



MEMORANDUM

TO: Members of the Authority
FROM: Caren S. Franzini
Chief Executive Officer
DATE: July 14, 2009
SUBJECT: Agenda for Board Meeting of the Authority July 14, 2009

Notice of Public Meeting

Roll Call

Approval of Previous Month's Minutes

Chief Executive Officer's Monthly Report to the Board

Bond Projects

Loans/Grants/Guarantees

Incentive Programs

Board Memorandums

Real Estate

Authority Matters

Public Comment

Adjournment

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

June 9, 2009

MINUTES OF THE MEETING

Members of the Authority present: Carl Van Horn, Chairman; Joseph McNamara, Vice Chairman; Jerold Zaro representing the Governor's Office; James Kelly, representing the State Treasurer; Dan Ryan representing the Commissioner of the Department of Environment Protection; Richard Poliner representing the Commissioner of the Department of Banking and Insurance; Kevin Jarvis representing the Commissioner of the Department of Labor and Workforce Development; Public Members: Steve Plofker, Thomas Manning, Richard Tolson, Philip Kirschner, Raymond Burke, First Alternate Public Member; Elliot M. Kosoffsky, Second Alternate Public Member; and Rodney Sadler, Non-Voting Member.

Present via phone: Public Member Charles Sarlo.

Absent from the meeting: Public Member Timothy Carden,

Also present: Caren Franzini, Chief Executive Officer of the Authority; Bette Renaud, Deputy Attorney General; and guests.

Chairman Van Horn 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 May 12, 2009 meeting minutes of the Board. A motion was made to approve the minutes by Mr. Plofker, seconded by Mr. Manning and was approved by the 9 voting members present.

Mr. Kelly abstained because he was absent from the meeting.

The next item of business was the approval of the May 12, 2009 executive session minutes of the Board. A motion was made to approve the minutes by Mr. Tolson , seconded by Mr. Jarvis and was approved by the 9 voting members present.

Mr. Kelly abstained because he was absent from the meeting.

The next item was the presentation of the Chief Executive Officer's Monthly Report to the Board. **(For Informational Purposes Only)**

Mr. Burke entered the meeting at this time.

Mr. Poliner entered the meeting at this time.

Mr. Zaro entered the meeting at this time.

BOND RESOLUTIONS

PROJECT: Elysian Charter School of Hoboken **APPL.#26661**
LOCATION: Hoboken/Hudson Cty.
PROCEEDS FOR: building acquisition and renovation
FINANCING: \$3,962,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Tolson SECOND: Mr. Zaro **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 1
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

PROJECT: Greater Brunswick Regional Charter School **APPL.#26660**
or related entity
LOCATION: New Brunswick/Middlesex Cty.
PROCEEDS FOR: building renovation
FINANCING: \$4,760,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Tolson SECOND: Mr. Manning **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 2
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

PROJECT: United Water New Jersey Inc. **APPL#19601**
LOCATION: Various
PROCEEDS FOR: machinery & equipment purchase
FINANCING: \$65,000,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Kirschner SECOND: Mr. Manning **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 3
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

AMENDED BOND RESOLUTIONS

PROJECT: New Jersey-American Water Company Inc. **APPL#23612**
LOCATION: Various
PROCEEDS FOR: refinance existing debt
FINANCING: \$134,225,000 Tax-Exempt Refunding Bond, \$10,000,000 Tax Exempt Refunding Bond, and \$65,000,000 Tax Exempt Refunding Bond
MOTION TO APPROVE: Mr. Poliner SECOND: Mr. Tolson **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

PRELIMINARY RESOLUTIONS

PROJECT: Flemington Concrete Products, LLC **APPL.#26925**
LOCATION: Raritan/Hunterdon Cty.
PROCEEDS FOR: building construction
MOTION TO APPROVE: Mr. Plofker **SECOND:** Mr. Kirschner **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 5
Mr. Tolson abstained because the company he works for may have a vested interest.

PROJECT: IPPsolar PV Manufacturing Corporation **APPL.#26774**
LOCATION: Millville/Cumberland Cty.
PROCEEDS FOR: building acquisition
MOTION TO APPROVE: Mr. Plofker **SECOND:** Mr. Zaro **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

PUBLIC HEARING ONLY

PROJECT: Advanced Metal Processing NJ, LLC **APPL.#26424**
LOCATION: Millville/Cumberland Cty.
PROCEEDS FOR: building renovation
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

PROJECT: The King's Christian School **APPL.#26684**
LOCATION: Cherry Hill/Camden Cty.
PROCEEDS FOR: refinance existing debt
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

DIRECT LOANS

PROJECT: Women In Support of The Million **APPL.#18474**
Man March
LOCATION: Newark/Essex Cty.
PROCEEDS FOR: renovation
FINANCING: \$400,000 Urban Plus loan
MOTION TO APPROVE: Mr. Tolson **SECOND:** Mr. McNamara **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

FUND FOR COMMUNITY ECONOMIC DEVELOPMENT

PROJECT: Pathways to Independence, Incorporated **APPL.#24259**
LOCATION: Kearny/Hudson Cty.
PROCEEDS FOR: purchase of facility
FINANCING: \$250,000 Fund for Community Economic Development loan
MOTION TO APPROVE: Mr. Tolson SECOND: Mr. Manning AYES: 12
RESOLUTION ATTACHED AND MARKED EXHIBIT: 8
Mr. Jarvis abstained because the Department of Labor and Workforce Development has a business relationship with the vendor.

PETROLEUM UNDERGROUND STORAGE TANK PROGRAM

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

MOTION TO APPROVE: Mr. Kelly SECOND: Mr. Tolson AYES: 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

PROJECT: John Daub and Mary Jane Daub **APPL.#26339**
LOCATION: Mt. Laurel/Burlington Cty.
PROCEEDS FOR: site remediation
FINANCING: \$108,998 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

The next item was a summary of all Petroleum Underground Storage Tank Program Delegated Authority Approvals for the month of May 2009. **(For Informational Purposes Only)**

HAZARDOUS DISCHARGE SITE REMEDIATION FUND PROGRAM

The following municipal projects were presented under the Hazardous Discharge Site Remediation Fund Program.

MOTION TO APPROVE: Mr. Kelly SECOND: Mr. Tolson AYES: 13
RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

PROJECT: Borough of Bellmawr (Bellmawr Landfill) **APPL.#27126**
LOCATION: Bellmawr/Camden Cty.
PROCEEDS FOR: remedial investigation/action
FINANCING: \$1,821,700 Hazardous Discharge Site Remediation Fund

PROJECT: Borough of Bellmawr (Bellmawr Landfill) **APPL.#27134**
LOCATION: Bellmawr/Camden Cty.
PROCEEDS FOR: remedial action
FINANCING: \$1,965,330 Hazardous Discharge Site Remediation Fund

PROJECT: Borough of Bellmawr (Bellmawr Landfill) **APPL.#27135**
LOCATION: Bellmawr/Camden Cty.
PROCEEDS FOR: remedial action
FINANCING: \$1,135,291 Hazardous Discharge Site Remediation Fund

PROJECT: Town of Boonton (Bellmawr Landfill) **APPL.#26917**
LOCATION: Boonton/Morris Cty.
PROCEEDS FOR: remedial investigation
FINANCING: \$128,772 Hazardous Discharge Site Remediation Fund

PROJECT: City of Trenton (Canal Plaza) **APPL.#27090**
LOCATION: Trenton/Mercer Cty.
PROCEEDS FOR: remedial investigation
FINANCING: \$481,246 Hazardous Discharge Site Remediation Fund

PROJECT: City of Trenton (Thropp Brothers Site) **APPL.#27091**
LOCATION: Trenton/Mercer Cty.
PROCEEDS FOR: remedial action
FINANCING: \$303,161 Hazardous Discharge Site Remediation Fund

PROJECT: Tri-County Community Action Partnership **APPL.#26466**
(Prop. Southeast Gateway Plaza)
LOCATION: Bridgeton/Cumberland Cty.
PROCEEDS FOR: remedial investigation
FINANCING: \$112,710 Hazardous Discharge Site Remediation Fund

The next item was a summary of the Hazardous Discharge Site Remediation Fund Program Delegated Authority Approvals for the month of May 2009. **(For Informational Purposes Only)**

EDISON INNOVATION FUND

PROJECT: Alphion Corporation **APPL.#26084**
LOCATION: West Windsor/Mercer Cty.
PROCEEDS FOR: growth capital
FINANCING: \$1,000,000 Edison Innovation Fund investment
MOTION TO APPROVE: Mr. Plofker SECOND: Mr. Burke **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

PROJECT: XTellus Inc. **APPL.#25733**
LOCATION: Morris Plains/Morris Cty.
PROCEEDS FOR: growth capital
FINANCING: \$1,000,000 Edison Innovation Fund investment
MOTION TO APPROVE: Mr. Kelly SECOND: Mr. Poliner **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

INCENTIVE PROGRAMS

BUSINESS INCENTIVE EMPLOYMENT PROGRAM

PROJECT: IPPsolar PV Manufacturing Corporation **APPL.#26714**
LOCATION: Millville/Cumberland Cty. **BUSINESS:** manufacturing
GRANT AWARD: 80% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Plofker SECOND: Mr. Poliner **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

PROJECT: Princeton Fulfillment Solutions, LLC **APPL.#26572**
LOCATION: TBD **BUSINESS:** professional services
GRANT AWARD: 35% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Poliner SECOND: Mr. Zaro **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

PROJECT: SME Consolidated LTD **APPL.#26542**
LOCATION: TBD **BUSINESS:** apparel/textile products
GRANT AWARD: 30% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Manning SECOND: Mr. Tolson **AYES: 13**
RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

BUSINESS RETENTION AND RELOCATION ASSISTANCE GRANT

PROJECT: Coining, Inc.

LOCATION: Saddle Brook/Bergen Cty.

BUSINESS: manufacturing

GRANT AWARD: \$84,000 (estimate), 5 years

MOTION TO APPROVE: Mr. Plofker **SECOND:** Mr. Tolson **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

UEZ/SALEM SALES TAX EXEMPTION

The next item was to approve the Urban Enterprise Zone Energy Sales Tax Exemption Renewal Application of Anheuser-Busch, Inc. (ABI), a manufacturer that is located in Newark. The estimated annualized U-STX benefit to ABI is \$2 million.

MOTION TO APPROVE: Mr. Kirschner **SECOND:** Mr. Tolson **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

Mr. Manning abstained because one of his members works for Anheuser-Busch, Inc.

The next item was to approve the Salem Energy Sales Tax Exemption Renewal Application of Cooper Crouse-Hinds, LLC ("CCH"), a manufacturer that is located in Salem. The estimated annualized STX benefit to CCH is \$14,000.

MOTION TO APPROVE: Mr. Kirschner **SECOND:** Mr. McNamara **AYES:** 14

RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

Mr. Ryan entered the meeting at this time.

The next item was to approve the Urban Enterprise Zone Energy Sales Tax Exemption Renewal Application of Durand Glass Manufacturing Company (DGM), a manufacturer that is located in Millville. The estimated annualized U-STX benefit to DGM is \$1,000,000.

MOTION TO APPROVE: Mr. Kirschner **SECOND:** Mr. Manning **AYES:** 14

RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

BOARD MEMORANDUMS

PROJECT: Cedar Crest Village, Inc.

APPL.# 17652

LOCATION: Pequannock/Morris Cty.

FINANCING: \$80,695,000 Tax-Exempt Variable Rate Demand Revenue Refunding Bond

REQUEST: consent to modifying the redemption provisions of the Bonds to allow for the redemption of Series 2006A bonds as opposed to a pro rata redemption of the Series 2006A and 2006B bonds, and to permit the redemption to occur at a time designated by the Borrower.

Held from consideration.

PROJECT: Housing and Neighborhood Development Services, Inc. **APPL.#16332**
LOCATION: Orange/Essex Cty.
FINANCING: \$50,000 Community Economic Development loan
REQUEST: extend the maturing contingent loan for up to 18 months (12/01/10) at the current interest rate (4%)
MOTION TO APPROVE: Mr. Manning SECOND: Mr. Tolson AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

PROJECT: Atlantic City Fondue, LLC **APPL.#17955**
LOCATION: Atlantic City/Atlantic Cty.
FINANCING: \$589,627 SLP loan (50% participation)
REQUEST: Modify the requirement to maintain a minimum value of pledged securities from \$196,000 to \$135,000.
MOTION TO APPROVE: Mr. Burke SECOND: Mr. Manning AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

PROJECT: The Trustees of the Lawrenceville School **APPL.#12958**
LOCATION: Lawrence/Mercer Cty.
FINANCING: \$25,000,000 Tax Exempt Bond
REQUEST: Eliminate the requirement of a liability facility to allow the School the option to convert the bonds to a Multiannual Rate Period which will result in a cost savings to the School.
MOTION TO APPROVE: Mr. Plofker SECOND: Mr. Ryan AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 17

PROJECT: River Road Affordable Housing Projects Sites E&F **APPL.#16717**
LOCATION: Lawrence/Mercer Cty.
FINANCING: \$3,504,393 Economic Recovery Board grant
REQUEST: re-approve a reduced amount of funding for the River Road Affordable Housing Project Sites E&F and add a co-applicant, recognize a change to the project sponsor, modify the structure and use of the ERB funding, and extend the grant term.
MOTION TO APPROVE: Mr. Ryan SECOND: Mr. Poliner AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 18

The next item was a summary of projects approved under Delegated Authority in May 2009. **(For Informational Purposes Only)**

New Jersey Business Growth Fund: Bright Lights USA, Inc.; MSG Financial Group Inc. and U.S. Taxes, Inc.; No Bioc, LLC; Silpit Industries, LLC and ACB Receivables Management, Inc.; Thomas A. Ilaidis & Freehold Grill, Inc.

Fast Start Direct Loan Program: Hillside Candy LLC; Hoboken Children's Academy, LLC.

NJ Main Street Program: NDS Technologies, Inc.; Scandia Packaging Machinery

New Jersey Business Growth Fund - Modification: Interfashion Cosmetics Corporation

REAL ESTATE

The next item was to approve the request to 1) construct speculative generic wet laboratory tenant improvements for the fifth floor of the Waterfront Technology Center at Camden with a total budget of \$5 million and an Authority equity contribution of \$3.5 million; 2) engage with both Ballinger and Skanska for additional services in connection with this design and construction; and 3) accept a USEDA \$1.5 million grant.

**MOTION TO APPROVE: Mr. Kirschner SECOND: Mr. Ryan AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 19**

AUTHORITY MATTERS

The next item was to approve the creation and implementation of the Clean Energy Solutions Edison Innovative Projects Program subject to federal approval of the State Energy Program and a MOU with BPU.

**MOTION TO APPROVE: Mr. McNamara SECOND: Mr. Manning AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 20**

The next item was to approve the Authority's amendment to the MOU with the BPU to facilitate the Authority assisting BPU in their administration of the Retail Margin Fund.

**MOTION TO APPROVE: Mr. Manning SECOND: Mr. Kirschner AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 21**

The next item was the approval of the MOU between the EDA and NJDEP for the Small Business Ombudsman Program.

**MOTION TO APPROVE: Mr. Ryan SECOND: Mr. Tolson AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 22**

The next item was to approve the modification to the Clean Energy Solutions Capital Investment Program approved at the May 12, 2009 meeting, regarding financing for renewable generation projects.

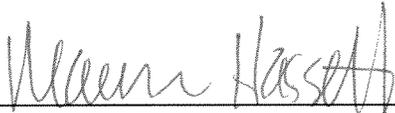
**MOTION TO APPROVE: Mr. Kirschner SECOND: Mr. Ryan AYES: 14
RESOLUTION ATTACHED AND MARKED EXHIBIT: 23**

PUBLIC COMMENT

There was no comment from the public.

There being no further business, on a motion by Mr. Plofker, and seconded by Mr. McNamara, the meeting was adjourned at 11:05 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.



Maureen Hassett, Assistant Secretary

MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

DATE: July 14, 2009

RE: Chief Executive Officer's Report to the Board

State Launches Loans/Grant Program for Clean Energy Capital Investment

A new funding resource to support Governor Corzine's commitment to promote economic development and a more secure environmentally responsible energy future for New Jersey was unveiled in June. Known as the Clean Energy Solutions Capital Investment (CESCI) Loan/Grant, the new program will assist commercial, institutional or industrial entities advancing energy-efficient end-use projects, combined heat and power (CHP or cogen) production facilities, or construction of state-of-the-art, efficient electric generation facilities, including Class I and Class II renewable energy. Clean Energy Solutions is a joint effort of the EDA, the BPU and the DEP.

CESCI will provide zero-interest loans and grants up to \$5 million to eligible commercial, industrial or institutional customers, with up to 10-year loan term to fund purchase of fixed-assets (including real estate or equipment). The loans and grants offered through CESCI are capitalized through the Regional Greenhouse Gas Initiative's Global Warming Solutions Fund, in partnership with the DEP.

We are also planning to launch the Clean Energy Solutions CHP Program later this month. This program is aimed at enabling the state to meet its Energy Master Plan goal of developing 1,500 megawatts of combined heat and power electric generating capacity by the year 2020.

Statewide Supermarket Summit Kicks Off Governor's NJ Food Access Initiative

A new statewide initiative aimed at spurring supermarket development throughout New Jersey's urban centers was launched in June to further community revitalization, job creation and reduce health disparities in the state. The initiative is part of Governor Corzine's overall Economic Recovery and Assistance Plan announced in October. Encouraging the development of supermarkets in New Jersey's underserved areas will foster economic growth, improve access to healthy food and health outcomes, and provide new entrepreneurial and economic opportunities for local residents. About 250 people attended the launch. Board Chairman Dr. Carl Van Horn and OEG Chief and Board Ex Officio Member Jerry Zaro were among the speakers.

The New Jersey Food Access Initiative, supported through a unique public/private partnership involving the EDA and The Reinvestment Fund (TRF), is designed to meet the financing needs of supermarket operators who want to locate within an underserved area where infrastructure costs and credit needs are often higher and unmet by conventional financing institutions. The EDA

recently approved a \$3-million investment to TRF to create the Food Access Fund, with the goal of leveraging additional public and private investment. The EDA also will utilize its other funding resources to support eligible supermarket projects, including long-term debt for fixed assets and working capital, incentives for capital improvement and employment creation and assistance for brownfields investigation and remediation activities. To complement the statewide program, the EDA also invested \$1 million in a pilot supermarket initiative in Newark.

Fifth Main Street Project Finalized in June; Eight Other Approvals Await Closing

There were 19 active Main Street Business Assistance Program applications at the end of June. The applicants are seeking \$7.6 million in financing assistance through the program and plan to make total investments surpassing \$16 million in their projects.

Five of these projects have closed under the \$50-million program. The latest to be finalized was a \$300,000 participation in a \$1.2-million TD Bank loan that will enable PCA Engineering, Inc. of Pompton Lakes to acquire and renovate a 43,000-square-foot building that it has leased through a real estate holding company. The funding will allow the woman-owned environmental management services business to maintain 10 jobs and create four new positions. Nine other projects have been approved and await closing.

NEW JERSEY URBAN FUND

Through the first half of 2009, the EDA closed 30 financings totaling more than \$35 million in the urban centers of Atlantic City, Camden, Elizabeth, Jersey City, Newark, Paterson and Trenton under the New Jersey Urban Fund. These projects involve nearly \$165 million in total investment and are expected to create 1,040 new full-time jobs and more than 2,000 construction jobs. Our Strategic Business Plan goal for 2009 is to commit \$100 million to the nine targeted New Jersey Urban Fund cities, which also include East Orange and New Brunswick.

AAF-McQuay, Inc., the second largest air conditioning, heating, ventilation and refrigeration company in the world, executed a BEIP grant in June worth an estimated \$1.9 million over 10 years in connection with its plans to bring 40 new jobs into Jersey City. The company is a subsidiary of Daikin Industries, a Fortune 100 company with major facilities in Louisville and Minneapolis. AAF-McQuay is establishing a location in the mid-Atlantic region to expand its sales efforts.

OTHER URBAN ACTIVITY

Through the end of June, the EDA closed 29 projects in other Urban Aid cities, providing over \$19 million in bonds, loans, loan guarantees and environmental assistance grants for borrowers investing more than \$40 million in the state's economy. This support is expected to result in the creation of more than 130 jobs. Our strategic goal is to deploy \$100 million to Urban Aid cities other than New Jersey Fund cities by year end.

A 50-percent EDA participation in a \$1.4-million Capital Bank loan closed in June that will enable Triad Advisory Services, an urban and strategic planning consulting firm to purchase and equip commercial real estate in Vineland. The company plans to add 10 new jobs as a result of the purchase.

EDISON INNOVATION FUND

The EDA closed equity-like financing totaling \$5.6 million on nine Edison Innovation Fund projects in the first six months of 2009, putting it more than halfway to its Strategic Business Plan goal of making direct investments in 15 companies in 2009. Overall, the EDA has closed 14 Edison projects totaling \$16.7 million that are expected to result in total project investments of almost \$43 million in New Jersey and the creation of more than 800 new jobs.

Inventive Health, Inc., a service provider to the pharmaceutical, life sciences and health care industries, executed a BEIP grant worth an estimated \$3.5 million in June based on its plans to expand by 150 new jobs in Franklin Township.

CORE ACTIVITY

Core financing totaling nearly \$130 million was finalized in the first half of the year with 78 other projects that plan to make total investments of almost \$233 million and create nearly 1,500 new jobs. We have already surpassed our 2009 goal for providing financing assistance to core projects by almost 20 percent.

Cape Counseling Services, Inc., a leading provider of behavioral health services in Cape May County for three decades that annual serves more than 5,000 families, this week finalized \$1.3 million in bond financing with the EDA in June that will enable the agency to acquire, renovate and equip a 15,600-square-foot building on nearly two acres of land at 1129 Route 9 South in Middle Township. The move will allow Cape Counseling to centralize many of its services. The financing included a 20-year, \$1.25-million tax-exempt bond and a \$50,000 taxable bond. Crest Savings Bank was the bond purchaser.

Events/Speaking Engagements:

EDA representatives participated as attendees, exhibitors or speakers at 37 events in June. These included the New Jersey Association of Women Business Owners' Annual Business Conference and Expo in Somerset, Downtown New Jersey's Annual Conference in Jersey City, the New Jersey Utilities Association Annual Conference in Absecon, a New Jersey Technology Council Sustainable Business and Technology Seminar in Secaucus, a Renewable Energy Finance Forum in New York City and a Camden Chamber of Commerce luncheon meeting.

The EDA also sponsored a BioNJ Life Sciences Seed Syndicate Series meeting at Princeton University. This invitation-only networking group was attended by representatives of top-tier venture capital funds and large pharmaceutical companies and was intended to facilitate investment in New Jersey biotech companies and entrepreneurs. Additionally, foreign consuls and corporate business executives joined EDA and OEG officials in Camden to learn how public- and private-sector collaboration can enhance international trade opportunities in global markets. Representatives from 14 foreign countries also attended another meeting in Trenton during the month in which the EDA, OEG and BPU discussed the state's new and existing clean energy programs to encourage the use of renewable energy while supporting the goals of Governor Corzine's Energy Master Plan.



