

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

October 9, 2012

MINUTES OF THE MEETING

Members of the Authority present: Al Koepp, Chairman; Matt McDermott representing the Executive Branch; Jim Leonard representing the State Treasurer; Colleen Kokas representing the Commissioner of the Department of Environment Protection; Paul Yuen representing the Department of Labor and Workforce Development; Public Members: Joseph McNamara, Vice Chairman; Larry Downes, Marjorie Perry, Harold Imperatore, Brian Nelson, Third Alternate Public Member; and Rodney Sadler, Non-Voting Member.

Present via conference call: Nancy Graves representing the Commissioner of the Department of Banking and Insurance, Public Members: Richard Tolson, Charles Sarlo, and Ray Burke, First Alternate Public Member.

Also present: Michele Brown, Chief Executive Officer of the Authority; Timothy Lizura, President and Chief Operating Officer; Deputy Attorneys General Bette Renaud and Wayne Martorelli; Brett Tanzman, Governor's Authorities' Unit; and staff.

Absent: Public Member Elliot M. Kosoffsky, Second Alternate Public Member.

Pursuant to the Internal Revenue Code of 1986, Ms. Brown 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. Brown 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 September 13, 2012 meeting minutes. A motion was made to approve the minutes by Mr. McNamara, seconded by Mr. McDermott, and was approved by the 12 voting members present.

Chairman Koepp welcomed Michele to the EDA and her first Board meeting as CEO, stating that her skills would serve the Authority well, and that staff would assist her anyway it could.

Ms. Brown stated that before coming to the EDA, she was aware of its excellent reputation and people everywhere said she would be joining a first rate organization. She remarked that staff has been very welcoming and extremely helpful. She added that today marked her first Board meeting as CEO, and she was especially pleased about the projects being presented, which reflect the Authority's continuing focus on supporting the growth of both large and small businesses, with a particular focus on the manufacturing industry.

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

Ms. Perry entered the meeting at this time.

BOND PROJECTS

BOND RESOLUTIONS

Mr. Sadler entered the meeting at this time

Mr. Nelson entered the meeting at this time.

PROJECT: BWP School Partners LLC **APPL.#37648**
LOCATION: Newark City/Essex
PROCEEDS FOR: Construction and renovation
FINANCING: \$10,700,000 (est.) Series A Tax-Exempt Bond and \$300,000 (est.) Series B Taxable Bond, total not to exceed \$11,000,000
MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. McNamara **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 1
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

AMENDED BOND RESOLUTIONS

PROJECT: Middlesex Water Company **APPL.#37667**
LOCATION: Single County/Multi City
PROCEEDS FOR: Refund
FINANCING: \$12,000,000 (est.) Series A Tax-Exempt Bond, \$22,500,000 (est.) Series B Tax-Exempt Bond, and \$23,000,000 (est.) Series C Tax-Exempt Bond, total not to exceed \$57,500,000
MOTION TO APPROVE: Mr. McNamara **SECOND:** Mr. Tolson **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 2
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

COMBINATION PRELIMINARY AND BOND RESOLUTIONS

PROJECT: Dwight-Englewood School **APPL.#37721**
LOCATION: Englewood City/Bergen
PROCEEDS FOR: Construction
FINANCING: \$10,800,000 (est.) Tax-Exempt Bond (Part of a \$20 million Tax-Exempt Bond with P37722)
MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. McDermott **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 3
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

PROJECT: Dwight-Englewood School **APPL.#37722**
LOCATION: Englewood City/Bergen
PROCEEDS FOR: Refund
FINANCING: \$9,200,000 (est.) Tax-Exempt Bond (Part of a \$20 million Tax-exempt Bond with P37721)
MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. McDermott **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 3
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

PROJECT: Yeshiva Toras Chaim, Inc. **APPL.#37690**
LOCATION: Lakewood Township/Ocean
PROCEEDS FOR: Refinancing
FINANCING: \$3,000,000 (est.) Tax-Exempt Bond
MOTION TO APPROVE: Mr. McDermott **SECOND:** Mr. Imperatore **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 4
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

