PROGRAM**

**ITEM:** Technology Business Tax Certificate Transfer Program

**REQUEST:** To approve the revision of the definition for “new or expanding” job minimum requirement to be counted from incorporation or formation and that to be counted as a full-time employee working in New Jersey, each employee must spend at least 80% of their time working in New Jersey.

**MOTION TO APPROVE:** Mr. Kosoffsky **SECOND:** Mr. McDermott **AYES:** 12

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 18**

**BOARD MEMORANDUMS**

**ITEM:** Changes in Technology Loan Documents

**REQUEST:** To amend Edison Innovation Fund Loan program documents to require notice vs. consent for equity raises and subordinate bridge loans to facilitate private funding needed by technology borrowers and to streamline portfolio servicing requirements.

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Kosoffsky **AYES:** 12

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 19**

**FOR INFORMATION ONLY:** The next item is a summary of the projects approved under Delegated Authority in January 2012:

**New Jersey Business Growth Fund:** Blue Sky Classic Cars, LLC & Blue Sky Land & Building; DW Holdings LLC; GHDB LLC; R. Fanelle & Sons, Inc.

**New Jersey Business Growth Fund - Modification:** 413 Partners, LLC; Raymond & Ken LLC

**REAL ESTATE**

**ITEM:** Camden Waterfront Landscaping Project

**REQUEST:** To approve a Memorandum of Understanding (“MOU”) between the Authority and Cooper’s Ferry Development Association to provide for the Authority’s funding of a portion of the 2012 Waterfront Landscaping Project for Camden’s Delaware River waterfront and a delegation of authority of the CEO to enter to similar MOUs in 2013, 2014, 2015 and 2016.

**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Jeter **AYES:** 12

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 20**

**ITEM:** Technology Centre of New Jersey – Amendment to Payment in Lieu of Tax Agreement with North Brunswick Township

**REQUEST:** To amend the existing Payment in Lieu of Tax Agreement with the Township of North Brunswick.

**MOTION TO APPROVE:** Mr. Staub **SECOND:** Mr. Nelson **AYES:** 12

**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 21

### **AUTHORITY MATTERS**

**ITEM:** Appointment of Records Custodian

**REQUEST:** To designate Nicole Royle as the Authority’s “Records Custodian”.

**MOTION TO APPROVE:** Mr. Kosoffsky **SECOND:** Ms. Perry **AYES:** 12

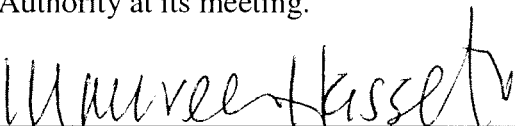
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 22

### **PUBLIC COMMENT**

There was no comment from the public.

There being no further business, on a motion Ms. Perry, and seconded by Mr. Staub, the meeting was adjourned at 12 pm.

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.

  
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Maureen Hassett, Assistant Secretary