AMENDED BOND RESOLUTIONS

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - REFUNDING BOND PROGRAM**

APPLICANT: Friends Retirement Concepts, Inc.

P27455

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: 100 Monroe Street

Bridgewater Township (N)

Somerset

GOVERNOR'S INITIATIVES:

Urban Fund Other Urban Edison Core Clean Energy

APPLICANT BACKGROUND:

Friends Retirement Concepts, Inc. d/b/a Arbor Glen of Bridgewater, is a Pennsylvania 501(c)(3) not-for-profit organization incorporated in 1985. The Applicant owns and operates a continuing care retirement community located in Bridgewater Twp., Somerset County known as Arbor Glen of Bridgewater, which currently consists of 202 independent living units (19 villas and 183 apartments), 35 assisted living units, 59 nursing care beds and related common facilities. The facility was originally completed in September 1998, and an expansion of 39 additional independent living units was completed in 1999. Arbor Glen employs 104 full time employees and 35 part-time employees. The Project is in compliance.

In 1998, the Authority closed \$71,270,000 in tax exempt and taxable bonds to (i) advance refund a portion of the \$62.215 million tax-exempt bonds issued by the Authority in 1996 for the initial construction of Arbor Glen; (ii) refinance its subordinate debt and (iii) finance an expansion for Arbor Glen consisting of a fitness center, 35 additional independent-living villas, as well as other capital improvements to the facility. The 1998 Bonds, underwritten by Zeigler Securities, carry fixed and variable interest rates ranging from 4.75% to 9.75%, and a maximum maturity of 33 years.

In 2004, the Authority closed \$36,500,000 in tax-exempt bonds to refund a portion of the 1998 Bonds and refinance all of the outstanding 1998 Bonds and certain taxable indebtedness of the Corporation. The 2004 Bonds, underwritten by Herbert J. Sims & Co., Inc. and Merrill Lynch & Co. were term bonds due in 2033 at variable interest rate, reset weekly. The 2004 Bonds were secured by a letter of credit provided by Sovereign Bank, N.A., with a confirming letter of credit by Lloyds TSB Bank, plc. With the acquisition of Sovereign Bank by Banco Santander, the confirming letter of credit is now provided by Santander. In addition, National Consumer Cooperative Bank d/b/a NCB purchased a \$7.7 million participating interest in the Sovereign Bank letter of credit.

The letters of credit are set to expire on August 31, 2009 and Sovereign Bank and Santander have agreed to renew the letter of credit. However the participating bank, NCB is unable to continue to participate in the letter of credit and Sovereign Bank cannot increase its exposure to assume the NCB participation. The Applicant is aggressively seeking a replacement bank for the \$7.7 million participation, but in the event this cannot occur, the Applicant is requesting Authority approval to the Refunding Request below.

The applicant is a not-for-profit, 501(c)(3) entity for which the Authority may issue tax-exempt bonds as permitted under Section 103 and Section 145 of the 1986 Internal Revenue Code as amended, and is not subject to the State Volume Cap limitation, pursuant to Section 146(g) of the Code.

Authority assistance will enable the Applicant to current refund the \$7.7 million portion of the 2004 Series Bonds plus pay certain costs of issuance and fund a debt service reserve fund, due to non-renewal by NCB of its participating interest in the letter of credit securing the 2004 Bonds.

FINANCING SUMMARY:

BOND PURCHASER: Herbert J. Sims (Underwriter)

AMOUNT OF BOND: \$10,000,000 (max.) Tax-exempt

TERMS OF BOND: 30 years (max.); Fixed rate bonds (serial and/or term) not to exceed 9.75% (estimated rate as of 7/7/2009 is 8.65%).

ENHANCEMENT: N/A

PROJECT COSTS:

Principal amount of bond to be refunded	\$7,700,000
Debt service reserve fund	\$1,750,000
Closing Costs	\$325,000
Contingency	\$225,000
TOTAL COSTS	\$10,000,000

PUBLIC HEARING: 04/13/04 (Published 03/29/04) **BOND COUNSEL:** McCarter & English

DEVELOPMENT OFFICER: W. Feliciano

APPROVAL OFFICER: T. Wells

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - REFUNDING BOND PROGRAM**

APPLICANT: New Jersey-American Water Company, Inc.

P23612

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: Various

Statewide (N)

Multi Count County

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban () Edison (X) Core () Clean Energy

APPLICANT BACKGROUND:

New Jersey-American Water Company, Inc., ("NJAWC") incorporated in 1988, is a wholly-owned subsidiary of American Water Works Company, Inc., the largest investor-owned U.S. water and wastewater utility company, with headquarters in Voorhees, N.J. NJAWC is a regulated public utility corporation, engaged in the production, treatment and distribution of water and collection of sewage within its defined service territory within the State of New Jersey. NJAWC's service territory includes portions of the following counties: Atlantic, Burlington, Camden, Cape May, Essex, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Union and Warren. Within its territory, NJAWC serves approximately 590,250 water customers and approximately 27,000 sewer customers in 177 municipalities.

The NJAWC and the former Elizabethtown Water Co. which was merged into NJAWC in 2006, have been long-standing EDA applicants since 1979 with over \$500 million in tax exempt bond financing. The outstanding bond financings which are the subject of this refunding request are:

	CLOSED	AMOUNT	PURPOSE
P6992	11/8/94	\$65,000,000	Construct and upgrade treatment facilities in various municipalities within 13 counties
P9561	6/6/97	\$50,000,000	Construct Treatment Plant in Franklin Twp. Somerset Co.
P13334	12/13/01	\$50,500,000	Refunding of bonds issued in 1989, 1990, & 1991 for construct/renovate/upgrade treatment & water facilities in various municipalities within 7 counties
P13325	12/13/01	\$ 9,225,000	Upgrade Treatment Plant in Franklin Twp., Somerset Co.
P13325s	5/30/02	\$35,000,000	Upgrade treatment plants in Somerset, Mercer and Union Counties

This project qualifies for Authority assistance as an Exempt Public Facility (water furnishing) under Section 142(a)(4) of the Internal Revenue Code of 1986 as amended and is exempt from the \$20 million capital expenditure limitation.

REFUNDING REQUEST:

Authority assistance will enable the Applicant to refund the outstanding balance of the existing Water Facilities Bonds of Elizabethtown Water Company Projects: 1997 Series A and B, 2001 Series A and B and 2002 Series A, outlined above. The difference between the bond amount and project costs will be funded with Applicant's equity. BPU approval of the proposed refunding was received on August 20, 2008.

An Amended Bond Resolution was approved on June 9, 2009 to include the NJ American Water Company Project 1994 Series A Bonds to this refunding request. Due to recent improvements in market conditions, it is favorable for the Applicant to include the 1994 Bonds. The total amount to be refunded is now \$209.725 million, including all \$144.725 million of the former Elizabethtown Water Company bonds and \$65 million of NJ American Water Company.

An AMENDED BOND RESOLUTION IS REQUESTED AT THE JULY 14, 2009 BOARD MEETING to include Janney Montgomery Scott LLC as the Co-Manager for the proposed 2009 Refunding Bonds.

FINANCING SUMMARY:

BOND PURCHASER: Morgan Stanley (Senior Manager)
 Janney Montgomery Scott LLC (Co-Manager)

<p>AMOUNT OF BOND: \$134,225,000 (Tax-exempt) Series A</p> <p>TERMS OF BOND: 30 years (max.); Fixed interest rate not to exceed 9%, indicative rate as of 5/26/2009 is 6% (AMT)</p>	<p>\$10,500,000 (Tax-exempt) Series B</p> <p>\$65,000,000 (Tax-exempt) Series C</p> <p>Series B: 30 years (max.); Fixed interest rate not to exceed 9%, indicative rate as of 5/26/2009 is 5% (N-AMT)</p> <p>Series C: 25 years (max); Fixed interest rate not to exceed 9%, indicative rate as of 5/26/2009 is 6% (AMT)</p>
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ENHANCEMENT: N/A

PROJECT COSTS:

Principal amount of bond to be refunded	\$209,725,000
Finance fees	\$937,500
Legal fees	\$100,000
Accounting fees	\$10,000
TOTAL COSTS	\$210,772,500

PUBLIC HEARING: 04/14/09 (Published 03/31/09) **BOND COUNSEL:** Wolff & Samson

DEVELOPMENT OFFICER: R. Fischer **APPROVAL OFFICER:** T. Wells

PRELIMINARY RESOLUTIONS

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - STAND-ALONE BOND PROGRAM**

APPLICANT: Transmediair Inc. or a Real Estate Holding Co. tbf

P27614

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: 279 Homestead Road

Hillsborough Township (N)

Somerset

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban (X) Edison () Core () Clean Energy

APPLICANT BACKGROUND:

Incorporated in 2001 and with headquarters in Hillsborough, NJ, Transmediair Inc. is an alternative and green energy from biomass research and development company. The company has developed an innovative proprietary method to convert biomass through a thermo-chemical conversion to high-octane bio-gasoline. This alternative energy breakthrough technology, called PRIMUS, takes biomass, such as Switchgrass and Miscanthus, and converts them to fuel.

PRIMUS technology is a proprietary method that includes several distinct processes (including gasifying feedstock into synthetic gas and then catalytically converting it into liquid fuel) that Transmediair Inc. has developed. The major end-product will be ligno-cellulose bio-gasoline which is a fuel commodity and will be sold as such on the market. There are also other related products produced: DME (dimethyl ether), active carbon, and methane.

The company's major investor is IC Green Energy Ltd., which is a wholly owned subsidiary of Israel Corporation Ltd., an Israeli holding company that is in the chemicals field, among other fields, which holding company is in turn majority owned by the Ofer Group.

Transmediair Inc.'s immediate plan, and the purpose of this application, is to construct a demonstration/pilot plant. Their ultimate goal is eventually to achieve a full scale commercial production facility (bio-refinery).

APPROVAL REQUEST:

Authority assistance will enable the acquisition and renovation of an approximately 69,824 sf existing manufacturing building on a 17.5-acre parcel for use in pilot manufacturing operations, plus pay the cost of issuance.

FINANCING SUMMARY:

BOND PURCHASER:

AMOUNT OF BOND:

TERMS OF BOND:

ENHANCEMENT: N/A

PROJECT COSTS:

Acquisition of existing building	\$4,000,000
Renovation of existing building	\$1,000,000
Engineering & architectural fees	\$50,000
Legal fees	\$40,000
Finance fees	\$30,000
Other	\$5,000
TOTAL COSTS	<hr/> \$5,125,000 <hr/>

JOBS: At Application 21 Within 2 years 30 Maintained 0 Construction 30

PUBLIC HEARING:

BOND COUNSEL: Wolff & Samson

DEVELOPMENT OFFICER: P. Durand

APPROVAL OFFICER: D. Sucsuz

DIRECT LOANS

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - DIRECT LOAN PROGRAM**

APPLICANT: Phanie M. LLC

P27085

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: 777 Harrah's Blvd

Atlantic City (T)

Atlantic

GOVERNOR'S INITIATIVES:

(X) Urban Fund () Other Urban () Edison () Core () Clean Energy

APPLICANT BACKGROUND:

Formed in December 2007, Phanie M. LLC d/b/a Walt's Original Primo Pizza ("Phanie") is a pizza restaurant located at the Harrah's Atlantic City ("Harrah's") food court.

This project involves Phanie's reimbursement of tenant improvement costs to Harrah's via an amortizing loan funded through the Casino Reinvestment Development Authority.

APPROVAL REQUEST:

Approval is requested for a \$1.18 million loan to reimburse Harrah's Casino for tenant improvements made to their facility for the benefit of Phanie, LLC.

FINANCING SUMMARY:

LENDER: Harrah's Atlantic City

AMOUNT OF LOAN: \$1,180,000

TERMS OF LOAN: \$1.18 million loan to be reduced by 85% at closing and the remaining balance repaid over a term of 10 years at an interest rate of 0%.

PROJECT COSTS:

Tenant Improvements	\$1,055,628
Soft Costs	\$124,372
TOTAL COSTS	\$1,180,000

JOBS: At Application 10 Within 2 years 7 Maintained 0 Construction 0

DEVELOPMENT OFFICER: D. Bennis

APPROVAL OFFICER: D. Lawyer

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - DIRECT LOAN PROGRAM**

APPLICANT: Sacko AC LLC

P27456

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: 777 Harrah's Boulevard

Atlantic City (T)

Atlantic

GOVERNOR'S INITIATIVES:

(X) Urban Fund () Other Urban () Edison () Core () Clean Energy

APPLICANT BACKGROUND:

Formed in February 2008, Sacko AC LLC d/b/a Sack O' Subs ("Sacko") is a submarine sandwich and fast food restaurant located at the Harrah's Atlantic City ("Harrah's") food court.

This project involves Sacko's reimbursement of tenant improvement costs to Harrah's via an amortizing loan funded through the Casino Reinvestment Development Authority.

APPROVAL REQUEST:

Approval is requested for a \$1,146,000 loan to reimburse Harrah's Casino for tenant improvements made to their facility for the benefit of Sack AC, LLC.

FINANCING SUMMARY:

LENDER: Harrah's Atlantic City

AMOUNT OF LOAN: \$1,146,000

TERMS OF LOAN: \$1.146 million loan to be reduced by 90% at closing and the remaining balance repaid over a term of 10 years at an interest rate of 0%.

PROJECT COSTS:

Tenant Improvements	\$1,024,040
Soft Costs	\$121,960
TOTAL COSTS	\$1,146,000

JOBS: At Application 15 Within 2 years 6 Maintained 0 Construction 0

DEVELOPMENT OFFICER: D. Bennis

APPROVAL OFFICER: D. Lawyer

STATEWIDE LOAN POOL PROGRAM

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - STATEWIDE LOAN POOL PROGRAM**

APPLICANT: Diamond Chemical Co., Inc.

P27153

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: Union Avenue & DuBois Street East Rutherford Borough (N) Bergen

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban () Edison (X) Core () Clean Energy

APPLICANT BACKGROUND:

Diamond Chemical Co., Inc. ("Diamond") is a national manufacturer of laundry, floor care, housekeeping, and industrial products. The company was initially incorporated in New York in 1932, and subsequently converted to a New Jersey corporation in 1967. The company was founded by Jacob Diamond, and has remained in the Diamond family; it is now owned and operated by Jacob's grandson, Harold. The company occupies a 150,000 square foot, 2-story building situated on 2 acres of land. The building and land are owned by the company, and include office, manufacturing, warehousing, and laboratory facilities. Additionally, the company has facilities in New York, Michigan, California, Georgia, Florida, and Illinois. With over 3,000 accounts nationwide, their main clientele consists of hospitals, schools, hotels, and other large commercial entities.

At this time, Diamond is seeking a \$1,500,000 loan in order to acquire and install new blow molding equipment needed for a new project. The company intends to make its own plastic bottles for internal production. The request includes \$964,000 for equipment and \$536,000 for other ancillary expenses associated with the project, such as miscellaneous parts and labor.

APPROVAL REQUEST:

Valley National Bank has approved a \$1,500,000, 7-year loan, subject to EDA participation of \$750,000 (50%). Approval as presented is requested.

FINANCING SUMMARY:

LENDER: Valley National Bank

AMOUNT OF LOAN: \$1,500,000 term loan with a \$750,000 (50%) EDA participation

TERMS OF LOAN: 7 year loan, full amortization at a fixed rate of 6.25%

TERMS OF PARTICIPATION: 7 year loan, full amortization. Borrower will have the option of a fixed rate at the 5-year Treasury plus 50 basis points with a floor of 3%, with an indicative rate as of 7/1/2009 of 3.12%, or a floating rate at Prime minus 300 basis points with a floor of 2%, with an indicative rate of 2.00% as of 7/1/2009.

PROJECT COSTS:

Purchase of equipment & machinery	\$964,000
Installation of equipment	\$536,000
Finance fees	\$1,825
TOTAL COSTS	\$1,501,825

JOBS: At Application 190 Within 2 years 13 Maintained 190 Construction 0

DEVELOPMENT OFFICER: D. Johnson

APPROVAL OFFICER: K. Tolly

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - STATEWIDE LOAN POOL PROGRAM**

APPLICANT: EJE Holdings L.L.C.

P27328

PROJECT USER(S): EJE Retail, L.L.C. *

* - indicates relation to applicant

PROJECT LOCATION: Newark Liberty International Newark City (T/UA) Essex

GOVERNOR'S INITIATIVES:

(X) Urban Fund () Other Urban () Edison () Core () Clean Energy

APPLICANT BACKGROUND:

EJE Holdings, L.L.C. ("EJE") is a holding company that was formed in 2008 and has two wholly owned subsidiaries EJE Retail, L.L.C. and EJE Retail RDU L.L.C., which own and operate duty-free retail stores in airports. EJE Retail, LLC commenced operations in April of 2000 at Terminal A and B in Newark International Airport under leases with The Port Authority of New York and New Jersey. EJE Retail RDU L.L.C. commenced retail operations in December of 2008 at Raleigh-Durham International Airport. EJE leases a 15,000 square foot bonded warehouse in Elizabeth where a majority of their inventory of products (such as spirits, tobacco, perfume, confections, cosmetics & jewelry) are maintained.

APPROVAL REQUEST:

This project involves the renovation and construction of space in Terminal B at a total cost of \$2.875 million. Square footage will increase from 4,500 to 6,300 as a result of their new seven year contract with the Port Authority as the Terminal's sole duty-free concessionaire. Tri State Capital Bank is seeking the Authority's \$475,000 participation and 25% guarantee (initially \$475,000) in a \$2,375,000 loan under the Statewide Loan Pool Program.

FINANCING SUMMARY:

LENDER: Tri State Capital Bank

AMOUNT OF LOAN: \$2,375,000 bank loan with a 20% (\$475,000) Authority participation and a 25% guarantee of principal outstanding not to exceed \$475,000 for five years.

TERMS OF LOAN: Floating at bank base rate + 1.5% with floor of 6% (indicative rate is 6% at 6/30/09). 2 years interest only followed by 3 year fully amortizing term loan.

TERMS OF PARTICIPATION: Authority participation fixed at time of closing at 5 year US Treasury + 1% (indicative rate is 3.7% at 6/30/09). 2 years interest only followed by 3 year fully amortizing term loan.

PROJECT COSTS:

Renovation of existing building	\$2,500,000
Engineering & architectural fees	\$300,000
Accounting fees	\$50,000
Legal fees	\$25,000
TOTAL COSTS	<u><u>\$2,875,000</u></u>

JOBS: At Application 60 Within 2 years 10 Maintained 0 Construction 75

DEVELOPMENT OFFICER: M. Abraham

APPROVAL OFFICER: M. Conte

MAIN STREET ASSISTANCE PROGRAM

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - MAIN STREET ASSISTANCE PROGRAM PROGRAM**

APPLICANT: LA Diner, Inc. and Nikolaos Renieris

P27083

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: 3205 Route 22 East,

Branchburg Township (N)

Somerset

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban () Edison (X) Core () Clean Energy

APPLICANT BACKGROUND:

LA Diner Inc. ("LAD") was formed in 1999 to acquire the property located at 3205 Route 22 East in Branchburg, NJ. LAD is wholly owned by Nikolaos Renieris and operated by Mr. Renieris. He and his family have extensive experience in running chain restaurants and diners in the NY/NJ metro area as well as in the Washington DC area. The family owns and operates several chain restaurants such as Chili's, Friday's and several diners.

LAD's wholesale distribution operation consists of purchasing bulk overstock food, maintenance and other restaurant supplies for cash from the likes of other food and restaurant supply distributors, manufacturers, supermarkets and restaurant chains and reselling to other distributors and restaurants via his extensive network of contacts - domestic and international. It is a low gross margin business, but there is low overhead and typically fast turnaround. It is this wholesale operation that has been offsetting weakness in the retail diner operation. The wholesale ability to generate profit is only limited by capital constraints as there is significant demand for discounted product especially given the economic environment.

APPROVAL REQUEST:

At this time, Sun has approved a \$2,400,000 term loan, subject to a \$600,000 (25%) EDA participation. These proceeds will be used to refinance the existing debt, and provide additional working capital.

FINANCING SUMMARY:

LENDER: Sun National Bank

AMOUNT OF LOAN: \$2,400,000 term loan with a \$600,000 (25%) EDA participation

TERMS OF LOAN: 8.5 year loan based on a 24 year amortization. Floating rate fixed via swap at 7.77%

TERMS OF PARTICIPATION: 5 year loan, based on an 8 year amortization. Fixed rate of 5.0%

PROJECT COSTS:

Refinancing	\$2,024,000
Working capital	\$376,000
Finance fees	\$1,825
TOTAL COSTS	\$2,401,825

JOBS: At Application 18 Within 2 years 5 Maintained 18 Construction 0

DEVELOPMENT OFFICER: D. Johnson

APPROVAL OFFICER: K. Tolly

**PETROLEUM UNDERGROUND STORAGE TANK
PROGRAM**



MEMORANDUM

TO: Members of the Authority
FROM: Caren S. Franzini
Chief Executive Officer
DATE: July 14, 2009
SUBJECT: NJDEP Petroleum UST Remediation, Upgrade & Closure Fund Program

The following loan and grant projects have been approved by the Department of Environmental Protection to perform upgrade, closure and site remediation. The scope of work is described on the attached project summaries:

Private Grants:

Lillian Grippi Revocable Living Trust. \$264,660
Daniel Grumbine and Graham Bottrel. \$227,327

Private Loan:

Estate of Virginia DeSerio \$11,526

Total UST funding for July 2009. \$503,513

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - UNDERGROUND STORAGE TANK GRANT**

APPLICANT: Lillian Grippi Revocable Living Trust

P26058

PROJECT USER(S): Laundry Zone, Inc.

* - indicates relation to applicant

PROJECT LOCATION: 26-48 Bloomfield Avenue

Bloomfield Township (T/UA)

Essex

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban () Edison () Core () Clean Energy

APPLICANT BACKGROUND:

Lillian Grippi Revocable Living Trust is the owner of the project site, which is occupied by a laundry service. The applicant is seeking to remove six underground storage tank (USTs) and perform extensive remediation. The tanks will be decommissioned in accordance with NJDEP requirements. The NJDEP has determined that the project costs are technically eligible.

Financial statements provided by the applicant demonstrate that the applicant's financial condition conforms to the financial hardship test for a conditional hardship grant.

APPROVAL REQUEST:

The applicant is requesting grant funding in the amount of \$264,660 to perform the approved scope of work at the project site.