LOANS/GRANTS/GUARANTEES

LOAN TO LENDERS PROGRAM

PROJECT: Millville Urban Redevelopment Corporation **APPL.#37570**
LOCATION: Millville City/Cumberland
PROCEEDS FOR: Capital
FINANCING: \$200,000 Loan to Lender Program Loan
MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. McDermott **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

PETROLEUM UNDERGROUND STORAGE TANK PROGRAM

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

MOTION TO APPROVE: Mr. McDermott **SECOND:** Mr. Yuen **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

PROJECT: Acropolis Service Center **APPL.#37280**
LOCATION: Leonia/Bergen
PROCEEDS FOR: Remediation, Upgrade, Closure
FINANCING: \$203,835, Petroleum UST remediation, Upgrade and Closure Fund Grant

PROJECT: Martin Berlin **APPL.#36941**
LOCATION: Brick Township/Ocean
PROCEEDS FOR: Remediation, Upgrade, Closure
FINANCING: \$381,305, Petroleum UST remediation, Upgrade and Closure Fund Grant

PROJECT: My Way Pizza **APPL.#37375**
LOCATION: Dumont/Bergen
PROCEEDS FOR: Remediation, Upgrade, Closure
FINANCING: \$780,000, Petroleum UST remediation, Upgrade and Closure Fund Grant

HAZARDOUS DISCHARGE SITE REMEDIATION FUND

PROJECT: Camden Redevelopment Agency (BDA Harrison Avenue) **APPL.#37431**
LOCATION: Camden City/Camden
PROCEEDS FOR: Remedial Action
FINANCING: \$860,323 Hazardous Discharge Site Remediation Fund Grant
MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. McDermott **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

INCENTIVE PROGRAMS

URBAN TRANSIT HUB TAX CREDIT PROGRAM

ITEM: \$100 Million Residential Competitive Solicitation
REQUEST: To approve the modifications to the Urban Transit Hub Tax Credit program \$100 Million Residential Competitive Solicitation.
MOTION TO APPROVE: Mr. Leonard **SECOND:** Mr. Nelson **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

Ms. Brown announced that the balance of the Incentive Programs would be summarized by President and COO Lizura.

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

PROJECT: Acupac Packaging, Inc. **APPL.#37679**
LOCATION: Mahwah Township/Bergen **BUSINESS:** Manufacturing
GRANT AWARD: \$112,500 (est.), **Business Retention and Relocation Assistance grant,**
1 year
MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. Yuen **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

PROJECT: Cellco Partnership (d/b/a Verizon Wireless) **APPL.#37421**
LOCATION: Piscataway/Middlesex **BUSINESS:** Electronic Device Technology
GRANT AWARD: 80% **Business Employment Incentive grant,** 10 years
MOTION TO APPROVE: Mr. Downes **SECOND:** Mr. Imperatore **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

PROJECT: Home Dynamix, LLC **APPL.#37702**
LOCATION: Moonachie/Bergen **BUSINESS:** Distribution
GRANT AWARD: \$1,134,000 (est.), **Business Retention and Relocation Assistance grant,** 2 years
MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. Yuen **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

PROJECT: Precision Custom Coatings LLC **APPL.#37725**
LOCATION: To be determined **BUSINESS:** Apparel/Textile Products
GRANT AWARD: 35% **Business Employment Incentive grant,** 10 years
MOTION TO APPROVE: Mr. McDermott **SECOND:** Mr. Imperatore **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

PROJECT: Precision Custom Coatings LLC **APPL.#37726**
LOCATION: To be determined **BUSINESS:** Apparel/Textile Products
GRANT AWARD: \$506,250 (est.), **Business Retention and Relocation Assistance grant,**
1 year
MOTION TO APPROVE: Mr. McDermott **SECOND:** Mr. Imperatore **AYES:** 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

ECONOMIC REDEVELOPMENT AND GROWTH PROGRAM

ITEM: East Grand & Division, LLC or Nominee

REQUEST: To approve the ERG application of East Grand & Division, LLC (EGD) or the applicant, for 20% of the eligible costs, not to exceed \$2,648,920.