FINANCING SUMMARY:

GRANTOR: Petroleum UST Remediation, Upgrade & Closure Fund

AMOUNT OF GRANT: \$264,660

TERMS OF GRANT: No Interest; 5 year repayment provision on a pro-rata basis in accordance with the PUST Act

PROJECT COSTS:

Remediation	\$264,660
NJDEP oversight cost	\$26,466
EDA administrative cost	\$500
TOTAL COSTS	<hr/> \$291,626 <hr/> <hr/>

APPROVAL OFFICER: L. Petrizzi

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - UNDERGROUND STORAGE TANK GRANT**

APPLICANT: Daniel Grumbine and Graham Bottrel

P26733

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: 26 Birchwood Place

Swedesboro Borough (T)

Gloucester

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban () Edison () Core () Clean Energy

APPLICANT BACKGROUND:

Daniel Grumbine and Graham Bottrel are homeowners seeking to remove a leaking 550 gallon residential #2 heating underground storage tank (UST) and perform the required remediation. The tank will be decommissioned and removed in accordance with NJDEP requirements. The NJDEP has determined that the project costs are technically eligible.

Financial statements provided by the applicants demonstrate that the applicants' financial condition conforms to the financial hardship test for a conditional hardship grant.

APPROVAL REQUEST:

The applicants are requesting grant funding in the amount of \$227,327 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$27,732 is the customary 10% of the grant amount. This assumes that the work will not require a high level of NJDEP involvement and that reports of an acceptable quality will be submitted to the NJDEP.

FINANCING SUMMARY:

GRANTOR: Petroleum UST Remediation, Upgrade & Closure Fund

AMOUNT OF GRANT \$227,327

TERMS OF GRANT: No Interest; No Repayment

PROJECT COSTS:

Upgrade, Closure, Remediation	\$227,327
NJDEP oversight cost	\$22,733
EDA administrative cost	\$250
TOTAL COSTS	<hr/> \$250,310 <hr/>

APPROVAL OFFICER: K. Junghans

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - UNDERGROUND STORAGE TANK PROGRAM**

APPLICANT: Estate of Virginia DeSerio

P26312

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: 265 Vernon Ave.

Paterson City (T/UA)

Passaic

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban () Edison () Core () Clean Energy

APPLICANT BACKGROUND:

The Estate of Virginia DeSerio owns the residence located at 265 Vernon Avenue in Paterson and is seeking to remove a leaking 550-gallon residential heating underground storage tank (UST) at the site. DEP has reviewed the project and determined that it is technically eligible for a \$11,526 loan. The Estate intends to sell the property upon completion of the remediation.

APPROVAL REQUEST:

Approval is requested for a \$11,526 PUST loan as proposed.

FINANCING SUMMARY:

LENDER: Petroleum UST Remediation, Upgrade & Closure Fund

AMOUNT OF LOAN: \$11,526

TERMS OF LOAN: 2% fixed. Three-year term with no payments required. Interest to be accrued and capitalized. Full repayment is due upon maturity or sale of the property.

PROJECT COSTS:

Upgrade, Closure, Remediation	\$11,526
NJDEP oversight cost	\$1,153
EDA administrative cost	\$250
TOTAL COSTS	<hr/> \$12,929 <hr/>

APPROVAL OFFICER: S. Brady



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

DATE: July 14, 2009

SUBJECT: Petroleum Underground Storage Tank Program - Delegated Authority Approvals
(For Informational Purposes Only)

Pursuant to the Boards approval on May 9, 2006, the Chief Executive Officer ("CEO") and Sr. Vice-President ("SVP") of Operations have been given the authority to approve initial grants under the Hazardous Discharge Site Remediation Fund and Petroleum Storage Tank programs up to \$100,000 and supplemental grants up to an aggregate of \$100,000.

In August 2006, the Petroleum Underground Storage Tank Program legislation was amended to allow funding for the removal/closure and replacement of non-leaking residential underground storage tanks. The limits allowed under the amended legislation are \$1,200 for the removal/closure and \$3,000 for the removal/closure and replacement of a non-leaking residential underground storage tank.

Below is a summary of the Delegated Authority approvals processed by Program Services for the period June 01, 2009 to June 30, 2009

Summary:		# of Grants	\$ Amount
	Leaking tank grants awarded	108	\$1,534,501
	Non-leaking tank grants awarded	174	\$433,834

Applicant	Description	Grant Amount	Awarded to Date
Adelaja, Oluseyi (P26709)	Initial grant for upgrade, closure and remediation	\$10,956	\$10,956
Ahlers, Lisa (P25803)	Initial grant for upgrade, closure and remediation	\$5,207	\$5,207
Annussek, Robert (P26255)	Initial grant for upgrade, closure and remediation	\$1,498	\$1,498
Bates, Jan (P26567)	Initial grant for upgrade, closure and remediation	\$37,401	\$37,401
Bedard, Alfred (P26736)	Initial grant for upgrade, closure and remediation	\$10,134	\$10,134
Bigham, Patricia (P26262)	Initial grant for upgrade, closure and remediation	\$2,890	\$2,890
Blair, Leyland (P25806)	Initial grant for upgrade, closure and remediation	\$13,152	\$13,152
Brettell, Catherine (P26557)	Initial grant for upgrade, closure and remediation	\$38,486	\$38,486
Byelick, Michael and Diana (P26584)	Supplemental grant for upgrade, closure and remediation	\$3,239	\$22,022
Caprio, Joyce (P26958)	Initial grant for upgrade, closure and remediation	\$13,019	\$13,019

Applicant	Description	Grant Amount	Awarded to Date
Casale, Peter and Elena (P25851)	Initial grant for upgrade, closure and remediation	\$8,365	\$8,365
Cimis, Eugene (P26289)	Initial grant for upgrade, closure and remediation	\$33,578	\$33,578
Combs, Jeffrey and Elizabeth (P26270)	Initial grant for upgrade, closure and remediation	\$7,052	\$7,052
Curry, Lisa (P26794)	Initial grant for upgrade, closure and remediation	\$13,250	\$13,250
Davis, Richard (P26972)	Initial grant for upgrade, closure and remediation	\$10,403	\$10,403
Denison, Harvey (P26563)	Initial grant for site remediation	\$31,189	\$31,189
Dhanaliwala, Mohammad (P26738)	Initial grant for site remediation	\$21,750	\$21,750
Dignardi, Eileen and Steven (P23377)	Initial grant for upgrade, closure and remediation	\$7,413	\$7,413
Divittorio, Myron (P25792)	Initial grant for upgrade, closure and remediation	\$5,690	\$5,690
Edwards, Ann (P26523)	Initial grant for upgrade, closure and remediation	\$15,220	\$15,220
Edwards, Juliette and Issac (P25645)	Initial grant for upgrade, closure and remediation	\$7,275	\$7,275
Eglow, Dianne and Michael (P26603)	Supplemental grant for upgrade, closure and remediation	\$2,937	\$9,993
Elgazzar, Hany and Lori (P25833)	Initial grant for upgrade, closure and remediation	\$15,535	\$15,535
Ercolano, Donna (P26680)	Initial grant for upgrade, closure and remediation	\$12,655	\$12,655
Estate of Helen Vignuolo (P25811)	Initial grant for upgrade, closure and remediation	\$38,495	\$38,495
Fallar, Robert (P26674)	Initial grant for upgrade, closure and remediation	\$6,300	\$6,300
Fargo, Mary H. (P25985)	Initial grant for upgrade, closure and remediation	\$9,065	\$9,065
Farrell, William (P26959)	Initial grant for upgrade, closure and remediation	\$4,540	\$4,540
Ferrara, Karen Ann (P26536)	Initial grant for upgrade, closure and remediation	\$22,820	\$22,820
Figueiredo, Maria (P26835)	Initial grant for upgrade, closure and remediation	\$10,861	\$10,861
First Baptist Church in Somerville (P25836)	Initial grant for upgrade, closure and remediation	\$9,114	\$9,114
Foster, Frager (P25935)	Initial grant for upgrade, closure and remediation	\$9,908	\$9,908
Frazier, Diane M. (P26562)	Initial grant for upgrade,	\$6,340	\$6,340

Applicant	Description	Grant Amount	Awarded to Date
	closure and remediation		
Garripoli, Jill (P26676)	Initial grant for upgrade, closure and remediation	\$11,402	\$11,402
Giuliani, John P. (P26791)	Initial grant for upgrade, closure and remediation	\$23,035	\$23,035
Grace and Peace Fellowship Church (P26102)	Initial grant for upgrade, closure and remediation	\$15,035	\$15,035
Greene, Douglas and Lisa (P27073)	Initial grant for upgrade, closure and remediation	\$47,884	\$47,884
Hamelin, Joseph and Doreen (P26679)	Initial grant for upgrade, closure and remediation	\$13,689	\$13,689
Heyn, Charles W. (P26900)	Initial grant for upgrade, closure and remediation	\$15,490	\$15,490
Hocko, David and Mary (P26700)	Initial grant for upgrade, closure and remediation	\$5,725	\$5,725
Hoisington, David A. (P25627)	Initial grant for upgrade, closure and remediation	\$71,061	\$71,061
Hritzik, Joseph and Margaret (P26699)	Initial grant for upgrade, closure and remediation	\$12,588	\$12,588
Imperatore, Lynn (P26737)	Initial grant for upgrade, closure and remediation	\$22,140	\$22,140
Johnson, Clifford M. (P26829)	Initial grant for upgrade, closure and remediation	\$7,101	\$7,101
Kelly, John (P26240)	Initial grant for upgrade, closure and remediation	\$12,240	\$12,240
Kierce, Kathleen (P26330)	Initial grant for upgrade, closure and remediation	\$4,902	\$4,902
Killen, Kathleen M. (P26100)	Initial grant for upgrade, closure and remediation	\$10,543	\$10,543
Kim, Sungsoo (P26824)	Initial grant for upgrade, closure and remediation	\$2,184	\$2,184
Kimon, Cynthia (P26795)	Initial grant for upgrade, closure and remediation	\$6,261	\$6,261
Koehl, Carol (P26553)	Initial grant for upgrade, closure and remediation	\$7,035	\$7,035
Kour, Resham (P26294)	Initial grant for upgrade, closure and remediation	\$11,090	\$11,090
Laffey-Berg, Maureen (P26259)	Initial grant for upgrade, closure and remediation	\$5,245	\$5,245
Lee, Kin (P26609)	Initial grant for upgrade, closure and remediation	\$3,812	\$3,812
Leonhardt, Gary (P26678)	Initial grant for upgrade, closure and remediation	\$8,020	\$8,020
Longano, Agnes (P26098)	Initial grant for upgrade, closure and remediation	\$30,969	\$30,969

Applicant	Description	Grant Amount	Awarded to Date
Marchione, Larry and Faye (P26541)	Initial grant for upgrade, closure and remediation	\$5,038	\$5,038
Marone, Emil (P26544)	Initial grant for upgrade, closure and remediation	\$16,375	\$16,375
Martinez, Maria (P25593)	Initial grant for upgrade, closure and remediation	\$9,907	\$9,907
McCormick, William and Elizabeth (P26803)	Initial grant for upgrade, closure and remediation	\$23,777	\$23,777
Mennella, Joseph (P26683)	50% Initial grant for upgrade, closure and remediation	\$8,616	\$8,616
Mercado, Myrna (P26800)	Initial grant for upgrade, closure and remediation	\$29,850	\$29,850
Metz, Mary (P26754)	Initial grant for upgrade, closure and remediation	\$4,262	\$4,262
Miller, Robert (P26964)	Initial grant for upgrade, closure and remediation	\$16,090	\$16,090
Mills, Stephen and Silia (P25921)	Initial grant for upgrade, closure and remediation	\$3,100	\$3,100
Mobley, Diane (P25229)	Supplemental grant for upgrade, closure and remediation	\$3,469	\$23,206
Mohammed, Ahsan (P26582)	Initial grant for upgrade, closure and remediation	\$9,995	\$9,995
Moore, Barbara (P26984)	Initial grant for upgrade, closure and remediation	\$15,766	\$15,766
Moore, Genevieve (P26893)	Initial grant for site remediation	\$5,206	\$5,206
Moore, Margie (P26248)	Initial grant for upgrade, closure and remediation	\$11,852	\$11,852
Mustillo, James (P26559)	Initial grant for upgrade, closure and remediation	\$2,975	\$2,975
Nigara, Kim (P26805)	Initial grant for upgrade, closure and remediation	\$9,808	\$9,808
O'Brien, Marion Viola (P26119)	Initial grant for upgrade, closure and remediation	\$8,605	\$8,605
O'Malley, Peter (P26963)	Initial grant for upgrade, closure and remediation	\$9,100	\$9,100
Ostrowska, Magdalena (P26533)	Initial grant for upgrade, closure and remediation	\$14,462	\$14,462
Packowski, Charles (P26696)	Initial grant for upgrade, closure and remediation	\$37,675	\$37,675
Park Avenue Community Church (P25963)	Initial grant for upgrade, closure and remediation	\$4,714	\$4,714
Petrucha, Richard and Ellen (P26549)	Initial grant for upgrade, closure and remediation	\$19,539	\$19,539
Raggio, Patricia A.	Initial grant for upgrade,	\$5,125	\$5,125

Applicant	Description	Grant Amount	Awarded to Date
(P26249)	closure and remediation		
Raspa, Sarah (P26706)	Initial grant for upgrade, closure and remediation	\$59,663	\$59,663
Reasoner, William C., Jr. (P26299)	Initial grant for upgrade, closure and remediation	\$4,125	\$4,125
Revfi, Regina (P26731)	Initial grant for site remediation	\$28,291	\$28,291
Rivadeneira, Victor (P26830)	Initial grant for upgrade, closure and remediation	\$5,346	\$5,346
Rooney, Michael (P26116)	Initial grant for upgrade, closure and remediation	\$23,046	\$23,046
Rosborough, Don and Cindy (P26897)	Initial grant for upgrade, closure and remediation	\$6,570	\$6,570
Russell, Virgle (P26756)	Initial grant for upgrade, closure and remediation	\$6,934	\$6,934
Sabbatini, Susan (P26833)	Initial grant for site remediation	\$2,970	\$2,970
Schwab, Chaim (P25797)	Initial grant for upgrade, closure and remediation	\$17,441	\$17,441
Skurka, Greg (P26814)	Initial grant for upgrade, closure and remediation	\$14,254	\$14,254
Smith Jr., Earl L. (P26314)	Initial grant for upgrade, closure and remediation	\$25,402	\$25,402
Smith, Brett (P26538)	Initial grant for upgrade, closure and remediation	\$4,242	\$4,242
Smith, Linda M. (P26675)	Supplemental grant for upgrade, closure and remediation	\$2,400	\$15,400
Spearman, Velina (P24559)	Initial grant for upgrade, closure and remediation	\$16,409	\$16,409
Stevens, William (P26560)	Initial grant for upgrade, closure and remediation	\$7,538	\$7,538
Stewart, Eric (P25853)	Initial grant for site remediation	\$22,290	\$22,290
Suter, Donna (P26707)	Initial grant for upgrade, closure and remediation	\$13,942	\$13,942
Sylvester, Anita (P26899)	Initial grant for site remediation	\$2,318	\$2,318
Utukuri, Kumar (P25438)	Initial grant for upgrade, closure and remediation	\$4,303	\$4,303
Vandenberg, Michael (P26607)	Initial grant for upgrade, closure and remediation	\$6,640	\$6,640
Varvice, Theodore and Katherine (P26606)	Initial grant for upgrade, closure and remediation	\$17,161	\$17,161
Vedral, Michael (P26227)	Initial grant for upgrade, closure and remediation	\$49,473	\$49,473

Applicant	Description	Grant Amount	Awarded to Date
Vidal, Violet R. (P26605)	Supplemental grant for upgrade, closure and remediation	\$9,565	\$10,765
Vlavianos, Harry (P26721)	Initial grant for upgrade, closure and remediation	\$9,910	\$9,910
Wells, William (P26290)	Initial grant for site remediation	\$7,084	\$7,084
White, Judith Dugan (P25801)	Initial grant for upgrade, closure and remediation	\$39,222	\$39,222
White, Russell (P26974)	Initial grant for site remediation	\$11,608	\$11,608
Williams, Wendy (P26807)	Initial grant for upgrade, closure and remediation	\$11,735	\$11,735
Williamson, Guy (P26537)	Initial grant for upgrade, closure and remediation	\$26,881	\$26,881
Zimich, Thomas and Rita (P26236)	Initial grant for upgrade, closure and remediation	\$9,244	\$9,244

108 Grants

**Total Delegated Authority
funding for Leaking
applications.**

\$1,534,501

Abramsohn, Heath and Kimberly (P26991)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Ainsworth, David T. and Andrea (P26913)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,814	\$2,814
Alexander, John and Eileen (P27265)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Amato, Jr, William J. and Josephine M. (P27037)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,418	\$2,418
Anton, Mark and Helena (P27183)	Grant to remove an underground storage tank	\$1,200	\$1,200
Back, Debra and Randy (P27211)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Bagley, Brian J. and Julia H. (P27143)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Bailey, Allen and Joann (P26931)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Bell, Leslie R. and Nancy A. (P27190)	Grant to remove an underground storage tank	\$1,200	\$1,200
Bellacera, Charles and	Grant to remove an underground	\$3,000	\$3,000

Applicant	Description	Grant Amount	Awarded to Date
Suann (P26651)	storage tank and install an above ground storage tank		
Benz, Daniel J. and Paulette P. (P27259)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Black, Raymond (P26571)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,888	\$2,888
Bokor, David and Linda (P27272)	Grant to remove an underground storage tank	\$1,200	\$1,200
Brady, Helen M. (P27030)	Grant to remove an underground storage tank	\$1,200	\$1,200
Braks, Richard and M. Barbara (P25567)	50 % grant to remove an underground storage tank	\$600	\$600
Braun, Gerhard A. and Linda (P27130)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Brown, Jean (P27251)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,876	\$2,876
Buchalski, Catherine (P26853)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Burton, Nathaniel and Katherine (P27016)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,517	\$2,517
Caprio, Gerard J. and Sandra (P27028)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Capritti, Samuel A. (P26868)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,748	\$2,748
Cauterucci, James and Diana (P27220)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,400	\$2,400
Chiu, Ronald and Dawn (P26887)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Cicero, Mildred (P27099)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Clark, Bruce and Susan (P27233)	50 % grant to remove an underground storage tank	\$600	\$600
Clark, Steve and Kathleen (P26746)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Coleman, Thomas and Carla	50 % grant to remove an	\$1,500	\$1,500

Applicant	Description	Grant Amount	Awarded to Date
(P27234)	underground storage tank and install an above ground storage tank		
Comiski, Dorothy (P26910)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Cook, Robert (P27100)	Grant to remove an underground storage tank	\$1,200	\$1,200
Cowan, Eleanor (P27001) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$2,821	\$2,821
Crowe, Richard J. and Sallie E. (P26914)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Cyriacus, Karin (P27015)	Grant to remove an underground storage tank	\$1,200	\$1,200
Dambroski, Patric and Christina (P27148)	Grant to remove an underground storage tank	\$1,200	\$1,200
De Souza, Aderli (P26954)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
DeFeo Jr., John and Donna (P27104)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
DeFrancisco, Salvatore J. and Susan (P27031)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Deal, Glenn (P26947)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Deeths, Herbert and Kathryn (P27078)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,953	\$2,953
DiMeglio, Carol (P27188)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,810	\$2,810
DiPaolo, James and Allyson (P26915)	50 % grant to remove an underground storage tank and install an above ground storage tank	\$1,500	\$1,500
Domenico, Grace (P27048)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Doolittle, Elton and Joan (P27119)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Dorfman, Jean (P27080)	Grant to remove an underground storage tank and install an above	\$3,000	\$3,000

Applicant	Description	Grant Amount	Awarded to Date
	ground storage tank		
Ekert, Kenneth and Angele (P27117)	Grant to remove an underground storage tank	\$1,200	\$1,200
Ellingson, Conrad and Judy (P26430)	Grant to remove an underground storage tank	\$1,200	\$1,200
Ewart, Marla (P26641)	Grant to remove an underground storage tank	\$1,200	\$1,200
Farley, Patricia and Robert (P27041)	Grant to remove an underground storage tank	\$1,200	\$1,200
Feinen, Cynthia (P26911)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,798	\$2,798
Fenton, Jr., Robert and Teresa M. (P26877)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Fuller, Fred (P26653)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Furnbach, Joseph W. and Nancy (P26392)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Gaudreau, Lawrence and Sandra (P27151)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,776	\$2,776
Gesser, Edward and Marian (P27193)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Ginolfi, Virgil and Josephine (P27261) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$2,848	\$2,848
Giordano, Jr., Ralph (P27004)	Grant to remove an underground storage tank	\$1,200	\$1,200
Gordon, Allen and Elaine (P27036)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Grande, Joseph and Virginia (P26771)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,000	\$2,000
Gratson, Jr., Walter and Helen (P26578)	Grant to remove an underground storage tank	\$1,200	\$1,200
Grossi, Charles and Mary (P27237)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Gryglak, Lucyna K. (P27231)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Guiliano, Reverend Louis	Grant to remove an underground	\$3,000	\$3,000

Applicant	Description	Grant Amount	Awarded to Date
and Kathleen (P27262)	storage tank and install an above ground storage tank		
Gusoff, Arthur H. and Nancy (P27079)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Gyumolcs, Michael and Cynthia (P26570)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,962	\$2,962
Hamilton III, Herbert W. and Martha (P27039)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,758	\$2,758
Heasman, Richard H. and Doreen F. (P27050)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Heber, William and Nancy (P27034)	50 % grant to remove an underground storage tank and install an above ground storage tank	\$1,500	\$1,500
Heenan, Joseph Patrick and Susan Jane (P27207)	Grant to remove an underground storage tank	\$1,157	\$1,157
Heise, William and Donna (P27120)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Hennessy, Michael (P26490)	Grant to remove an underground storage tank	\$1,065	\$1,065
Heytink, Gerard P. and Roseann (P27225)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Holdren, Jane and Frank Bradilore (P27181)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Hora, Louise and Joseph (P27107)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Huff, Dennis and Jessica (P27276)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Hughes, Donna M. and Paul (P26940)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Ingulli, Charles and Joan (P27106)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,810	\$2,810
Intoppa, Angelo and Jean (P27152)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,810	\$2,810
Ippolito, Ross and Fern (P27189)	Grant to remove an underground storage tank and install an above	\$3,000	\$3,000

Applicant	Description	Grant Amount	Awarded to Date
	ground storage tank		
Jones, Darryl S. and Allison (P27056)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Juckett, Charles and Bette (P26032)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kapral, Brian and Jennifer (P27282)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,300	\$2,300
Keister, Leonard and Geraldine (P27033)	Grant to remove an underground storage tank	\$1,200	\$1,200
Kelly, Antoinette (P26793)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,625	\$2,625
Kelokates, Daniel M. and Maureen (P25881)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kerr, Katherine (P26888)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,900	\$2,900
Kipnis, Jeffrey F. and Nancy J. Blomn- (P27184)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kirchner, Terry (P27094)	Grant to remove an underground storage tank	\$3,000	\$3,000
Kisby, Agnes (P25257)	Grant to remove an underground storage tank	\$1,200	\$1,200
Knoblauch, Mildred A. (P27128)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Koza, John and Gloria J. (P26955)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kreger, Daniel and Virginia (P27145)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,938	\$2,938
Kroschinski, Steve (P27132)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kulesa, Richard J., II and Kathleen (P27218)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Lambert, Brian E. and Stacy M. (P27047)	Grant to remove an underground storage tank and install an above ground storage tank	\$1,776	\$1,776
Leader, Carol (P26927)	Grant to remove an underground	\$3,000	\$3,000

Applicant	Description	Grant Amount	Awarded to Date
	storage tank and install an above ground storage tank		
Lippman, Edward and Violet (P26934)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Mancuso, Roseann (P26760)	Grant to remove an underground storage tank	\$1,200	\$1,200
Marsh, Blaine and Barbara (P27192)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Martino, Orrie and Rita (P27221)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
McCarthy, June (P27059)	50 % grant to remove an underground storage tank and install an above ground storage tank	\$1,500	\$1,500
McNeary, Thomas E. and Barbara (P26631)	50 % grant to remove an underground storage tank and install an above ground storage tank	\$1,500	\$1,500
Merrill, Thomas and Barbara (P26999)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Mildner, Lizbeth (P27187)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Miller, Karen (P25987)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Moore, Teresa and William (P27258)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Moos, Agnes E. (P26287)	Grant to remove an underground storage tank	\$1,200	\$1,200
Mueller, E. David and Diane (P26768)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,275	\$2,275
Murphy, Jeanne and Jan (P27256)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Murray, James and Zenia (P26994)	Grant to remove an underground storage tank	\$1,200	\$1,200
Musijenko, Christa (P27144)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,950	\$2,950
Orlando, Gary and Josephine (P27205)	Grant to remove an underground storage tank and install an above	\$2,177	\$2,177

Applicant	Description	Grant Amount	Awarded to Date
	ground storage tank		
Palma, Lou and Susan (P27010)	Grant to remove an underground storage tank	\$1,200	\$1,200
Palmisano, Thomas and Dina (P26882)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Pannullo, Robert G. and Traci L. (P27254)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Parana, Lynnette and Eduardo (P26941)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Parisi, Gregory and Nina V. (P27040)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,200	\$2,200
Patel, Upendra and Dipika (P27095)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Penevolpe, Carl and Joanne (P27105)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,810	\$2,810
Petroff, Dimitriy J. and Fidosya (P27123)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Pignotti, Carmen and Susan (P27053)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Pinches, Roger and Patricia (P27043)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Pleis, Raymond and Annie (P26866)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Polizois, Dino and Janet (P26936)	Grant to remove an underground storage tank	\$1,200	\$1,200
Poth, Patricia (P27241)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Pruiksmas, William (P26755)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,977	\$2,977
Pulizotto, John (P26669)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Quackenbush, Lee and Linda (P26912)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000

Applicant	Description	Grant Amount	Awarded to Date
Radomski, Walter and Constance (P27131)	Grant to remove an underground storage tank	\$1,100	\$1,100
Raffaele, Vito (P27182)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Rantowich, Patricia (P26916)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Rath, Richard and Robin (P27109)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Ricca, Gino and Janet (P27273)	Grant to remove an underground storage tank	\$1,200	\$1,200
Romano, Robert and Robyn (P27049)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Rosetti, Mary (P27029)	Grant to remove an underground storage tank	\$1,200	\$1,200
Ross, William and Doris (P27214)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,177	\$2,177
Russano, Antonio and Elisa (P26932)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Russo, Steven and Linda (P27150)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Sabo, Scott and JoAnn (P27199)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Salem, Nissam and Malca (P26456)	Grant to remove an underground storage tank	\$1,200	\$1,200
Sammartino, Margaret (P27032)	Grant to remove an underground storage tank	\$1,200	\$1,200
Sampieri, Mary J. (P27111)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Sanady, John F. and Sharon P. (P27244)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Saxe, Donald and Nancy (P27054)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Scates, John R. and Jane A. (P26717)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Schoen, Michael W. and	Grant to remove an underground	\$3,000	\$3,000

Applicant	Description	Grant Amount	Awarded to Date
Debra A. (P27141)	storage tank and install an above ground storage tank		
Scholz, Rosemary D. (P26650)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Schuchert, Paul and Diane (P27110)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Serafin, Gina (P27266)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Sinha, Sudip and Jinia (P27046)	Grant to remove an underground storage tank	\$1,200	\$1,200
Small, Michael (P26875)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Smethers, Marie (P26883) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Smethers, Marie (P26884) Tank B	Grant to remove an underground storage tank	\$755	\$755
Snyder, Walter and Elizabeth (P27196)	Grant to remove an underground storage tank	\$1,200	\$1,200
Sorce, Charles A. (P25922)	Grant to remove an underground storage tank	\$1,200	\$1,200
Spinrad, Jonah and Chana (P27098)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Stevenson, Deborah (P27097)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Strauss, Bruce and Kristie (P27096)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,883	\$2,883
Summers, Karen (P27112)	Grant to remove an underground storage tank	\$1,200	\$1,200
Sutton, Dawn and John L. III (P27061)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,495	\$2,495
Sutton, Macy and Virginia (P27042)	Grant to remove an underground storage tank	\$1,200	\$1,200
Talan, Jonathan and Nancy (P27242)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Taylor, Michael E. (P26880)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000

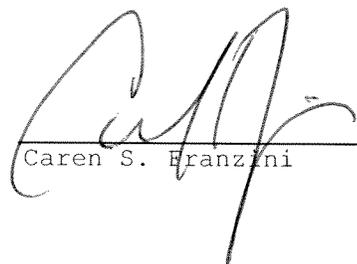
Applicant	Description	Grant Amount	Awarded to Date
Tolan, Joan (P26189)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Tomecko, Cherly A. (P27002)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,607	\$2,607
Toulas, Andrew G. and Nicole D. (P27228)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Trimble, Victoria (P27267)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Tucker, Robert and Melanie (P27124)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Wardell, Geraldine (P26789)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,980	\$2,980
Weeks, Jean S. (P27224)	Grant to remove an underground storage tank	\$1,200	\$1,200
Wolf, Shmuel and Linda (P26220)	Grant to remove an underground storage tank	\$1,200	\$1,200
Wolfinger, Judy (P27278)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,909	\$2,909
Wynne, James A. and Marlene (P25690)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Yansick, David M. and Elizabeth (P26091)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Yezo, Louis and Verna (P27235)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Zipkin, Jack and Ellen (P27185) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$2,871	\$2,871

174 Grants

**Total Delegated Authority
funding for Non-Leaking
applications.**

\$433,834

Prepared by: Lisa Petrizzi, Finance Officer


Caren S. Franzini

**HAZARDOUS DISCHARGE SITE REMEDIATION FUND
PROGRAM**



MEMORANDUM

TO: Members of the Authority
FROM: Caren S. Franzini
Chief Executive Officer
DATE: July 14, 2009
SUBJECT: Hazardous Discharge Site Remediation Fund Program

The following municipal project has been approved by the Department of Environmental Protection for a grant to perform remedial investigation activities. The scope of work is described on the attached project summary.

Municipal Grant:

City of Bridgeton (Abbott's Manufacturing).....\$161,507

Total HDSRF funding for July 2009.....\$161,507

Prepared by: Lisa Petrizzi

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - HAZARDOUS SITE REMEDIATION - MUNICIPAL GRANT**

APPLICANT: City of Bridgeton (Abbott's Manufacturing)

P24601

PROJECT USER(S): Same as applicant

* - indicates relation to applicant

PROJECT LOCATION: 429 East Commerce Street

Bridgeton City (T/UA)

Cumberland

GOVERNOR'S INITIATIVES:

() Urban Fund (X) Other Urban () Edison () Core () Clean Energy

APPLICANT BACKGROUND:

City of Bridgeton received a grant in the amount of \$113,701 in July 2001 under P12584 to perform Preliminary Assessment (PA) and Site Investigation (SI). The project site, identified as Block 103, Lots 64, 70 and 74 is an abandoned industrial facility which has potential environmental areas of concern (AOC's). The City of Bridgeton intends to acquire the project site and has satisfied Proof of Site Control. It is the City's intent, upon completion of the environmental investigation activities, to redevelop the project site for senior housing.

NJDEP has approved this request for Remedial Investigation (RI) grant funding on the above-referenced project site and finds the project technically eligible under the HDSRF program, Category 2, Series A.

APPROVAL REQUEST:

The City of Bridgeton is requesting grant funding to perform RI in the amount of \$161,507 at the Abbott's Manufacturing project site, for a total funding to date of \$275,208.

FINANCING SUMMARY:

GRANTOR: Hazardous Discharge Site Remediation Fund

AMOUNT OF GRANT: \$161,507

TERMS OF GRANT: No Interest; No Repayment

PROJECT COSTS:

Remedial investigation	\$146,825
NJDEP oversight cost	\$14,682
EDA administrative cost	\$500
TOTAL COSTS	\$162,007

APPROVAL OFFICER: L. Petrizzi



TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

DATE: July 14, 2009

SUBJECT: Hazardous Discharge Site Remediation Fund - Delegated Authority Approvals
(For Informational Purposes Only)

Pursuant to the Board's approval on May 9, 2006, the Chief Executive Officer ("CEO") and Sr. Vice-President of Operations ("SVP") have been given the authority to approve initial grants under the Hazardous Discharge Site Remediation Fund and Petroleum Underground Storage Tank programs up to \$100,000 and supplemental grants up to an aggregate of \$100,000.

Below is a summary of the Delegated Authority approval processed by the Division of Program Services for the month of June 2009.

Applicant	Description	Grant	Awarded to Date
City of Newark (187-199 Blanchard Street) P21136	Initial grant to perform preliminary assessment and site investigation to redevelop for distribution	\$34,425	\$34,425
1 Grant	Total Grant Funding for June 2009	\$34,425	



 Caren S. Franzini

Prepared by: Lisa Petrizzi, Finance Officer

INCENTIVE PROGRAMS

BUSINESS EMPLOYMENT INCENTIVE PROGRAM

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - BUSINESS EMPLOYMENT INCENTIVE PROGRAM

APPLICANT: Diversified Foam Products, Inc.

P27268

PROJECT LOCATION: 121 High Hill Road

Woolwich Township (N) Gloucester County

GOVERNOR'S INITIATIVES:

Urban Fund Other Urban Edison Core Clean Energy

APPLICANT BACKGROUND/ECONOMIC VIABILITY:

Incorporated in 1982, Diversified Foam Products, Inc. is a privately owned company that primarily fabricates and converts flexible foam parts for original equipment manufacturers (OEMs) and distributors in the flooring, major appliance, automotive, medical, sports, and construction industries. Their foam components and parts are used in acoustic, noise and thermal insulation applications, moisture intrusion control applications, and other body attachments and assemblies. The combination of old fashioned know-how, unique proprietary design experience and innovative technology enables them to fabricate products quickly and economically, without sacrificing quality. Diversified Foam Products, Inc. has been an ISO 9001:2000 compliant manufacturer since 1998. The company's main mission is to produce and deliver on-time, defect-free, precision fabricated foam products to serve and satisfy their customers at a reasonable price, so their company and their customers can run profitable businesses.

In 2008, by implementing a sustainable and measurable recycling program in all manufacturing facilities, this "environmentally aware manufacturer" made significant progress with their "going green" efforts. In addition, the energy consumption in the FloorMuffler manufacturing was reduced by about 25% through capital investments and engineering improvements.

The company is economically viable, and contemporaneously, is proceeding with a BRRAG application.

The company's offices and facilities have been spread into 4 different buildings in a one-block area in Pennsauken. They have outgrown their premises. In order to consolidate their fragmented facilities, they are looking for a possible acquisition of one larger facility with sufficient room for future growth.

MATERIAL FACTOR:

The applicant is seeking a BEIP grant to support creating 30 new positions in New Jersey. The company has represented that a favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to remain and relocate in New Jersey and therefore to pick New Jersey over Pennsylvania. The Authority staff recommends the award of the proposed BEIP grant.

APPROVAL REQUEST:

PERCENTAGE: 70%

TERM: 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Diversified Foam Products, Inc. to increase employment in New Jersey. The recommended award percentage is based on the company meeting the criteria as set forth on the attached Formula Evaluation and is contingent upon receipt by the Authority of evidence that the company has met said criteria to substantiate the recommended award percentage. If the criteria met by the company differs from that shown on the Formula Evaluation, the award percentage will be raised or lowered to reflect the award percentage that corresponds to the actual criteria that have been met.

TOTAL ESTIMATED GRANT AWARD OVER TERM OF GRANT: \$ 173,985
(not to exceed an average of \$50,000 per new employee over the term of the grant)

NJ EMPLOYMENT AT APPLICATION: 68

ELIGIBLE BEIP JOBS: Year 1 10 Year 2 20 Base Years Total = 30

ANTICIPATED AVERAGE WAGES: \$42,000

ESTIMATED PROJECT COSTS: \$4,125,000

ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10 \$248,550

ESTIMATED NET NEW STATE INCOME TAX - DURING 15 \$198,840

PROJECT IS: (X) Expansion (X) Relocation Pennsauken, NJ

CONSTRUCTION: (X) Yes () No

PROJECT OWNERSHIP HEADQUARTERED IN: New Jersey

APPLICANT OWNERSHIP:(X) Domestic () Foreign

DEVELOPMENT OFFICER: H. Friedberg **APPROVAL OFFICER:** D. Sucsuz

FORMULA EVALUATION

<u>Criteria</u>	<u>Score</u>
1. Location: Woolwich Township	N/A
2. Job Creation 30	1
Targeted : _____ Non-Targeted : <u> X </u>	
3. Job at Risk: 68	1
4. Industry: other manufacturing	0
Designated : _____ Non-Designated : <u> X </u>	
5. Leverage: 3 to 1 and up	2
6. Capital Investment: \$4,125,000	2
7. Average Wage: \$ 42,000	2

TOTAL: 8

Bonus Increases (up to 80%):

Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan	20%	<u>20%</u>
Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan AND creation of 500 or more jobs	30%	_____
Located in a former Urban Coordinating Council or other distressed municipality as defined by Department of Community Affairs	20%	_____
Located in a brownfield site (defined as the first occupants of the site after issuance of a new no-further action letter)	20%	_____
Located in a center designated by the State Planning Commission, or in a municipality with an endorsed plan	15%	<u>15%</u>
10% or more of the employees of the business receive a qualified transportation fringe of \$ 30.00 or greater.	15%	_____
Located in an area designated by the locality as an "area in need of redevelopment"	10%	_____
Jobs-creating development is linked with housing production or renovation (market or affordable) utilizing at least 25% of total buildable area of the site	10%	_____
Company is within 5 miles of and working cooperatively with a public or non-profit university on research and development	10%	_____

Total Bonus Points:

35 %

Total Score :

Total Score per formula:

8 = 30 %

Construction/Renovation :

5 %

Bonus Increases :

35 %

Total Score (not to exceed 80 %):

70 %

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

APPLICANT: JVK Operations Ltd. of NJ

P27323

PROJECT LOCATION: 209 Harvard Avenue Westville Borough (T) Gloucester County

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban () Edison (X) Core () Clean Energy

APPLICANT BACKGROUND/ECONOMIC VIABILITY:

JVK Operations Ltd. of NJ is a new company incorporated to establish a brand new, industrial-scale linen laundry facility. The owners already have a similar, successful operation in Long Island, New York. They specialize in cleaning and processing linens, scrubs, and uniforms for the health-care industry. Their existing New York business employs about 72 people full-time and serves 32 hospitals. The business is economically viable.

They are planning to expand their business to serve more hospitals in a larger geographical area encompassing Maryland, Southern New Jersey and Southeastern Pennsylvania and beyond with a new second facility.

MATERIAL FACTOR:

The applicant is seeking a BEIP grant to support creating 75 full-time new positions in New Jersey. The company has represented that a favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to locate to New Jersey and therefore to pick New Jersey over Pennsylvania and Delaware. The Authority staff recommends the award of the proposed BEIP grant.

APPROVAL REQUEST:

PERCENTAGE: 50%

TERM: 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage JVK Operations Ltd. of NJ to increase employment in New Jersey. The recommended award percentage is based on the company meeting the criteria as set forth on the attached Formula Evaluation and is contingent upon receipt by the Authority of evidence that the company has met said criteria to substantiate the recommended award percentage. If the criteria met by the company differs from that shown on the Formula Evaluation, the award percentage will be raised or lowered to reflect the award percentage that corresponds to the actual criteria that have been met.

TOTAL ESTIMATED GRANT AWARD OVER TERM OF GRANT: \$ 225,000

(not to exceed an average of \$50,000 per new employee over the term of the grant)

NJ EMPLOYMENT AT APPLICATION: 0

ELIGIBLE BEIP JOBS: Year 1 50 Year 2 25 Base Years Total = 75

ANTICIPATED AVERAGE WAGES: \$35,000

ESTIMATED PROJECT COSTS: \$2,446,300

ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10 \$450,000

ESTIMATED NET NEW STATE INCOME TAX - DURING 15 \$450,000

PROJECT IS: (X) Expansion () Relocation _____

CONSTRUCTION: (X) Yes () No

PROJECT OWNERSHIP HEADQUARTERED IN: New York

APPLICANT OWNERSHIP: (X) Domestic () Foreign

DEVELOPMENT OFFICER: H. Friedberg

APPROVAL OFFICER: D. Sucsuz

FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	Westville Borough	N/A
2. Job Creation	75	1
	Targeted : _____ Non-Targeted : <u> X </u>	
3. Job at Risk:	0	0
4. Industry:	personal services	0
	Designated : _____ Non-Designated : <u> X </u>	
5. Leverage:	3 to 1 and up	2
6. Capital Investment:	\$2,446,300	1
7. Average Wage:	\$ 35,000	2

TOTAL: **6**

Bonus Increases (up to 80%):

Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan	20%	<u>20%</u>
Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan AND creation of 500 or more jobs	30%	_____
Located in a former Urban Coordinating Council or other distressed municipality as defined by Department of Community Affairs	20%	_____
Located in a brownfield site (defined as the first occupants of the site after issuance of a new no-further action letter)	20%	_____
Located in a center designated by the State Planning Commission, or in a municipality with an endorsed plan	15%	_____
10% or more of the employees of the business receive a qualified transportation fringe of \$ 30.00 or greater.	15%	_____
Located in an area designated by the locality as an "area in need of redevelopment"	10%	_____
Jobs-creating development is linked with housing production or renovation (market or affordable) utilizing at least 25% of total buildable area of the site	10%	_____
Company is within 5 miles of and working cooperatively with a public or non-profit university on research and development	10%	_____

Total Bonus Points:

20 %

Total Score :

Total Score per formula: 6 = 25 %

Construction/Renovation : 5 %

Bonus Increases : 20 %

Total Score (not to exceed 80 %): 50 %

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

APPLICANT: Otsuka America Pharmaceutical, Inc.

P27354

PROJECT LOCATION: 1 University Square

West Windsor Township Mercer County

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban (X) Edison () Core () Clean Energy

APPLICANT BACKGROUND/ECONOMIC VIABILITY:

Otsuka America Pharmaceutical, Inc. (Otsuka), a wholly owned subsidiary of Otsuka America, Inc., established its first U.S. research institute in Rockville, Maryland in 1985. The applicant is engaged in developing, marketing and sale of pharmaceutical, diagnostic and medical device products. Otsuka's focus in pharmaceuticals is in neuroscience, cardiovascular, oncologic, and gastrointestinal diseases. The applicant primarily develops and commercializes products in coordination with Otsuka Pharmaceutical Co., Ltd, the global parent company, a Japanese corporation, formed in 1921. On a global basis, the parent organization is comprised of 153 companies, employs approximately 36,000 people in 23 countries and regions worldwide, with \$9.7 billion in annual revenues for fiscal 2008. Among the applicant's partners is Bristol-Myers Squibb Company, with a copromotion agreement to sell Abilify. Otsuka is economically viable.

MATERIAL FACTOR:

Otsuka is seeking a BEIP grant to relocate 50 jobs from its Rockville, Maryland facility to a 67,000 s.f. facility in Princeton Junction. Under consideration is expanding the Rockville facility, which currently functions as the U.S. corporate headquarters. If New Jersey is selected for the expansion it would become the U.S. corporate headquarters. Management is estimating projects costs will exceed \$2.5 million. A favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to consolidate and expand in New Jersey.

APPROVAL REQUEST:

PERCENTAGE: 75%

TERM: 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Otsuka America Pharmaceutical, Inc. to increase employment in New Jersey. The recommended award percentage is based on the company meeting the criteria as set forth on the attached Formula Evaluation and is contingent upon receipt by the Authority of evidence that the company has met said criteria to substantiate the recommended award percentage. If the criteria met by the company differs from that shown on the Formula Evaluation, the award percentage will be raised or lowered to reflect the award percentage that corresponds to the actual criteria that have been met.

TOTAL ESTIMATED GRANT AWARD OVER TERM OF GRANT: \$ 1,449,375
(not to exceed an average of \$50,000 per new employee over the term of the grant)

NJ EMPLOYMENT AT APPLICATION: 19

ELIGIBLE BEIP JOBS: Year 1 25 Year 2 25 Base Years Total = 50

ANTICIPATED AVERAGE WAGES: \$100,000

ESTIMATED PROJECT COSTS: \$2,500,000

ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10 \$1,932,500

ESTIMATED NET NEW STATE INCOME TAX - DURING 15 \$1,449,375

PROJECT IS: (X) Expansion (X) Relocation Rockville, Md

CONSTRUCTION: (X) Yes () No

PROJECT OWNERSHIP HEADQUARTERED IN: _____

APPLICANT OWNERSHIP: () Domestic (X) Foreign Japan

DEVELOPMENT OFFICER: P. Ceppi

APPROVAL OFFICER: M. Krug

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

APPLICANT: PsychoGenics Inc.

P27307

PROJECT LOCATION: TBD

Locations Unknown (N) Unknown County

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban (X) Edison () Core () Clean Energy

APPLICANT BACKGROUND/ECONOMIC VIABILITY:

PsychoGenics Inc., formed in 1999, is a leader in preclinical Neurobiology and drug discovery solutions for Central Nervous System disease (CNS). The applicant works with pharmaceutical companies and not-for-profit organizations to validate targets and select compounds to advance into clinical trials. The company's platform development is supported by an exclusive relationship with the National Robotics and Engineering Consortium at Carnegie Mellon University, using PsychoGenics' battery of established behavioral tests to develop a pipeline of in-house and partnered drug candidates addressing such major CNS disorders as ADHD, anxiety, cognitive impairment, depression, eating disorders, pain and psychosis/schizophrenia. PsychoGenics is economically viable.

MATERIAL FACTOR:

PsychoGenics is seeking a BEIP grant to relocate 115 jobs from its Tarrytown, NY facility (42,000 s.f.), and create an additional 40 new jobs for a total of 155 new jobs in NJ. Also under consideration are Westchester County, NY, and Connecticut. The applicant is seeking a site with approximately 90,000 s.f. to consolidate all operations in one place. Management is estimating project costs will exceed \$26 million. A favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to consolidate all current operations and expand in NJ.