This item was withheld from consideration.

GROW NEW JERSEY ASSISTANCE PROGRAM

PROJECT: DSM Food Specialties USA, Inc.

LOCATION: Belvidere/Warren

REQUEST: To approve the \$11,550,000 Grow New Jersey award

MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. Leonard **AYES:** 14

RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

UEZ/ENERGY SALES TAX EXEMPTION PROGRAM

ITEM: Nu-World Corporation

\$28,000 UEZ/Energy Sales Tax Exemption

REQUEST: To approve the Urban Enterprise Zone Energy Sales Tax Exemption Renewal Application of Nu-World Corporation for \$28,000 (est.).

MOTION TO APPROVE: Mr. McDermott **SECOND:** Mr. Yuen **AYES:** 14

RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

BOARD MEMORANDUMS

ITEM: Morristown-Beard School, Inc.

Morristown Township, Morris County, NJ

\$3,875,000 Tax Exempt Bond (P19395)

REQUEST: To approve the modifications to the existing bond rates, terms and accompanying provisions.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

Mr. Nelson recused himself because his new firm is bond counsel on the project.

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

New Jersey Business Growth Fund: Guzzo 365, LLC

Community Economic Development Program: City of Burlington

FOR INFORMATION ONLY: The next item is a summary of the post-closing actions approved under Delegated Authority for 3rd Quarter 2012.

FOR INFORMATION ONLY: The next item is a summary of the Business Employment Incentive Program modifications approved under Delegated Authority for 3rd Quarter.

EDISON INNOVATION

ITEM: Edison Innovation Venture Capital Growth Fund – Revised Rule Amendments

REQUEST: To approve the clarifying language to rule amendments implementing the Edison Innovation Venture Capital Growth Fund program approved last month that increased the funding limit from \$500,000 to \$1 million, pending review by Governor’s counsel’s office.

MOTION TO APPROVE: Ms. Perry **SECOND:** Mr. McDermott **AYES:** 14

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

REAL ESTATE

ITEM: Aviation Research & Technology Park

Add Richard Stockton College of New Jersey as Co-Grantee to the \$2.5 Million USEDA Public Works Grant

REQUEST: To approve The Richard Stockton College of New Jersey as a co-grantee with the Authority on the \$2.5 million grant dated March 3, 2008 under its Public Works Grant Program.

MOTION TO APPROVE: Mr. McDermott **SECOND:** Mr. Yuen **AYES:** 14

RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

ITEM: Sale of Property

2099 Center Square Road, Logan Township

REQUEST: To approve the negotiation and execution of the Authority’s standard Agreement for Sale of Property with Miller Auto Leasing, Co., a New Jersey corporation, for the sale of 2099 Center Square Road, Logan Township, Gloucester County, New Jersey, for the sale price of \$165,000.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

Mr. Burke recused himself because he and Mr. Chip Miller, principal of Miller Auto Leasing, serve on the board of NJ Committee of Automotive Retailers (NJ CAR).

FOR INFORMATION ONLY: The next item is a summary of the Real Estate Division Delegated Authority for Leases and Right of Entry for 3rd Quarter 2012.

PUBLIC COMMENT

There was no comment from the public.

EXECUTIVE SESSION

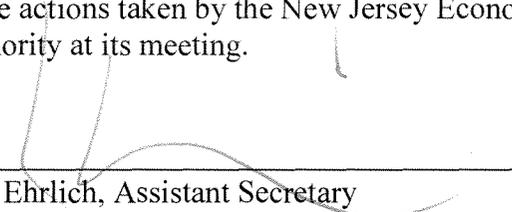
The next item was to adjourn the public session of the meeting and enter into Executive Session to discuss pending litigation. The minutes will be made public when the need for confidentiality no longer exists.

**MOTION TO APPROVE: Mr. McNamara SECOND: Mr. Leonard AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 17**

The Board returned to Public Session.

There being no further business, on a motion Mr. McNamara, and seconded by Ms. Perry, the meeting was adjourned at 11:20 a.m.

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.



Kim Ehrlich, Assistant Secretary