APPROVAL REQUEST:

PERCENTAGE: 50%

TERM: 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage PsychoGenics Inc. to increase employment in New Jersey. The recommended award percentage is based on the company meeting the criteria as set forth on the attached Formula Evaluation and is contingent upon receipt by the Authority of evidence that the company has met said criteria to substantiate the recommended award percentage. If the criteria met by the company differs from that shown on the Formula Evaluation, the award percentage will be raised or lowered to reflect the award percentage that corresponds to the actual criteria that have been met.

TOTAL ESTIMATED GRANT AWARD OVER TERM OF GRANT: \$ 1,438,787

(not to exceed an average of \$50,000 per new employee over the term of the grant)

NJ EMPLOYMENT AT APPLICATION: 25

ELIGIBLE BEIP JOBS: Year 1 135 Year 2 20 Base Years Total = 155

ANTICIPATED AVERAGE WAGES: \$66,000

ESTIMATED PROJECT COSTS: \$26,505,000

ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10 \$2,877,575

ESTIMATED NET NEW STATE INCOME TAX - DURING 15 \$2,877,575

PROJECT IS: (X) Expansion (X) Relocation Tarrytown NY

CONSTRUCTION: (X) Yes () No

PROJECT OWNERSHIP HEADQUARTERED IN: New York

APPLICANT OWNERSHIP: (X) Domestic () Foreign

DEVELOPMENT OFFICER: J. Colon

APPROVAL OFFICER: M. Krug

FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	Locations Unknown	N/A
2. Job Creation	155	3
	Targeted : _____ Non-Targeted : <u> X </u>	
3. Job at Risk:	25	1
4. Industry:	Pharmaceuticals	2
	Designated : <u> X </u> Non-Designated : _____	
5. Leverage:	3 to 1 and up	2
6. Capital Investment:	\$26,505,000	3
7. Average Wage:	\$ 66,000	3

TOTAL: **14**

Bonus Increases (up to 80%):

Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan	20%	_____
Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan AND creation of 500 or more jobs	30%	_____
Located in a former Urban Coordinating Council or other distressed municipality as defined by Department of Community Affairs	20%	_____
Located in a brownfield site (defined as the first occupants of the site after issuance of a new no-further action letter)	20%	_____
Located in a center designated by the State Planning Commission, or in a municipality with an endorsed plan	15%	_____
10% or more of the employees of the business receive a qualified transportation fringe of \$ 30.00 or greater.	15%	_____
Located in an area designated by the locality as an "area in need of redevelopment"	10%	_____
Jobs-creating development is linked with housing production or renovation (market or affordable) utilizing at least 25% of total buildable area of the site	10%	_____
Company is within 5 miles of and working cooperatively with a public or non-profit university on research and development	10%	_____

Total Bonus Points: **0 %**

Total Score :

Total Score per formula:	14 = 45 %
Construction/Renovation :	5 %
Bonus Increases :	0 %
Total Score (not to exceed 80 %):	50 %

FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	West Windsor Township	N/A
2. Job Creation	50	1
	Targeted : _____ Non-Targeted : <u> X </u>	
3. Job at Risk:	19	0
4. Industry:	Pharmaceuticals	2
	Designated : <u> X </u> Non-Designated : _____	
5. Leverage:	3 to 1 and up	2
6. Capital Investment:	\$2,500,000	1
7. Average Wage:	\$ 100,000	4
TOTAL:		10

Bonus Increases (up to 80%):

Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan	20%	<u>20%</u>
Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan AND creation of 500 or more jobs	30%	_____
Located in a former Urban Coordinating Council or other distressed municipality as defined by Department of Community Affairs	20%	_____
Located in a brownfield site (defined as the first occupants of the site after issuance of a new no-further action letter)	20%	_____
Located in a center designated by the State Planning Commission, or in a municipality with an endorsed plan	15%	<u>15%</u>
10% or more of the employees of the business receive a qualified transportation fringe of \$ 30.00 or greater.	15%	_____
Located in an area designated by the locality as an "area in need of redevelopment"	10%	_____
Jobs-creating development is linked with housing production or renovation (market or affordable) utilizing at least 25% of total buildable area of the site	10%	_____
Company is within 5 miles of and working cooperatively with a public or non-profit university on research and development	10%	_____

Total Bonus Points: **35 %**

Total Score :

Total Score per formula:	10 = 35 %
Construction/Renovation :	5 %
Bonus Increases :	35 %
Total Score (not to exceed 80 %):	75 %

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

APPLICANT: TD Bank, National Association

P27315

PROJECT LOCATION: TD Bank Mt. Laurel Campus Mount Laurel Township (N) Burlington County

GOVERNOR'S INITIATIVES:

Urban Fund Other Urban Edison Core Clean Energy

APPLICANT BACKGROUND/ECONOMIC VIABILITY:

TD Bank, National Association ("TD Bank" or "TD") is one of the fifteen largest commercial banks in the United States. TD offers a broad array of retail, small business, and commercial banking products and services to over 6.5 million customers through its network of more than 1,000 retail locations throughout the Northeast and Mid-Atlantic regions. In addition to banking products, TD provides clients with comprehensive wealth management services through TD Wealth Management and insurance products through TD Insurance, Inc.

In March of 2008, TD acquired Commerce Bancorp, a home-grown New Jersey bank with roots in the community dating back to 1973. The merger enabled TD to strengthen its deposit base and provide increased retail access to its customers. The company maintains dual headquarters in Cherry Hill, New Jersey and Portland, Maine. The company is economically viable.

MATERIAL FACTOR:

As a result of the merger, TD is evaluating opportunities to consolidate certain bank functions that are currently conducted in New Hampshire, Massachusetts, Maine, and Pennsylvania. The company is considering moving positions in underwriting, wealth management, operations, and sales to its Mount Laurel, New Jersey campus. TD Bank needs approximately 100,000 square feet of space in order to support the 250 employees targeted in its relocation and growth plan. Also under consideration is to accommodate these positions at the company's headquarters and operations centers in Portland and Lewiston, Maine. Management has indicated that a favorable decision by the Authority to award a BEIP grant is a material factor in the company's decision to increase employment in New Jersey.

APPROVAL REQUEST:

PERCENTAGE: 65%

TERM: 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage TD Bank, National Association to increase employment in New Jersey. The recommended award percentage is based on the company meeting the criteria as set forth on the attached Formula Evaluation and is contingent upon receipt by the Authority of evidence that the company has met said criteria to substantiate the recommended award percentage. If the criteria met by the company differs from that shown on the Formula Evaluation, the award percentage will be raised or lowered to reflect the award percentage that corresponds to the actual criteria that have been met.

TOTAL ESTIMATED GRANT AWARD OVER TERM OF GRANT: \$ 2,587,812
(not to exceed an average of \$50,000 per new employee over the term of the grant)

NJ EMPLOYMENT AT APPLICATION: 6,665

ELIGIBLE BEIP JOBS: Year 1 125 Year 2 125 Base Years Total = 250

ANTICIPATED AVERAGE WAGES: \$60,000

ESTIMATED PROJECT COSTS: \$15,000,000

ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10 \$3,981,250

ESTIMATED NET NEW STATE INCOME TAX - DURING 15 \$3,384,062

PROJECT IS: Expansion Relocation NH, MA, ME, PA

CONSTRUCTION: Yes No

PROJECT OWNERSHIP HEADQUARTERED IN: New Jersey

APPLICANT OWNERSHIP: Domestic Foreign Canada

DEVELOPMENT OFFICER: H. Friedberg **APPROVAL OFFICER:** K. McCullough

FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	Mount Laurel Township	N/A
2. Job Creation	250	4
	Targeted : _____ Non-Targeted : <u> X </u>	
3. Job at Risk:	0	0
4. Industry:	Financial services	2
	Designated : <u> X </u> Non-Designated : _____	
5. Leverage:	3 to 1 and up	2
6. Capital Investment:	\$15,000,000	2
7. Average Wage:	\$ 60,000	3
TOTAL:		13

Bonus Increases (up to 80%):

Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan	20%	<u>20%</u>
Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan AND creation of 500 or more jobs	30%	_____
Located in a former Urban Coordinating Council or other distressed municipality as defined by Department of Community Affairs	20%	_____
Located in a brownfield site (defined as the first occupants of the site after issuance of a new no-further action letter)	20%	_____
Located in a center designated by the State Planning Commission, or in a municipality with an endorsed plan	15%	_____
10% or more of the employees of the business receive a qualified transportation fringe of \$ 30.00 or greater.	15%	_____
Located in an area designated by the locality as an "area in need of redevelopment"	10%	_____
Jobs-creating development is linked with housing production or renovation (market or affordable) utilizing at least 25% of total buildable area of the site	10%	_____
Company is within 5 miles of and working cooperatively with a public or non-profit university on research and development	10%	_____

Total Bonus Points:

20 %

Total Score :

Total Score per formula:

13 = 40 %

Construction/Renovation :

5 %

Bonus Increases :

20 %

Total Score (not to exceed 80 %):

65 %

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
PROJECT SUMMARY - BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

APPLICANT: Telamon Corporation

P27362

PROJECT LOCATION: To be determined

Locations Unknown (N)

Unknown County

GOVERNOR'S INITIATIVES:

() Urban Fund () Other Urban () Edison (X) Core () Clean Energy

APPLICANT BACKGROUND/ECONOMIC VIABILITY:

Telamon Corporation, an Indiana-based company, provides a variety of services to the ever-changing telecommunications industry and its customers. Established in 1985, Telamon's majority business is the single-source partner in telecommunications, technology deployment and providing turnkey solutions and comprehensive support to carriers, internet service providers and original communications equipment manufacturers. Telamon provides customized solutions by building, applying, marketing and supporting technologies with network design, integration, installation, distribution, cabinet configuration and assembly, order management, CPE fulfillment, reverse logistics (repairs) and 24/7 technical support. Telamon also has operations in automotive supply chain management. The Company has 8 operating locations, including Carmel, Indiana, Levittown, Pennsylvania and Chino, California with over 300 employees. The Company is economically viable.

MATERIAL FACTOR:

Telamon Corporation is seeking a BEIP grant to offset the costs of relocating its operations from Levittown, Pennsylvania to New Jersey. The alternative is to remain at its current location in Pennsylvania. The Company has indicated the BEIP grant is a material factor to relocate to NJ.

APPROVAL REQUEST:

PERCENTAGE: 30%

TERM: 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Telamon Corporation to increase employment in New Jersey. The recommended award percentage is based on the company meeting the criteria as set forth on the attached Formula Evaluation and is contingent upon receipt by the Authority of evidence that the company has met said criteria to substantiate the recommended award percentage. If the criteria met by the company differs from that shown on the Formula Evaluation, the award percentage will be raised or lowered to reflect the award percentage that corresponds to the actual criteria that have been met.

TOTAL ESTIMATED GRANT AWARD OVER TERM OF GRANT: \$ 102,079
(not to exceed an average of \$50,000 per new employee over the term of the grant)

NJ EMPLOYMENT AT APPLICATION: 0

ELIGIBLE BEIP JOBS: Year 1 27 Year 2 4 Base Years Total = 31

ANTICIPATED AVERAGE WAGES: \$48,645

ESTIMATED PROJECT COSTS: \$1,413,000

ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10 \$340,263

ESTIMATED NET NEW STATE INCOME TAX - DURING 15 \$408,316

PROJECT IS: () Expansion (X) Relocation Levittown PA

CONSTRUCTION: (X) Yes () No

PROJECT OWNERSHIP HEADQUARTERED IN: Indiana

APPLICANT OWNERSHIP:(X) Domestic () Foreign

DEVELOPMENT OFFICER: K. Durand

APPROVAL OFFICER: T. Wells

FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	Locations Unknown	N/A
2. Job Creation	31	1
	Targeted : _____ Non-Targeted : <u> X </u>	
3. Job at Risk:	0	0
4. Industry:	communications	0
	Designated : _____ Non-Designated : <u> X </u>	
5. Leverage:	3 to 1 and up	2
6. Capital Investment:	\$1,413,000	1
7. Average Wage:	\$ 48,645	2
TOTAL:		6

Bonus Increases (up to 80%):

Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan	20%	_____
Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan AND creation of 500 or more jobs	30%	_____
Located in a former Urban Coordinating Council or other distressed municipality as defined by Department of Community Affairs	20%	_____
Located in a brownfield site (defined as the first occupants of the site after issuance of a new no-further action letter)	20%	_____
Located in a center designated by the State Planning Commission, or in a municipality with an endorsed plan	15%	_____
10% or more of the employees of the business receive a qualified transportation fringe of \$ 30.00 or greater.	15%	_____
Located in an area designated by the locality as an "area in need of redevelopment"	10%	_____
Jobs-creating development is linked with housing production or renovation (market or affordable) utilizing at least 25% of total buildable area of the site	10%	_____
Company is within 5 miles of and working cooperatively with a public or non-profit university on research and development	10%	_____

Total Bonus Points: **0 %**

Total Score :

Total Score per formula:	6 = 25 %
Construction/Renovation :	5 %
Bonus Increases :	0 %
Total Score (not to exceed 80 %):	30 %

**BUSINESS RETENTION AND RELOCATION ASSISTANCE
GRANT**

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
Business Retention and Relocation Assistance Grant of Tax Credits
SCORE SHEET – Project Evaluation Factors (NJAC 12A:2-1.8)

This scoring system is used to determine the award amount for BRRAG projects retaining 50 to 499 jobs. The award amount determined under the project evaluation factors is an initial determination and is subject to adjustment under the Act, the regulations thereunder, and the terms and conditions of the Project Agreement. Project Evaluation Factors (NJAC 12A:2-1.8)

Applicant: Diversified Foam Products, Inc. **Date Scored: 06/23/2009**

1. Full-time jobs retained – maximum points = 5

Range	Eligible Jobs Retained	Score
5 = 410 – 499		
4 = 320 – 409		
3 = 230 – 319		
2 = 140 – 229		
1 = 50 – 139	68	1

2. Quality of the retained jobs (based on average salary of retained jobs) – maximum points = 4

Range	Avg. Salary	Score
4 = \$75,001 +		
3 = \$50,001 - \$75,000		
2 = \$30,001 - \$50,000	42,000	2
1 = \$19,001 - \$30,000		
0 = up to \$19,000		

3. Capital investment by the applicant in project – maximum points = 5

Range	Capital Investment	Score
5 = \$3,500,000 to \$19,000,000+	\$4,125,000	5
4 = \$2,900,000 to \$3,499,000		
3 = \$2,200,000 to \$2,899,000		
2 = \$1,500,000 to 2,199,000		
1 = \$700,000 to \$1,499,000		
0 = \$0 to \$699,000		

4. Designated industry type – maximum points = 3

Range	Industry	Score
3 = manufacturing	Manufacturing	3
2 = targeted		
0 = non-targeted		

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
Business Retention and Relocation Assistance Grant of Tax Credits
SCORE SHEET – Project Evaluation Factors (NJAC 12A:2-1.8)

5. Job creation/attraction component (impact on the state if the project moved to another state) - maximum points = 5

Range	New Jobs	Score
5 = 100 or more new jobs		
4 = 80-99		
3 = 70-79		
2 = 60-69		
1 = 50-59		
0 = 0 -49	30	0

6. Smart Growth Targeted Areas – maximum points = 4

Description	Type	Score
4 = located in an area targeted for growth pursuant to the State Development and Redevelopment Plan, the Pinelands Comprehensive Management Plan, Highlands Commission Management Plan, and the Meadowlands Development Commission Plan. This includes brownfield sites.	In Planning Area 2, and in a municipality with an endorsed plan	4
0 = non-growth area		

7. Retained jobs average at least 1.5 times the hourly minimum wage – maximum points = 2

		Score
2 = yes	Yes	2
0 = no		

8. Commitment to the State of New Jersey

a. Duration of operations - maximum points = 3

Range of Years	Year Started in NJ	Score
3 = 20 plus years of operation in the state	1982	3
2 = 15-19 years		
1 = 10-14 years		

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
Business Retention and Relocation Assistance Grant of Tax Credits
SCORE SHEET – Project Evaluation Factors (NJAC 12A:2-1.8)

b. Total employees in New Jersey – maximum points = 3

Range	Number of Employees in NJ	Score
3 = 350 or greater		
2 = 200-349		
1 = 50-199	68	1

9. Urban Enterprise Zone – maximum points = 3

		Score
3 = if relocating from non-UEZ site to a site within an UEZ		
0 = no	No	0

TOTALS – VALUE PER RETAINED JOB AND SCORE

Range	Value Per Retained Job	Score
31-36 = \$1,500		
25-30 = \$1,400		
19-24 = \$1,300	\$1,300	21
13-18 = \$1,200		
7-12 = \$1,100		
0-6 = \$1,000		



MEMORANDUM

To: Members of the Board

From: Caren S. Franzini
Chief Executive Officer

Date: July 14, 2009

Subject: Transfer of Business Retention and Relocation Assistance Grant Tax Credit from Ernst & Young LLP to the New York Football Giants, Inc.

Request:

The Members are asked to grant final approval of the Business Retention and Relocation Assistance Grant Tax Credit Certificate Transfer Program ("Transfer Program") application of Ernst & Young LLP to transfer unused tax credits to the New York Football Giants, Inc. ("NY Giants").

Background:

In April 2008, the Board of Directors of the former New Jersey Commerce Commission granted preliminary approval to Ernst & Young LLP to transfer its tax credits under the Transfer Program. The original BRRAG incentive was issued to Ernst & Young to retain and relocate 1,002 full-time jobs from offices in Lyndhurst, New Jersey to Secaucus, New Jersey.

Although Ernst & Young received tax credits valued at \$1,503,000 from the New Jersey Division of Taxation, the company is unable to use these credits. As a result, Ernst & Young is seeking final approval to sell these credits as permitted under the Transfer Program to the NY Giants.

Ernst & Young and the NY Giants have successfully completed all of the required sections and forms within the Transfer Program application package, a copy of which has been shared with the New Jersey Division of Taxation. The application package indicates that Ernst & Young has agreed to sell the unused tax credits to the NY Giants at eighty cents on the dollar for a total of \$1,202,400.

Recommendation:

Based on the above, staff recommends the Members grant final approval of the Transfer Program application of Ernst & Young LLP to sell unused BRRAG tax credits to the NY Giants.

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
BRRAG Tax Credit Certificate Transfer Program
Applicant/Project Summary, 07/14/2009

Applicant:

- Ernst & Young LLP, 200 Plaza Drive, Secaucus, Hudson County, NJ
- Ernst & Young provides audit, consulting, financial advisory, risk management, and tax services to selected clients throughout the world.

Applying For:

- BRRAG Tax Credit Certificate Transfer Program – This program allows businesses with unused BRRAG tax credits to sell those credits to offset the costs of relocation. Unused tax credits must be sold for at least 75 percent of their value.

Background:

- In May 2005, the Commerce Commission Board of Directors approved an application from Ernst & Young LLP for a grant of tax credits under the Business Retention and Relocation Assistance Grant (BRRAG) program.
- With the help of the BRRAG program, Ernst & Young relocated from Lyndhurst, New Jersey to offices at 200 Plaza Drive in Secaucus, New Jersey.
- The relocation prompted more than \$60 million in capital spending at the company's new location in Secaucus.
- After retaining and relocating 1,002 employees as a result of the project, the New Jersey Division of Taxation issued BRRAG tax credits to Ernst & Young in the amount of \$1,503,000.
- In April 2008, Ernst & Young received preliminary approval from the Commerce Commission Board of Directors to participate in the BRRAG Tax Credit Certificate Transfer Program.

Qualification – This application satisfies the following eligibility criteria:

- Ernst & Young certifies that it is not in default of its BRRAG project agreement.
- Ernst & Young has unused BRRAG tax credits and certifies that it cannot use the BRRAG tax credits issued by the New Jersey Division of Taxation.
- Ernst & Young has incurred expenses for items such as furniture, fixtures, leasehold improvements, and technology upgrades as a result of its retention/relocation project in New Jersey.

Benefit:

- Ernst & Young's BRRAG tax credits are valued at \$1,503,000 and the company has agreed to sell them to the New York Football Giants, Inc. for eighty cents on the dollar for a total value of \$1,202,400.

BROWNFIELD REIMBURSEMENT PROGRAM



MEMORANDUM

To: Members of the Board

From: Caren S. Franzini
Chief Executive Officer

Date: July 14, 2009

Subject: **Application for Redevelopment Agreement
The Lofts at Garwood II, LLC, Garwood, Union County, New Jersey**

Summary:

The Members are asked to approve the brownfield application of **The Lofts at Garwood II, LLC**, (“Developer”) for reimbursement of clean-up costs for a **Borough of Garwood** redevelopment project under a Redevelopment Agreement with the New Jersey Economic Development Authority (“Authority”) and the State Treasurer, pursuant to the Brownfield and Contaminated Site Remediation Act, P.L. 1997, c. 278 (N.J.S.A. 58:10B-1 et seq.) (the “Act”). The recommended reimbursement is up to **\$238,460 or 75% of \$317,950**.

Project Description:

- The Project Site is approximately 1.24 acres of former light manufacturing facility located at 518 and 710-714 North Avenue in the Borough of Garwood, Union County, New Jersey.
- The redevelopment includes demolition of all existing structures followed by the construction of a new mixed-use retail and residential complex (10,500 square feet of retail space and 18 second-floor apartments).
- A Preliminary Assessment Report (PAR) and Site Investigation Report/Remedial Investigation Report/Remedial Action Workplan (SIR/RIR/RAW) was submitted to NJDEP. The removal of residual soil and ground water contamination, and remediation activities will include the removal/disposal of asbestos-containing materials in the former buildings.
- The Sales and Use Tax estimates anticipated for this redevelopment project are projected to be \$105,000 per year based upon an estimated total annual sales amount of \$1,500,000 by seven new retail tenants who will occupy the new prime commercial space.

- The local government, Borough of Garwood has completely endorsed and approved this project and its objective of smart growth, and has already provided the necessary zoning and site plan approvals required for completion of the redevelopment activities for the project.
- Approximately 50-70 permanent jobs will be created with the establishment of 7 new businesses that will result in continued job creation and expansion of the local economy.

Anticipated remediation costs: **\$317,950**

Recommended reimbursement: **Up to \$238,460 (75% of \$317,950)**

The Authority received an application for a Brownfield Redevelopment Agreement from **The Lofts at Garwood II, LLC** requesting the reimbursement of up to **75%** of approved remediation costs for a Redevelopment Project. In accordance with the Act, approval of the application by the Authority and the State Treasurer requires finding that the site, the redevelopment project and the clean-up meet statutory economic development and fiscal requirements. Reimbursement under the Redevelopment Agreement is contingent upon the Department of the Treasury (“Treasury”) finding that the Project generates sufficient tax revenue to exceed the reimbursement amount and upon the Department of Environmental Protection (DEP) determination that the remediation costs are eligible under the Act and the Agreement.

Reimbursement starts once the project has been constructed on the remediated site only after eligible costs have been approved by DEP and new tax revenues have been generated. Treasury annually tracks taxes received from the job site and remits reimbursement equal to a percentage of funds collected during the year

Recommendation:

Authority staff has reviewed the **The Lofts at Garwood II, LLC** application and finds that it is consistent with eligibility requirements of the Act. Treasury, in reviewing the application, has notified the Authority of the adequacy of the Project’s estimated tax revenues and specified the percentage reimbursement of remediation costs. Therefore, it is recommended that the Members approve **The Lofts at Garwood II, LLC** application and authorize the CEO of the Authority to execute a Brownfield Redevelopment Agreement with **The Lofts at Garwood II, LLC** and the State Treasurer.



Caren S. Franzini

Prepared by: Victoria Gaudier

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
BROWNFIELD AND CONTAMINATED SITE
REMEDICATION ACT PROGRAM (BCSRP)
PROJECT SUMMARY
METHUCHEN I, LLC
JULY 14, 2009**

Applicant:

- **The Lofts at Garwood II, LLC** property/project site is approximately 1.24 acres of the former light manufacturing facility located at 518 and 710-714 North Avenue in the Borough of Garwood, Union County, New Jersey, Tax Block 109, Lot 1
- Until 2006 the property was historically used as a multi-tenant, industrial & commercial property that included several operators/leaseholds some of which were subject to the Industrial Site Recovery Act (ISRA) (N.J.A.C. 7:26B et seq).
- The Developer's project plan focuses on the cleanup and demolition of existing building structures on the property into a new mixed-use retail and residential complex (10,500 square feet of retail space and 18 second-floor apartments).
- The Developer has completed the necessary investigation activities and has obtained NJDEP approval to implement the remediation program in accordance with the MOA.
- The property was historically used as a multi-tenant industrial/commercial property that included several operators/leaseholds, some of which were subject to the Industrial Site Recovery Act (ISRA) (N.J.A.C. 7:26B et seq.).
- The NJDEP approved remedial activities to include an in-situ enhanced bioremediation injection program, as well as the completion of a monitored natural attenuation program and associated compliance activities for the continued monitoring, maintenance and reporting requirements of the ground water classification exception area (CEA) for the site.
- The Developer's project/site plan has been endorsed and approved by the Borough of Garwood and has already provided the necessary zoning and site plan approvals required for completion of the redevelopment activities for the project.
- The Lofts at Garwood II, LLC has maintained their innocent purchaser liability defenses pursuant to the Spill Compensation Act (N.J.S.A. 58:10-23.11 et seq.) and the Brownfield and Contaminated Site Remediation Act ("Brownfield Act"; P.L. 1997; Chapter 278).

Programs:

- The Brownfield and Contaminated Site Remediation Program (BCSRP). This benefit will be administered as a reimbursement of approved remediation costs based on the collection of applicable taxes from the project site. Total remediation costs eligible for reimbursement are estimated to be up to **\$238,460 (75% of \$317,950)**.

Project:

- The Project Site is approximately 1.24 acres located at 518 and 710-714 North Avenue in the Borough of Garwood, Union County, New Jersey, Tax Block 109, Lot 1
- On August 19, 2008, the developer entered into a Memorandum of Understanding agreement with the DEP and commits the applicant to conduct the remediation in accordance with both the Technical Requirements for Site Remediation, N.J.A.C. 7:26E, and the Department's comments.
- The overall condition of this contaminated property is an example of underutilization and abandonment in an area in Garwood that is currently encouraging economic development and revitalization.
- The Developer has completed removal and proper disposal of a previously abandoned UST and associated contaminated soil, and the removal/disposal of asbestos-containing materials for the former buildings on the property.
- An enhanced bioremediation treatment program was proposed to NJDEP to accelerate the degradation of residual petroleum-related compounds, followed by confirmatory monitoring. The NJDEP approved the RAW to complete these remedial activities on August 19, 2008.
- The planned cleanup and redevelopment of this property by the Developer will transform this former industrial facility, contaminated with hazardous substances, into a viable retail center and residential complex.

Description of Jobs

- It is anticipated that the Project will create approximately **20** temporary jobs related to the remediation and construction during redevelopment phase and an estimated **50 to 70** permanent jobs related to the seven new retail operations and leasing office planned for the site.

Qualifications:

The Lofts at Garwood II, LLC qualifies as an applicant for the Brownfield and Contaminated Site Remediation Program (BCSRP), pursuant to N.J.S.A. 58:10B-27, as the entity is not in any way responsible for causing the contamination at the site proposed to be in the redevelopment agreement, and is not a corporate successor to any entity that discharged any contaminant at the site. N.J.S.A. 58:10B-27 further requires the New Jersey Economic Development Authority ("Authority") to consider seven statutory factors in determining whether or not to enter into a redevelopment agreement, and based upon the following consideration, it is recommended that the Authority enter into a redevelopment agreement:

1. The economic feasibility of the redevelopment project

- The developer's management and construction team has experience with projects of similar scope and nature.

2. The extent of the economic and related social distress in the municipality

- The The Lofts at Garwood II, LLC plan to redevelop this currently contaminated and underutilized/abandoned site is consistent with goals and objectives of the New Jersey Development and Redevelopment Plan to revitalize a deteriorating area into community-endorsed project that will feature new residential units and retail commercial components.
- Much needed additional tax revenues to the municipality and the State of New Jersey will be realized as well as significantly improving the property value. New jobs will be generated for the residents in the community.
- In terms of economic viability of the project, The Lofts at Garwood II, LLC has sufficient funds to complete the remediation of the site and the redevelopment activities

3. The degree to which the redevelopment project will advance State, regional, and local development and planning strategies

- This Redevelopment Project is consistent with state, regional and local development and planning strategies.
- The property is an appropriate location for a mixed-use redevelopment for residential units and commercial enterprise.
- The reuse of this underutilized site and contaminated Brownfield property promotes the State of New Jersey's Smart Growth initiatives and strategies as well as local goals and objectives.
- This project will meet the development objectives by creating new full time jobs, new infrastructure and the remediation of a contaminated site in an urban area.

4. The likelihood that the redevelopment project shall upon completion be capable of generating new tax revenue in an amount in excess of the amount necessary to reimburse the developer for the remediation costs as provided in the redevelopment agreement

- The project is estimated to generate projected sales taxes totaling \$258,000 within two years after project completion.
- Projected Retail Sales from new tenants is estimated to be \$1,500,000 in the first year with projected Sales Tax (7%) to be \$105,000.
- Projected Sales Tax associated with new construction building materials, calculated at 1% of total site development costs, is \$48,000 in year one.

5. The relationship of the development project to a comprehensive local development strategy, including other major projects undertaken within the municipality

- The redevelopment project is consistent with the Developer's Site Plan and the comprehensive local development strategy in the Master Plan for the Borough of Garwood.
- The project represents an investment in the protection of human health and the environment by expeditiously remediating a significantly contaminated site.
- Green space will be preserved for the community by implementing this project on a designated Brownfield site.

6. The need of the redevelopment agreement to the viability of the redevelopment project

- The financial evaluation performed by The Lofts at Garwood II, LLC during its due diligence of the project included the estimated reimbursement of remediation costs. Factoring in the success of its application regarding obtaining approval in the Brownfields Reimbursement Program was a primary consideration the company's business decision to further invest time and planning for the project.
- The Brownfield Reimbursement Program together with Municipal and State support was a critical factor for The Lofts at Garwood II in determining the successful purchase and redevelopment plan of the project Site in a competitive real estate market
- At present the contaminated property is currently not being utilized to its fullest potential. The planned cleanup and redevelopment efforts will significantly enhance the value and usefulness of the property, provide an improved ratable for the municipality, and result in the addition of needed services.

7. The degree to which the redevelopment project enhances and promotes job creation and economic development.

- The developer projects that the Project will generate approximately 20 new temporary jobs in connection with the remediation and construction of the project.
- It is also projected that the seven new retail operations will create 50-70 permanent jobs.
- The new retail and housing that will occupy the new construction will generate a new demand for goods and services resulting in continued new job creation and expansion of the local economy

Recommended Reimbursement

After completing an independent review of the application, the Treasurer recommends authorizing **The Lofts at Garwood II, LLC** to be eligible for reimbursement of up to **\$238,460 or 75% of \$317,950** of approved remediation costs, pending the issuance of a No Further Action Letter (NFA) from the Department of Environmental Protection (DEP).



MEMORANDUM

To: Members of the Board

From: Caren S. Franzini
Chief Executive Officer

Date: July 14, 2009

**Subject: Application for Redevelopment Agreement
Advance at Hoboken, LLC, Hoboken, New Jersey**

Summary:

The Members are asked to approve the brownfield application of **Advance at Hoboken, LLC**, for reimbursement of clean-up costs for a Hoboken redevelopment project under a Redevelopment Agreement with the New Jersey Economic Development Authority (“Authority”) and the State Treasurer, pursuant to the Brownfield and Contaminated Site Remediation Act, P.L. 1997, c. 278 (N.J.S.A. 58:10B-1 et seq.) (the “Act”). The recommended reimbursement is up to **\$4,889,025**.

Project Description:

- The Project Site is located on the northern side of Hoboken and known as the former Gulf Service Station No. 120359 (Cumberland Farms)/part of Hoboken Coal Gas Site, Clinton and Willow Streets (PSE&G).
- Remediation planned by the Developer include construct to bedrock a concrete slurry cutoff wall along the property boundary, excavate product laden soils, backfill the excavation with historic fill or clean soil, and construct a concrete foundation for a 4-level underground parking structure. The first level above the parking (street level or ground floor) will house (+/-) 25,000 square feet of retail space; and above the retail space the establishment of 6 floors of residential space for 145 rental units.
- The developer will be remediating all required areas of concern, which will include soil remediation, soil capping, groundwater investigation and monitoring.
- Advance at Hoboken LLC is not liable for any of the contamination as it has not previously owned or operated any of the properties nor has it discharged contaminants or contributed to the contamination of this property.

- The anticipated Tax Revenues beginning in year three are approximately \$19,861,000 over ten years
- The community will benefit from this project by the creation of approximately 400 temporary construction jobs and 45 permanent jobs

Anticipated remediation costs: \$6,518,700 in unmet remediation costs
Recommended reimbursement: Up to \$4,889,025 (75% of \$6,518,700)

The Authority received an application for a Brownfield Redevelopment Agreement from **Advance at Hoboken, LLC** requesting the reimbursement of up to **75%** of approved remediation costs for a Redevelopment Project. The responsible party, PSEG, has agreed to contribute \$12,117,300 towards the cost of remediation on this project. In accordance with the Act, approval of the application by the Authority and the State Treasurer requires finding that the site, the redevelopment project and the clean-up meet statutory economic development and fiscal requirements. Reimbursement under the Redevelopment Agreement is contingent upon the Department of the Treasury (“Treasury”) finding that the Project generates sufficient tax revenue to exceed the reimbursement amount and upon the Department of Environmental Protection (DEP) determination that the remediation costs are eligible under the Act and the Agreement. After a thorough review by the Authority, a decision was made to provide for up to a maximum of \$4,889,025 in remediation cost reimbursement based upon the level of employment creation and economic development provided by this project.

Reimbursement starts once the project has been constructed on the remediated site only after eligible costs have been approved by DEP and new tax revenues have been generated. Treasury annually tracks taxes received from the job site and remits reimbursement equal to a percentage of funds collected during the year.

Recommendation:

Authority staff has reviewed the **Advance at Hoboken, LLC** application and finds that it is consistent with eligibility requirements of the Act. Treasury, in reviewing the application, has notified the Authority of the adequacy of the Project’s estimated tax revenues and specified the percentage reimbursement of remediation costs. Therefore, it is recommended that the Members approve the Advance at Hoboken, LLC application and authorize the CEO of the Authority to execute a Brownfield Redevelopment Agreement with **Advance at Hoboken, LLC** and the State Treasurer.



Caren S. Franzini

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
BROWNFIELD AND CONTAMINATED SITE
REMEDICATION ACT PROGRAM (BCSRP)
PROJECT SUMMARY
ADVANCE AT HOBOKEN, LLC
JULY 14, 2009**

Applicant:

- **Advance at Hoboken LLC** property located at 1316-1330 Willow Avenue (A.K.A. 301 Fourteenth Street) Hoboken, Hudson County, NJ, Tax Block Number(s) 116, Tax Lot Number(s) 1.02
- The site is the former location of Gulf Service Station No. 120359 (Cumberland Farms)/part of Hoboken Coal Gas Site, Clinton and Willow Streets (PSE&G). This is a Brownfield property since at one time it was home to a coal gasification plant and more recently as a retail gas station. The property is presently derelict and unused with no operations and no structures. Residual coal tar and petroleum product have been identified in the soil and groundwater, among other contaminants. Generally minor concentrations of benzene are present in the soil above the water table. Within the saturated soils, elevated levels of naphthalene, benzene and metals contamination are present and product laden soils have been identified throughout the majority of the site. The suspected concentrations are due to the historical industrial operation at the site.

Programs:

- The Brownfield and Contaminated Site Remediation Program (BCSRP). This benefit will be administered as a reimbursement of approved remediation costs based on the collection of applicable taxes from the project site. Total remediation costs eligible for reimbursement are estimated to be up to **\$4,889,025 (75% of \$6,518,700)**.

Project:

- The Project Site is approximately 0.89 acres and is located on 1316-1330 Willow Avenue (a.k.a. 301 Fourteenth Street) Hoboken, New Jersey 07030.
- The developer plans to redevelop the site by pouring a cement slab over the historic fill and clean fill left in the pit and a foundation for a four level underground parking structure. The first level above the parking (street level or ground floor) will house a (+/-) 25,000 square foot retail operation. Above the retail space will be six floors of residential, which will house 145 rental units.
- On November 20, 2008, the developer entered into a Memorandum of Understanding agreement with the DEP and commits the applicant to conduct the remediation in accordance with both the Technical Requirements for Site Remediation, N.J.A.C. 7:26E, and the Department's comments.
- The developer will be remediating all required areas of concern, which will include soil remediation, soil capping, groundwater investigation and monitoring.
- The anticipated tax revenue is expected to be approximately \$20,000,000 over a ten-year period.
- The total development cost is estimated to be over **\$80,000,000**.

Description of Jobs

- It is anticipated that the Project will create approximately **400** temporary jobs related to the remediation and construction and an estimated **45** permanent jobs related to the operation of the development.

Qualifications:

Advance at Hoboken, LLC qualifies as an applicant for the Brownfield and Contaminated Site Remediation Program (BCSRP), pursuant to N.J.S.A. 58:10B-27, as the entity is not in any way responsible for causing the contamination at the site proposed to be in the redevelopment agreement, and is not a corporate successor to any entity that discharged any contaminant at the site. N.J.S.A. 58:10B-27 further requires the New Jersey Economic Development Authority (“Authority”) to consider seven statutory factors in determining whether or not to enter into a redevelopment agreement, and based upon the following consideration, it is recommended that the Authority enter into a redevelopment agreement:

1. The economic feasibility of the redevelopment project

- The developer’s management and construction team has experience with projects of similar scope and nature.
- There is currently a need for additional parking throughout the Town and the underground parking facility plan for the site will realize 300 public spaces of parking
- The predominately residential neighborhood surrounding the site is in need of a convenience retail (grocery store, food market, gourmet food, etc) and rental housing in Hoboken remains strong because of the proximity to Manhattan and mass transportation.

2. The extent of the economic and related social distress in the municipality

- The property which is currently vacant is generating very little tax revenue for the Town and State (tax records indicate that Hoboken collected only \$76,780.00 in property taxes in 2007).
- The redevelopment of this site will help lift the area out of its blighted conditions, spur economic growth and revitalize this portion of the city.

3. The degree to which the redevelopment project will advance State, regional, and local development and planning strategies

- This Redevelopment Project is consistent with state, regional and local development and planning strategies.
- The property is located in a Planning Area One, and the Town received NJ Department of Community Affairs, Office of Smart Growth, Plan Endorsement under the Hudson County Urban Complex in April 1999. Hoboken is an Urban Aid Eligible Municipality and Hoboken Schools are part of the Abbott District program and redevelopment of the site is integral to the Town’s continued growth.
- This project will meet the development objectives by creating new full time jobs, new infrastructure and the remediation of a contaminated site in an urban area.

4. The likelihood that the redevelopment project shall upon completion be capable of generating new tax revenue in an amount in excess of the amount necessary to reimburse the developer for the remediation costs as provided in the redevelopment agreement

- The Authority has received a letter from the Treasurer stating that an independent review of the **Advance at Hoboken, LLC** application was completed with a focus on determining whether new tax revenues derived from the project site would be in excess of the requested reimbursement amount. The Division of Taxation has determined that a 75% reimbursement of the developers unmet cleanup costs of **\$6,518,700**, based on projected first year new tax revenue of \$2,200,000 is reasonable and economically feasible. The actual reimbursement amount would thus be **\$4,889,025**. The projected payout period is to be 2½ years. Projected reimbursement to begin FY 2012.

5. The relationship of the development project to a comprehensive local development strategy, including other major projects undertaken within the municipality

- The site is located on northern side of Hoboken and in close proximity to the retail corridors along 14th and Washington Streets. There is currently a need for additional parking throughout the Town and Advance at Hoboken addresses that need with 4 levels (300 public spaces) of parking. The predominately residential neighborhood is in need of convenience retail (grocery store, food market, etc.) and the Advance plan addresses the need with 25,000 square feet of retail space.

6. The need of the redevelopment agreement to the viability of the redevelopment project

- The NJEDA conducted a thorough analysis of the developers' pro forma and compared the price paid for the land to the value of the site "as clean". Based on this evaluation, and the info provided by the developer regarding PSE&G's contribution of \$12,117,300 towards remediation, it was determined that there is still an unmet need of **\$6,518,700**. Consistent with the intent of this program, the NJEDA has determined to reimburse up to 75% of that amount.

7. The degree to which the redevelopment project enhances and promotes job creation and economic development.

- The developer projects that the Project will generate approximately 400 temporary jobs in connection with the remediation and construction of the project.
- It is also projected that the operation of the development will create 45 permanent jobs.

Recommended Reimbursement

After completing an independent review of the application, the Treasurer recommends authorizing **Advance at Hoboken, LLC** to be eligible for reimbursement of up to **\$4,889,025** (75% of **\$6,518,700**) of approved remediation costs, pending the issuance of a No Further Action Letter (NFA) from the Department of Environmental Protection (DEP).



MEMORANDUM

To: Members of the Board

From: Caren S. Franzini
Chief Executive Officer

Date: July 14, 2009

**Subject: Application for Redevelopment Agreement
Metuchen I, LLC, Borough of Metuchen, New Jersey**

Summary:

The Members are asked to approve the brownfield application of **Metuchen I, LLC**, for reimbursement of clean-up costs for a **Borough of Metuchen** redevelopment project under a Redevelopment Agreement with the New Jersey Economic Development Authority (“Authority”) and the State Treasurer, pursuant to the Brownfield and Contaminated Site Remediation Act, P.L. 1997, c. 278 (N.J.S.A. 58:10B-1 et seq.) (the “Act”). The recommended reimbursement is up to **\$1,876,588 (45% of \$4,170,195)**.

Project Description:

- The Project Site is the former Oakite Facility located at 675-739 and 700 Middlesex Avenue in the Borough of Metuchen, Middlesex County, New Jersey.
- Contaminants at the site consist of asbestos, base/neutral organics, metals, petroleum hydrocarbons and volatile organics (VOs). The remedial action plan includes demolition of manufacturing buildings; remedial soil excavations underneath and adjacent to one of the buildings; off-site transportation and disposal of 8,445 tons of soil containing VO and petroleum hydrocarbons
- The project is planned for about 78,000 sq/ft of Class “A” commercial space and associated parking lots. The plan includes the construction of two new 3-story buildings, with a restaurant on the first floor in one of the buildings.
- Anticipated State Tax Revenues to be generated within a ten year period is approximately \$3,127,646. The State Corporate Business Tax based on four new business entities is based on an 8% and ten year reimbursement plan, including income

- tax on proceeds from leasing area is approximately, \$2,368,880.
- Approximately 110-120 temporary construction jobs during remediation and construction phases with approximately 320 permanent jobs with onset of established new business.
 - Metuchen had previously met with Treasury, DEP and the former Commerce Commission with regards to eligibility for the program. The developer was verbally notified of their eligibility for the program, and began to implement the site remediation. This application here is to formalize the reimbursement agreement with the developer.

Anticipated remediation costs: **\$4,170,195**

Recommended reimbursement: **Up to \$1,876,588 (45% of \$4,170,195)**

The Authority received an application for a Brownfield Redevelopment Agreement from **Metuchen I, LLC** requesting the reimbursement of approved remediation costs for a Redevelopment Project. In accordance with the Act, approval of the application by the Authority and the State Treasurer requires finding that the site, the redevelopment project and the clean-up meet statutory economic development and fiscal requirements. Reimbursement under the Redevelopment Agreement is contingent upon the Department of the Treasury (“Treasury”) finding that the Project generates sufficient tax revenue to exceed the reimbursement amount and upon the Department of Environmental Protection (DEP) determination that the remediation costs are eligible under the Act and the Agreement.

Reimbursement starts once the project has been constructed on the remediated site only after eligible costs have been approved by DEP and new tax revenues have been generated. Treasury annually tracks taxes received from the job site and remits reimbursement equal to a percentage of funds collected during the year.

Recommendation:

Authority staff has reviewed the **Metuchen I, LLC** application and finds that it is consistent with eligibility requirements of the Act. Based on the fact that the applicant had already completed a significant portion of the remediation, they are being recommended for a decreased reimbursement percentage of **45%**. Treasury, in reviewing the application, has notified the Authority of the adequacy of the Project’s estimated tax revenues for this award. Therefore, it is recommended that the Members approve the Metuchen I, LLC application and authorize the CEO of the Authority to execute a Brownfield Redevelopment Agreement with Metuchen I, LLC and the State Treasurer.



Caren S. Franzini

Prepared by: Victoria Gaudier

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
BROWNFIELD AND CONTAMINATED SITE
REMEDIATION ACT PROGRAM (BCSRP)
PROJECT SUMMARY
METHUCHEN I, LLC
JULY 14, 2009**

Applicant:

- **Metuchen I, LLC** property located at 675-739 and 700 Middlesex Avenue, Block 71, Lots 37.01 and 37.02, Metuchen, Middlesex County, New Jersey
- Metuchen I, LLC acquired the property from Oakite Products, Inc. (“Oakite”). Oakite manufactured various chemical products for cleaning and treating metal and other composite surfaces. Prior to 1960 the property was owned by Celotex Corporation (“Celotex”), manufacturer of a variety of building siding products including shingles made of an asbestos/cement mixture.
- Site investigations have identified numerous contaminants from the former industrial uses including asbestos containing materials, roofing tar, chlorinated and non-chlorinated volatile organics, base/neutral organics, petroleum hydrocarbons and metal(s) contaminants
- The responsible parties for this contamination, consisting of Oakite products, Inc., Metroval, Inc and its Division Epic Industries, entered into a Remediation Agreement with NJ Department of Environmental Protection (NJDEP) effective November 2, 1988, ISRA Case #'s E88967 and E88996. Subsequent to the cessation of operations by Oakite in 1990, the facility was used for warehousing for a limited time. Under the current NJDEP ISRA cases, the inactive property has been progressing through the remedial action phase since 1995.
- Since acquisition by Metuchen I, LLC, the property has been vacant in preparation for completed remedial actions and future site redevelopment. On January 13, 2000, Metuchen I, LLC received a Certificate of Limited Conveyance (#LD 99003) for Block 69, Lot 125.06.
- Metuchen I, In 2004 the Borough and County of Middlesex filed a Declaration of Taking under the Eminent Domain Statute to condemn one of the parcels of the site for public use. Both lawsuits were settled in 2006, which allowed Metuchen I to move forward with site planning activities and to negotiate with the Borough regarding uses for the property.
- Various discussions between Metuchen I, Commerce and Treasury have taken place over the last 7 years and a Brownfields Redevelopment Interagency Task Force meeting was held on August 7, 2008. Discussion focused on the projects eligibility resulting in Treasury’s recommended that an Addendum Application be submitted to Commerce due to the project’s significant delays from both a development rights perspective (i.e., Condemnations litigation) and change in Borough of Metuchen administration.
- The Borough of Metuchen has given preliminary approval of The Metuchen I, LLC project plan. The Addended application explains the majority of the remediation is complete in accordance with NJDEP requirements and directives under the Industrial

- Site Recovery Act.
- Metuchen I, LLC agreed to complete the remediation of the property and entered into a Remediation Agreement with the NJDEP. Metuchen I, LLC has maintained their innocent purchaser liability defenses pursuant to the Spill Compensation Act (N.J.S.A. 58:10-23.11 et seq.) and the Brownfield and Contaminated Site Remediation Act (“Brownfield Act”; P.L. 1997, Chapter 278).

Programs:

The Brownfield and Contaminated Site Remediation Program (BCSRP). This benefit will be administered as a reimbursement of approved remediation costs based on the collection of applicable taxes from the project site. Total remediation costs eligible for reimbursement are estimated to be up to **\$4,170,195**.

Project:

- The Project Site is approximately is located at 675-739 and 700 Middlesex Avenue in the Borough of Metuchen, Middlesex County, New Jersey
- On November 20, 2008, the developer entered into a Memorandum of Understanding agreement with the DEP and commits the applicant to conduct the remediation in accordance with both the Technical Requirements for Site Remediation, N.J.A.C. 7:26E, and the Department’s comments.
- The developer will be remediating all required areas of concern, which will include soil remediation, soil capping, groundwater investigation and monitoring.
- The total development cost is estimated to be over **\$10,000,000**.

Description of Jobs

- It is anticipated that the Project will create approximately **120** temporary jobs related to the remediation and construction and an estimated **320** permanent jobs related to the operation of the development.

Qualifications:

Metuchen I, LLC qualifies as an applicant for the Brownfield and Contaminated Site Remediation Program (BCSRP), pursuant to N.J.S.A. 58:10B-27, as the entity is not in any way responsible for causing the contamination at the site proposed to be in the redevelopment agreement, and is not a corporate successor to any entity that discharged any contaminant at the site. N.J.S.A. 58:10B-27 further requires the New Jersey Economic Development Authority (“Authority”) to consider seven statutory factors in determining whether or not to enter into a redevelopment agreement, and based upon the following consideration, it is recommended that the Authority enter into a redevelopment agreement:

1. The economic feasibility of the redevelopment project

- The developer's management and construction team has experience with projects of similar scope and nature.
- The Borough of Metuchen is currently reviewing the project's Site Plan and has given preliminary approval.

2. The extent of the economic and related social distress in the municipality

- The Metuchen I, LLC plan to redevelop this site is consistent with goals and objectives of the New Jersey Development and Redevelopment Plan to preserve and enhance urban areas and improve the residential quality of life.
- The Metuchen I, LLC Site Plan is consistent with goals to revitalize deteriorating areas in the portion of the city, reduce blighted areas, and to spur economic growth.

3. The degree to which the redevelopment project will advance State, regional, and local development and planning strategies

- This Redevelopment Project is consistent with state, regional and local development and planning strategies.
- The project comports with Metuchen's Master Plan, the purpose of which is to identify areas, such as the project site, where the redevelopment of commercial, residential and recreational uses endorse ongoing redevelopment activity and promote the creative reuse of underutilized land.
- This project will meet the development objectives by creating new full time jobs, new infrastructure and the remediation of a contaminated site in an urban area.

4. The likelihood that the redevelopment project shall upon completion be capable of generating new tax revenue in an amount in excess of the amount necessary to reimburse the developer for the remediation costs as provided in the redevelopment agreement

- Metuchen's Tax Projection indicates that taxes generated from the project will exceed 45% of the remediation cost estimate, which is projected to be \$3,127,646.
- In accordance with N.J.S.A. 10B-30, Metuchen I Tax Projection Summary indicates the 1% and 3% presumptive tax for the purchase of remediation and construction materials to be \$305,601 (1%) and \$916,803 (3%).
- Four new business units will be created. Business Income Tax will be generated by the leasing portions included in the project. Corporate Business Tax estimate is based on 8% and a ten-year reimbursement plan, and the developer estimates that it will incur income tax on proceeds from leasing and operations in the amount of \$2,368,880.

The relationship of the development project to a comprehensive local development strategy, including other major projects undertaken within the municipality

- The redevelopment project is consistent with the Metuchen I LLC's Site Plan and the comprehensive local development strategy in the Master Plan for the Borough of Metuchen.

5. The need of the redevelopment agreement to the viability of the redevelopment project

- The financial evaluation performed by Metuchen I, LLC during its due diligence of the project included the estimated reimbursement of remediation costs. Factoring in the success of its application regarding obtaining approval in the Brownfields Reimbursement Program was a primary consideration the company's business decision to further invest in New Jersey.
- The Brownfield Reimbursement Program together with Municipal and State support was a critical factor for Metuchen I in determining the successful purchase of the project Site in a competitive real estate market
- Metuchen I LLC has spent more on site remediation than the land is worth as a result of additional/new regulatory requirements and larger than anticipated volumes of contaminated soils (for excavation and disposal)

6. The degree to which the redevelopment project enhances and promotes job creation and economic development.

- The developer projects that the Project will generate approximately 110-120 new temporary jobs in connection with the remediation and construction of the project.
- It is also projected that the operation of the development will create 320 permanent jobs.
- The new office buildings, bank and sportsplex that will occupy the site will generate a new demand for goods and services resulting in new job creation and expansion of the local economy.

Recommended Reimbursement

After completing an independent review of the application, the Treasurer recommends authorizing

Metuchen I, LLC to be eligible for reimbursement of up to **\$1,876,588 (45% of \$4,170,195)**, of approved remediation costs, pending the issuance of a No Further Action Letter (NFA) from the Department of Environmental Protection (DEP).

UEZ/SALEM SALES TAX EXEMPTION



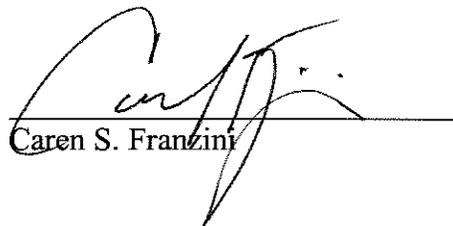
MEMORANDUM

TO: Members of the Authority
FROM: Caren S. Franzini
Chief Executive Officer
DATE: July 14, 2009
SUBJECT: Mannington Mills, Inc.

The members are asked to approve the Salem County Energy Sales Tax Exemption (“STX”) Renewal Application of Mannington Mills, Inc. (“MMI”), a manufacturer that is located in Salem. The estimated annualized STX benefit to MMI is \$500,000.

To qualify for STX, a company must be a manufacturer with a minimum of 50 full-time employees, have 50% of its workforce involved in the manufacturing process and certify that it is not in default with any State program. MMI has 598 employees with 74% involved in the manufacturing process and the Department of Labor and Workforce Development has confirmed that the company is not currently in default.

Approval is recommended for an extension of the STX through March 10, 2010 contingent upon the Division of Taxation confirming that the company is not currently in default.


Caren S. Franzini

Prepared by: Sean V.M. Brady

BOARD MEMORANDUMS



MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

DATE: July 14, 2009

SUBJECT: Centro Comunal Borincano
P15189 \$526,198 CED Loan
P15452 \$764,408 ERB Loan
Aggregate Exposure: **\$1,290,606**

Request:

Consent to modifying the variable interest rate on CED loan equal to WSJ Prime minus 2.0% (currently at 3.0%) to a fixed rate of 3.0% pursuant to EDA's loan pricing model.

Background:

Centro Comunal Borincano Day Care, Inc. ("CCB"), established in 1976, is a 501 c (3) not for profit organization that provides child care services primarily to the Spanish speaking population in the City of Camden. Prior to 2003, CCB operated out of two centers, serving 40 children at North 2nd Street location and 72 children at 4th Street location. The majority of the children were paid for by the State or County funds.

In 2003, CCB decided to expand its total capacity to 205 children and acquired a property located at intersection of South 5th Street and Martin Luther King Jr. Boulevard to construct a 16,000 sf child care center. After construction delays, the facility opened in 2007, but was not fully occupied until September 2008 when the Abbott contract was received. The Abbott contract generates sufficient revenue that allowed the borrower to pay off construction costs overruns and stabilize the cash flow.

Financing for the project included a \$1,200,000 construction loan from PNC Bank, which converted to an \$800,000 permanent mortgage. The financing was supplemented by a \$560,000 second mortgage loan from the Fund for Community Economic Development ("CED"), a \$400,000 loan from New Jersey Redevelopment Authority secured pari-passu with the CED loan, and an \$800,000 from the Economic Recovery Board ("ERB") loan. Approximately

\$531,000 in equity came from grants.

The borrower is requesting to modify the interest rate on the CED loan from variable to fixed to avoid uncertainty about the interest rates in the future, as their income is based upon State contracts which do not increase substantially from year to year.

Recommendation:

Modify the interest rate from WSJ Prime minus 2.0%, adjusted quarterly (currently at 3.0%), to a fixed rate of 3.0%.

A handwritten signature in black ink, appearing to be 'C. H. J.', is written over a horizontal line.

Prepared by: Natalia Nagovsky



MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

DATE: July 14, 2009

SUBJECT: Yeshiva of North Jersey
\$5,250,000 Tax Exempt Bond (P13284)
River Edge Borough, Bergen County

Modification Request:

Consent to a change in the interest rate on the Bond from a fixed rate of 5.04% to a tax exempt equivalent floating rate of LIBOR plus 225 basis points for 3, 7 or 10 years at the Borrower's option. At the end of this "Initial Period" the Bond will be priced at the floating tax-exempt equivalent of one-month LIBOR plus 325% basis points.

Separately, the Borrower and Bank will enter an interest rate swap agreement which will be co-terminus with the Initial Period. At an indicative 10-year swap rate of 4.25%, total annual debt service savings will be approximately \$34,000.

Background:

Yeshiva of North Jersey (Yeshiva) is a not-for-profit private elementary school (pre K – 8th grade) formed in 1939. The school is a non-sectarian educational institution available to anyone regardless of religious affiliation, race or gender.

In August, 2001, the Members approved a \$5,250,000 (P13284) tax exempt bond issue to refinance existing conventional debt for acquisition and subsequent expansion of the existing school facility of approximately 80,000 sq ft on 7.5 acres of land. The Bond was structured with a 25 year term at a fixed rate of 5.70%, with 5 year rate resets, and purchased by Capital One Bank (formerly The Trust Company of New Jersey). *This bond is a conduit financing for which the Authority has no credit exposure.*

Interest is currently fixed at 5.04% with a rate reset on January 1, 2012. In autumn 2008, Capital One Bank and Yeshiva had agreed to modify the rate to the floating tax exempt equivalent of LIBOR + 225 basis points to reduce debt service. While credit markets have tightened and credit spreads have increased, Capital One will stand by its prior verbal agreement for the Initial Period, with a rate increase occurring thereafter.

McManimon & Scotland, Bond Counsel has reviewed this request and opined that the tax-exempt status of the bond will not be affected as a result of this modification.

Recommendation

Approval to change the interest rate from a fixed rate to the tax exempt equivalent of floating LIBOR rate, as described above, is recommended to permit the Borrower to reduce debt service. Authority consent will support a non-profit school in the state.



Prepared by: Nancy C. Meyers



MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

DATE: July 14, 2009

SUBJECT: Cedar Crest Village, Inc.
\$80,695,000 Tax Exempt Variable Rate Demand Revenue Refunding Bonds (P17652)
Pequannock Township, Morris County

Modification Request:

Consent to allowing (i) the redemption of Series 2006A Bonds prior to the Series 2006B Bonds, (ii) the redemption to occur at a time designated by Borrower, (iii) Borrower to increase the amount of Bonds permitted to be redeemed, and (iv) the modification of certain flow of funds provisions in the Indenture needed to facilitate the redemption.

Background:

Cedar Crest Village, Inc. is a 501c (3) not-for-profit entity operating since 2000 as a continuing care retirement community (CCRC).

In November 2006, the Members approved a not-to-exceed \$90,014,000 tax exempt bond issue to enable the applicant to purchase an existing CCRC, fund capital improvements, and to refund EDA's 2001 \$78,905,000 tax exempt bond issue. The Bonds are backed by a Sovereign Bank Letter of Credit ("Credit Facility Provider") and were separated to allow the Borrower to obtain a synthetic fixed rate on the Series 2006B Bonds via an interest rate swap. *This bond is a conduit financing for which the Authority has no credit exposure.*

The Borrower is required under its agreement with the Bank to reduce the amount of Bonds outstanding to equal the value of the facility once improvements were constructed (i.e. LTV of 100%). Currently Bonds are only permitted to be optionally redeemed from certain entrance fee deposits on a pro rata basis between the Series 2006A and 2006B Bonds, in an amount not to exceed \$13,080,000, and on a quarterly basis. The Indenture provides that the approval of the Credit Facility Provider as representative of 100% of the Bondholders is required.

Borrower has requested EDA approval of the following changes to facilitate the redemption and to comply with the Bank agreement:

- 1) Permit the Series 2006A Bonds to be redeemed prior to any Series 2006B Bonds in order avoid affecting the swap on the 2006B Bonds which could include swap breakage fees.
- 2) The quarterly redemption provision will be removed to allow the Borrower flexibility as to the timing of the redemption.
- 3) Given the current economic environment, management expects the facility to appraise at a value lower than anticipated at closing. While the amount of redemption is presently being negotiated, it is certain to exceed the current restriction of \$13,080,000. As a result, the change will provide flexibility to the Borrower not presently provided in the Indenture.
- 4) The Indenture currently specifies how certain Entrance Fees are to be administered by the Trustee for payment of debt service. The indenture will be modified to permit the Trustee to transfer funds not required for debt service to be used for the bond redemption.

McCarter and English, LLP, Bond Counsel has reviewed this request and opined that the tax-exempt status of the Bonds will not be adversely affected as a result of these modifications.

Recommendation

Staff recommends EDA consent to (i) the redemption of Series 2006A Bonds prior to the Series 2006B Bonds, (ii) the redemption to occur at a time designated by Borrower, (iii) Borrower to increase the amount of Bonds to be redeemed, and (iv) the modification of certain flow of funds provisions in the Indenture needed to facilitate the redemption.

A handwritten signature in black ink, appearing to be 'Nancy C. Meyers', is written over a solid horizontal line.

Prepared by: Nancy C. Meyers



MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

DATE: July 14, 2009

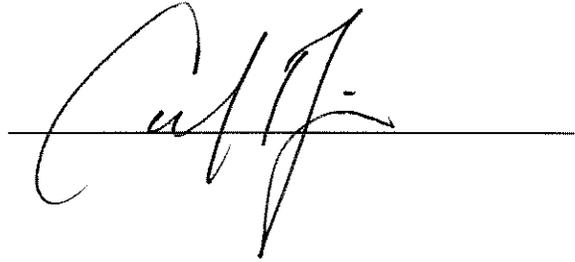
SUBJECT: Business Employment Incentive Program (BEIP) Modifications
(For Informational Purposes Only)

On September 11, 2001 and amended on September 16, 2003, the Members of the Authority approved a delegation of authority to the Chief Executive Officer with the Senior Vice President-Programs or Director-Business and Community Lending to approve certain BEIP modifications. All modifications must be reported to the Members of the Authority on a quarterly basis. Below is a list of all BEIP modifications that were approved in the quarter ending June 30, 2009:

<u>Name</u>	<u>Application #</u>	<u>Modification</u>
Atlantic City Linen Supply, Inc. / ACLS Pleasantville, Inc.	P17357	Added affiliate company, ACLS Wardrobe Inc. to the grant. This is a capped grant; therefore additional job growth is not a concern.
Dietz and Watson, Inc.	P16862	Name change from Dietz and Watson to Black Bear Distribution, LLC. No change in ownership, the number of employees on the grant or the nature of the business.
Linguagen Corp.	P16458	Name change from Linguagen Corp. to Redpoint Bio Corporation. No change in ownership, the number of employees on the grant or the nature of the business. The name was changed because management of Linguagen felt the new name better suited the Company's mission.

<p>Verizon Services New Jersey, Inc. / Verizon Services Corp.</p>	<p>P14286</p>	<p>Decrease in the New Employment Commitment from 160 to 112. The reduction in staff occurred at the company's call center in response to lower call volume resulting from decreased demand for traditional land service and increased competition from other providers during the last 2 years.</p> <p>Decrease in grant award percentage from 65% to 55%.</p>
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Prepared by: C. Craddock



A handwritten signature in black ink, appearing to read 'C. Craddock', is written over a horizontal line.



MEMORANDUM

TO: Members of the Authority
FROM: Caren S. Franzini
Chief Executive Officer
DATE: July 14, 2009
SUBJECT: Delegated Authority Approvals – 2nd Quarter 2009
For Informational Purposes Only

Below is a summary of the Delegated Authority approvals prepared by Portfolio Services during the 2nd Quarter of 2009:

<u>Project Name</u>	<u>EDA Exposure</u>	<u>Action</u>
Just Properties	\$198,298	Extended \$152M participation in the TD Bank loan for 5 years based on a 15 year amortization; consent to the merger of related companies ACP Electrical, Inc. and APC Services, Inc. in exchange for the guarantee of the newly formed ACP Contracting Services, Inc.

Prepared by: Daniel Weick



MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini, Chief Executive Officer

DATE: July 14, 2009

SUBJECT: Projects Approved Under Delegated Authority - **For Informational Purposes Only**

The following projects were approved under Delegated Authority in June 2009:

New Jersey Business Growth Fund:

- 1) 1401 West Chapel LLC and Metro Public Adjustment, Inc. (P27087), is located in Cherry Hill Township, Camden County. Metro was established in 1993 as a public insurance adjuster that currently has 400 property inspectors (100 are in NJ), and 20 field adjusters. 1401 West Chapel LLC is the real estate holding company for the project property. PNC Bank approved a \$340,000 loan with a five-year, 25% guarantee, not to exceed \$85,000. Loan proceeds will be used to purchase the project property. Currently, the company has 100 employees in NJ and plans to create an additional 24 new jobs within the next two years.
- 2) 1602 New Road, LLC (P27077), located in Northfield City, Atlantic County, is a newly formed real estate holding company. Project user, Eurocolour LLC, was established seven years ago as a hair salon. PNC Bank approved a \$416,000 loan with a five-year, 25% guarantee, not to exceed \$104,000. Loan proceeds will be used for a building acquisition, in order to relocate the existing business. The company currently has three employees and plans to create an additional five new positions over the next two years.
- 3) 845 Frelinghuysen LLC and James Alexander Corp. (P27305) is located in Blairstown Township, Warren County. 845 Frelinghuysen LLC was founded in 1999 as a real estate holding company formed to own the project property. The operating company, James Alexander Corp., was founded in 1976 as a well known leader in the field of glass and plastic ampoule filling and sealing, specializing in manufacturing packaging for the pharmaceutical, health and beauty and medical device industries. PNC Bank approved a \$1,867,000 loan with a five-year, 25% guarantee, not to exceed \$466,750. Loan proceeds will be used to refinance an existing mortgage. The company will maintain 66 employees located in NJ.
- 4) American Glass Crafters Inc. or Nominee (P27391), located in Carlstadt Borough, Bergen County, was founded over fifteen years ago as a manufacturer and installer of custom made frameless shower doors, and a seller of glass and hardware parts. PNC Bank approved a \$2,000,000 loan with a five-year, 50% guarantee, not to exceed \$1,000,000. Loan proceeds will be used to purchase property. The company currently has 37 employees.

- 5) Atlantic Pediatric Dentistry or Nominee (P27082), located in Little Silver Borough, Monmouth County, was established in 1998 to provide dental services to children, adolescents, and special needs patients. PNC Bank approved a \$275,000 loan with a five-year, 25% guarantee, not to exceed \$68,750. Loan proceeds will be used to purchase their current location. The company currently has eight employees and plans to create four positions within the next two years.
- 6) Guggino Associates LLC (P27395), located in Cherry Hill Township, Camden County, was formed in 1978 as an insurance agency. PNC Bank approved a \$227,000 loan with a five-year, 25% guarantee, not to exceed \$56,750. Loan proceeds will be used to refinance an existing mortgage to improve cash flow. The company currently has three employees and plans to create an additional two new jobs over the next two years.
- 7) Industrial Machine Corporation and Nominee (P27198), located in Elmwood Park Borough, Bergen County, was established in 1998 as a machine shop specializing in servicing and maintaining production machinery for the food service and packaging industries. PNC Bank approved a \$700,000 loan with a five-year, 25% guarantee, not to exceed \$175,000. Loan proceeds will be used to purchase property. Currently, the company has twelve employees.
- 8) Noonan Industries, LLC (P26851), located in Berlin Township, Camden County, was formed as a real estate holding company for the project property. Project user, The Neon Edge, was founded in 2002 as an automotive parts and accessories store, selling directly to end consumers or wholesale distributors. PNC Bank approved a \$340,000 loan with a five-year, 25% guarantee, not to exceed \$85,000. Loan proceeds will be used to refinance an existing mortgage. The company currently has twelve employees and plans to create an additional four new jobs within the next two years.
- 9) Robert Mortka, or Nominee and Firepower EVR, Inc. (P27007), located in West Deptford Township, Gloucester County, was established in 1997 as a repair and fabrication facility for fire and emergency service equipment in the Tri-State area. They provide roadside assistance, fabrication services, certification testing and vehicle repair. PNC Bank approved a \$315,000 loan with a five-year, 25% guarantee, not to exceed \$78,750. Loan proceeds will be used to refinance an existing mortgage. The company currently has fifteen employees and plans to create two positions within the next two years.
- 10) Scoots Properties, LLC and Property Damage, Inc. dba SERVPRO (P27360) is located in Westville Borough, Gloucester County. Scoots Properties, LLC is a real estate holding company that owns the project property. Property Damage, Inc. was formed in 2006 as a provider of restoration services for real estate damaged by fire and water. PNC Bank approved a \$606,000 loan with a five-year, 50% guarantee, not to exceed \$303,000. Loan proceeds will be used to refinance an existing mortgage. Currently, the company has eleven employees and plans to create an additional seven new positions within the next two years.

NJ Main Street Program:

- 1) 866 Bayway Circle, L.L.C. (P25854), located in Elizabeth City, Union County, was formed in 2005 to purchase the project property. Project user, Laundromat of Bayway, will occupy part of the property as a laundromat facility. Capital One Bank will build its first Elizabeth, NJ branch location on the project property. The NJEDA approved a \$700,000 loan. Loan proceeds will be used for building construction. The company plans to create an additional twelve new jobs within the next two years.
- 2) Imtek, LLC and Imtek of Illinois, Inc. (P26879 and P26892), located in Logan Township, Gloucester County, was formed more than 60 years ago as a provider of marketing, printing and logistics services. Cornerstone Bank has approved a \$300,000 line of credit with a 50% guarantee, not to exceed \$150,000. In addition, Cornerstone Bank has approved a \$300,000 term loan with a \$75,000 (25% participation) and a five-year, 25% guarantee, not to exceed \$56,250. Loan proceeds will be used to refinance existing debt. The company currently has nineteen employees and plans to create an additional six new jobs within the next two years.
- 3) KRF, LLC (P15743), was formed in 2004 for the purpose of acquiring property located on East State Street in Trenton, Mercer County. Related operating company, Kids R First is a preschool formed in 1997 serving 270 Abbott district students, employing 75. In 2004, the borrower purchased the real estate with proceeds from a \$610,400 loan from Roma Federal Savings Bank with a 25% Authority guarantee (expired 5/1/2009) and a \$261,600 LDFP loan with a 5/20 year term. Roma Bank recently approved an extension of the loan for 5 years. Borrower contributed \$26M in equity and EDA approved the refinance of the LDFP loan with a \$211,000 loan for 5 years with a ten year amortization.
- 4) Savona Foods LLC (P26484), located in West Deptford Township, Gloucester County, is an Italian food distributor, servicing pizzerias and restaurants in the South/Central New Jersey and greater Philadelphia metro markets. TD Bank approved a \$750,000 line of credit with a 33% guarantee, not to exceed \$250,000. Loan proceeds will be used as working capital. Currently, the company has 47 employees and plans to create an additional fifteen new positions within the next two years.
- 5) The Neon Edge, Inc. (P26852), located in Berlin Township, Camden County, was founded in 2002 as an automotive parts and accessories store that specializes in performance gauges and pods for the aftermarket auto industry, and sells directly to end consumers or wholesale distributors. PNC Bank approved a \$250,000 term loan with a five-year, 50% guarantee, not to exceed \$125,000. Loan proceeds will be used to refinance existing debt. Currently, the company has twelve employees and plans to create an additional four new jobs within the next two years.
- 6) The Neon Edge, Inc. (P26854), located in Berlin Township, Camden County, was founded in 2002 as an automotive parts and accessories store that specializes in performance gauges and pods for the aftermarket auto industry, and sells directly to end consumers or wholesale distributors. PNC Bank approved a \$250,000 line of credit with a one-year, 50% guarantee, not to exceed \$125,000. Loan proceeds will be used for working capital. Employment numbers are included in P26852.

Preferred Lender Program:

- 1) 9255 Commerce LLC (P27232), located in Pennsauken Township, Camden County, is a newly formed real estate holding company formed to own the project property. The operating company, Sign Spec Inc. designs and manufactures signs, displays and kiosks. TD Bank approved a \$2,100,000 loan contingent upon a \$1,050,000 (50%) Authority participation. Loan proceeds will be used to purchase the project property. Currently, the company has 50 employees and plans to create an additional five new jobs within the next two years.
- 2) ABC Sign Factory, LLC (P26692), located in Newark City, Essex County, is a real estate holding company that was established for the acquisition of the project property. Project user, DCI Signs & Awnings, Inc. is a related company that was formed in 1994 as a commercial sign provider. Capital One Bank approved a \$1,028,000 loan contingent upon a \$258,000 (25.09%) Authority participation. Loan proceeds will be used to purchase the project property. The company currently has ten employees.
- 3) Aiello Realty Holding, LLC (P27084), located in Garfield City, Bergen County, is a real estate holding company that was established for the acquisition of three commercial properties. Project user, Ronic, Inc. d/b/a Venice Bakery was formed in 1991 as a commercial and retail bakery. Sun National Bank approved a \$2,170,000 loan contingent upon a \$759,500 (35%) Authority participation. Loan proceeds will be used to refinance and consolidate debt. The company currently has twenty employees and plans to create an additional five new positions within the next two years.
- 4) Metropolitan Camden Habitat for Humanity, Inc. (P27086), located in Pennsauken Township, Camden County, was founded in 1986 as an affiliate of Habitat for Humanity, International, as an organization that builds and renovates houses for those in need of affordable, decent homes in Camden County. Susquehanna Bank approved a \$558,000 loan contingent upon a \$155,000 (27.8%) Authority participation. Loan proceeds will be used to purchase an existing building. Currently, the company has six employees and plans to create an additional four new jobs within the next two years.
- 5) Paramount Bakeries Inc. and Shraga Zabłudovsky and Linda Kiesel (P26658), located in Newark City, Essex County, was established in 1994 as a commercial bakery for various supermarket chains, including ShopRite. The operating company, Mrs. Zee Realty, LLC, is the related real estate holding company. TD Bank approved a \$2,700,000 loan contingent upon a \$1,250,000 (46.30%) Authority participation. Loan proceeds will be used to refinance existing debt, complete renovations, purchase new equipment and refurbish existing equipment. The company currently has 40 employees and plans to create an additional fifteen new jobs within the next two years.

A handwritten signature in black ink, appearing to be 'S. Mania', is written over a horizontal line.

**DELEGATED AUTHORITY APPROVALS
THROUGH JUNE 30, 2009**

	No. of Projects	Total Project Cost	EDA Exposure
NJ Business Growth Fund	39	\$ 29,059,990.00	\$ 8,938,450.00
Preferred Lender Program	12	\$ 27,266,325.00	\$ 6,844,500.00
NJ Main Street Program	17	\$ 23,641,221.00	\$ 4,342,168.00
Fast Start Direct Loan Program	3	\$ 780,025.00	\$ 726,000.00
Camden ERB	4	\$ 743,529.00	\$ 206,649.00
TOTAL	75	\$ 81,491,090.00	\$ 21,057,767.00

REAL ESTATE



MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

RE: Contract Budget Amendment
Greystone Park Psychiatric Hospital

DATE: July 14, 2009

Summary

I am asking the Members to amend the budget for the Greystone Park Psychiatric Hospital project to increase the contract for Architectural/Engineering (A/E) services to accommodate additional work requested by the Department of Human Services (DHS).

Background

At the August 13, 2002 meeting of the Authority, the Members approved the award of a contract to Vitetta Group Incorporated as the prime A/E firm for this project. Subsequently, DHS requested that the Authority employ additional technical and clinical consulting services in order to advance the design and construction of the additional capital improvements, and to effectuate the occupancy and use of the new and technologically improved clinical facilities. These improvements and consulting services were requested subsequent to the original award of the A/E and construction contracts.

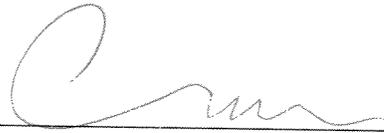
At the September 2008 Board meeting, the Real Estate Division requested that the Torcon and Vitetta contract budgets be increased utilizing Project Funds in order to accomplish the additional services requested by DHS. The clinical services included an extensive analysis of the new technological, architectural and clinical advances associated with the design of the new hospital facility, and a gap analysis to determine the new educational programs and training which the hospital personnel were required to undertake in order to adapt and function in the new facility. The Board approved the increase to the Torcon contract budget but it was decided additional review was required to increase Vitetta's contract budget for the portion of the additional services performed by Vitetta's clinical subconsultant, and the associated funding in the amount of \$745,000.

The review of the procurement is now complete. The subcontracted clinical consulting services were successfully completed, enabling the hospital staff and patients to occupy the new facility in July 2008.

The portion of Project Funding, \$745,000, to accomplish these services will be added to the Vitetta contract budget, thereby increasing Vitetta's budget from \$10,898,000 to \$11,643,000. Funding for these additional costs are available from two sources: contingency funds contained in the \$199.8 million Construction Fund, which was approved by the Members in August 2005, and from interest earnings on the Construction Fund account. No Authority funds will be utilized to fund these additional costs. Bond counsel for the project was consulted and had advised HCFFA, DHS and the Authority that bond interest may be used for these purposes and that all of the uses of funds are permitted Project Costs under the bond documents.

Recommendation

In summary, I am requesting the Members' approval to increase the Vitetta contract budget to \$11,643,000 as requested by the Department of Human Services utilizing contingency and interest earnings from the project Construction Fund. No Authority funds will be utilized to fund these additional costs.



Caren S. Franzini

Prepared by: Thomas P. Catapano
Senior Project Officer

**GREYSTONE PARK PSYCHIATRIC HOSPITAL
CONSTRUCTION FUND BUDGET - AMENDED JULY 2009**

<u>I. Improvements</u>	<u>Amended</u>	<u>Original</u>
1. Demolition - Mazzocchi Contract	\$ 7,715,000	\$7,865,000
2. Construction - Torcon Base Contract	159,472,000	159,472,000
3. W.W. Treatment Plant - Utilities	500,000	500,000
4. Environmental	1,000,000	1,000,000
5. Roadways - Renda Roads Contract	3,593,100	3,952,000
6. Public Art	600,000	600,000
7. Miscellaneous Improvements	2,053,900	500,000
8. Pond Improvements	595,000	0
9. Warranties and Service Agreements	650,000	0
10. Utilities	982,000	0
11. Contingency	10,346,000	7,886,000
Subtotal	187,507,000	181,775,000
<u>II. Consulting</u>		
1. Architect/Engineering - Base Contract Fee	8,400,000	8,400,000
2. Misc. Planning & A/E	1,550,000	1,550,000
3. CM Fee - Preconstruction Phase	650,000	650,000
4. Contingency	1,722,000	530,000
Subtotal	12,322,000	11,113,000
<u>III. Administration</u>		
1. Administration Fees	5,844,000	5,566,000
2. Permits	500,000	500,000
3. Insurance	500,000	500,000
4. Miscellaneous	300,000	300,000
5. Contingency	60,000	60,000
Subtotal	7,204,000	6,926,000
Grand Total - Construction Funds	207,033,000	199,831,000

Notes: This budget includes 450 new beds plus 10 Cottages.

This budget excludes bond transaction, issuance and finance costs.

This budget includes \$595,000 fund transfer from Treasury for Pond Improvements.

This budget includes \$6,607,000 allocation from net interest earnings from Construction Fund account on deposit.

MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

RE: Memorandum of Understanding and Feasibility Budget
Purchase and Rehabilitation of 520 Broad Street, Newark

DATE: July 14, 2009

Summary

The Members are asked to approve a Memorandum of Understanding (“MOU”) to facilitate the acquisition and rehabilitation of 520 Broad Street, Newark (the “building”) to serve as a state office building (“SOB”) for approximately 2,500 state employees (hereinafter the “Project”). Under the pre-acquisition services included in this MOU with Treasury, the Authority will obtain an appraisal, a title report, and assist in the supervision of an engineer engaged by Treasury to prepare a building assessment report and rehabilitation estimate for the Project. Accordingly, I am requesting the Members’ approval to enter into the MOU and to establish a feasibility budget to advance the Project.

Background

At Treasury’s request, EDA recently completed a preliminary analysis of acquiring, financing, and rehabilitating the building to serve as a SOB; the building is approximately 494,000 SF and includes 800 parking spaces in a separate garage structure. The preliminary analysis confirms that EDA can acquire, rehabilitate, and finance the building at a cost that is less than the state’s projected occupancy costs for older, leased space.

Based on EDA’s analysis, Treasury has requested that the Authority investigate acquiring and rehabilitating the building using a capital lease to underwrite lease revenue bonds that would be issued by the Authority.

Under this MOU, the Authority will provide the following services:

- Pre-Acquisition Services. The Authority will obtain an appraisal and title report, and assist in the supervision of the engineering consultant engaged by DPMC to prepare the building assessment report and rehabilitation estimate.
- Acquisition Services. After completion of the building assessment and rehabilitation estimate and upon approval of the project by Treasury, the Authority's Board, and the State Leasing and Space Utilization Committee, the Authority will complete acquisition due diligence (e.g., full title, updated appraisal, survey, environmental), and acquire the building.
- Post-Acquisition and Rehabilitation Services. The Authority will prepare a basis of design, construction documents, and rehabilitate the building.

To this memorandum I have attached the following:

- Proposed MOU between the Authority and Treasury. The MOU between Treasury and the Authority outlines the tasks to be performed by the Authority in further assessing the Project's feasibility. The attached MOU is in substantially final form. The final document may be subject to revision, although the basic terms and conditions will remain consistent with the attachment. The final terms of the MOU will be subject to the approval of the Chief Executive Officer and the Attorney General's Office, as well as, Treasury.
- Proposed feasibility budget in the amount of \$11,000. The budget, which will be funded by Treasury, will cover the Authority's pre-acquisition costs associated with title and appraisal services for the proposed Project.

Recommendation

In summary, I ask for the Members' consent to enter into Memorandum of Understanding with Treasury generally consistent with the form attached, and to establish a feasibility budget funded by Treasury in the amount of \$11,000, to advance the Project, subject to the approval of the Attorney General's Office.



Caren S. Franzini
Chief Executive Officer

Attachments

Prepared by: David E. Nuse
Juan Burgos

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") dated the ____ day of _____, 2009, will confirm the mutual understanding and intention between the New Jersey Department of the Treasury, Division of Property Management & Construction ("DPMC") and the New Jersey Economic Development Authority ("EDA") regarding the facility assessment study, basis of design, bond financing, design, acquisition, and rehabilitation of certain facilities for DPMC. DPMC and EDA are collectively referred to herein as the "Parties."

At DPMC's request, EDA recently completed a preliminary analysis of acquiring, financing, and rehabilitating 520 Broad Street, Newark, New Jersey ("building"), to serve as a state office building ("SOB"); the building is approximately 494,000 SF and includes 800 parking spaces in a separate garage structure. The analysis indicated that EDA can acquire, rehabilitate, and finance the building at a cost that is less than the state's projected occupancy costs for leased space. The financing, acquisition, and rehabilitation of the building are referred to herein as the "Project."

The Parties enter into this MOU as an inter-department governmental agreement pursuant to N.J.S.A. 52:14-1, et. seq.

1. **DPMC's Role and Responsibilities.** DPMC will be responsible for performing the following tasks under this MOU:
 - a. Engage the professional(s) to perform the facilities assessment study;
 - b. Pay the engaged professional that performs the facilities assessment study;
 - c. Fund the Deposit, held by EDA, to pay for the costs related to the Pre-Acquisition Services engaged by EDA.
 - d. Provide information, as requested by EDA, to complete the Facility Assessment Study and Basis of Design.
 - e. Perform other tasks as identified by the Parties to assist in the completion of the Facility Assessment Study.
 - f. Facilitate the move of state employees into the rehabilitated building
 - g. Fund the fixtures, furniture and equipment not included in the total project costs.
 - h. Approve the Project's:
 - i. Facility Assessment Study
 - ii. Basis of Design and budget
 - iii. Acquisition price
 - iv. Rehabilitation drawings and specifications

- v. Sources and uses statement, and
 - vi. Rehabilitation budget.
 - i. Seek State Leasing and Space Utilization Committee approval.
2. **EDA Role and Responsibilities.** EDA will be responsible for the following tasks under this MOU:
- a. Contractors and Consultants. It is agreed that EDA may retain and enter into agreements and contracts with consultants and contractors (including other State agencies) to assist EDA in connection with the Project. To the extent allowable and consistent with applicable selection procedures, the Parties will jointly approve the selection of all consultants and contractors prior to contract execution. DPMC authorizes EDA to select and engage consultants and contractors for the Project and, subject to availability of sufficient funding, further authorizes such consultants and contractors to begin and complete work under the direction of EDA. Any and all contracts with consultants or contractors entered into by EDA in connection with the Project shall be advertised, solicited and selected by EDA in accordance with applicable procurement requirements. The general terms and conditions of such contracts shall be consistent with agreements typically entered into by EDA and shall provide for the termination by EDA, in consultation and with the consent of DPMC at any time. It is the intention of the Parties that EDA, in consultation and with the consent of DPMC, shall contract for design and pre-construction consulting services upon the approval of the building's acquisition and rehabilitation bond financing.
 - b. Pre-Acquisition Services. The EDA will assist DPMC to supervise the professional that will prepare a facilities assessment study of the building. The scope of the study is included in the solicitation prepared by DPMC, and is attached as Exhibit B to this MOU. In addition, EDA will obtain an appraisal and title search of the property.
 - c. Acquisition Services. Upon receipt of the Facility Assessment Study, the appraisal, and title search, EDA will revise its analysis and provide a recommendation to DPMC whether to proceed with the Project. Should DPMC elect to proceed, EDA will, subject to approval of its Board:
 - i. Complete further acquisition due diligence
 - ii. Negotiate a contract of sale, subject to funding
 - iii. Cause bond counsel to prepare a financing lease and related

- documents
 - iv. Retain architectural/engineering and construction management firms
 - v. Issue tax exempt bonds to finance the purchase and rehabilitation of the building, and
 - vi. Upon DPMC and EDA jointly negotiating the sales terms and conditions with the property owner(s), and receiving all necessary approvals and bond financing, EDA will acquire the building.
- d. Post-Acquisition Services. The EDA will prepare a Basis of Design (“BOD”). The objective of the BOD will be to produce a basis of design cost estimate, preliminary sources and uses statement, and a schedule for the Project. The BOD will include the following:
- i. Project Schedule. The BOD will include an estimated project schedule that includes permitting and any necessary approvals, construction start, construction completion, and placed-in-service/ continuation of use during the rehabilitation.
 - ii. Preliminary Project Budgets. The BOD will include a preliminary sources and uses statement and construction cost estimate. The final sources and uses statement and construction estimate will be prepared during the Rehabilitation Services Phase of the Project.
- e. Rehabilitation Services. Upon acquiring the building, EDA will proceed with rehabilitation design plans and specifications, and the rehabilitation of the Project (“Rehabilitation Services”). Rehabilitation Services will include, but not be limited to, the following:
- i. Preparing the rehabilitation drawings and specifications
 - ii. Preparing the final construction estimate and sources and uses statement, and
 - iii. Obtaining all necessary permits and approvals
Supervising the rehabilitation.
- f. Additional Services. Performing any additional work that is not anticipated by the construction documents, financing lease or related documents, and that is necessary to complete the Project after the additional work is requested and approved by DPMC.
3. Joint DPMC/EDA Responsibilities. Concurrently with EDA’s Pre-Acquisition Services, DPMC and EDA will jointly engage in negotiations with the property

owners(s) for the purpose of reaching agreement over sales terms and conditions, that will be subject to the completion of due diligence, approval of the State Treasurer and the EDA Board, and obtaining financing.

4. **Pre-Acquisition Services Budget.** DPMC has provided EDA with \$11,000 to fund estimated Pre-Acquisition Services expenses (the "Deposit") as set forth on Exhibit "A" attached hereto. EDA believes that the Deposit is sufficient to fund Pre-Acquisition Services Phase expenses. In the event that Pre-Acquisition Services expenses actually expended or incurred in connection with the Pre-Acquisition Services are less than the estimated expenses, the balance of the Deposit shall be refunded to DPMC upon completion of the Pre-Acquisition Services. In the event EDA anticipates expending or incurring Pre-Acquisition Services expenses that will exceed the balance of the Deposit, EDA may submit a supplemental requisition request to DPMC, with appropriate documentation, which, subject to appropriation, shall be paid by DPMC to EDA within thirty (30) days of any such request.

5. **Compensation and Payment.**

a. **EDA's Fees and Expenses.**

- i. **EDA Services.** For providing the services as outlined in Section 2 above, EDA's fee will be three percent (3%) of the total Project costs.
- ii. **Additional Services.** EDA's Fee for additional services requested by DPMC during and after rehabilitation will be governed by the fee schedule established in Section 5.a.i. above.
- iii. **Fees and Expenses Exclude Bond Related Fees and Expenses.** The fees and expenses included in this MOU are in addition to any fees and expenses related to EDA issuing the bonds for the Project; fees and expenses for issuing the bonds are governed by EDA's bond application process and applicable laws or regulations.
- iv. **Expenses.**
 1. **Pre-Acquisition Service Expenses.** DPMC shall pay the actual cost, with no mark-up, except for EDA's fee, of EDA's expenses for Pre-Acquisition Services, which include, but are not limited to: EDA's consultant costs, out-of-pocket expenses and costs, and any incidental costs actually expended or incurred by EDA in connection with the Project.

2. Acquisition, Post-Acquisition, Rehabilitation, and Additional Services Expenses. Subject to a bond closing, DPMC shall pay the actual cost, with no mark-up, except for EDA's fee, of EDA's expenses for Acquisition, Post-Acquisition, Rehabilitation and Additional Services, which include, but are not limited to: EDA's consultant costs, out-of-pocket expenses and costs, and any incidental costs actually expended or incurred by EDA in connection with the Project.

b. Payment Terms of EDA's Fees and Expenses.

- i. Pre-Acquisition and Acquisition Services. Upon EDA acquiring title to the building, the three percent (3%) of the acquisition and related costs shall be paid.
- ii. Post-Acquisition and Rehabilitation Services. Ten percent (10%) of the Post-Acquisition and Rehabilitation Services fee shall be paid upon the bond closing (or series issuance) that will fund the Project's acquisition and rehabilitation. The remaining portion of the Post-Acquisition and Rehabilitation Services fee shall be paid according to the percentage of Project completion included in the draw requests for either post-acquisition or rehabilitation services.
- iii. Additional Services. This fee shall be paid according to the percentage of completion of the Additional Services requested or as outlined in the agreements governing the leasehold interest or any amendments thereto.
- iv. Expenses. On a monthly basis, EDA will provide DPMC with an itemized expense report setting forth the date of the expense, the vendor, the amount and the purpose of each expense as well as such other and further information DPMC may reasonably request.
- v. Deposit. The Deposit will be used by EDA to pay for EDA's expenses for Pre-Acquisition Services. In the event that the Deposit is insufficient to pay for the expenses, EDA will submit a requisition as permitted under Section 4.

6. **Bond Financing.**

- a. Approval of Financing. The Parties understand that EDA's issuance of bonds for the Acquisition, Post-Acquisition, and the Rehabilitation Services Phases will be subject to the approval of the State Treasurer (or designee) and EDA's Board Members in their sole discretion, a favorable opinion of bond counsel, and market conditions (the "Project Approval"). Nothing contained herein shall be construed as an agreement or indication of intent on the part of any party hereto that EDA shall proceed to sell or issue bonds by competitive or negotiated sale, via public offering or private placement to the extent that no assurance can be given that the State Treasurer or EDA's Board Members will authorize the issuance of bonds to finance the Project.
- b. Lease Revenue Bonds. If the Project proceeds to the Acquisition, Post-Acquisition, and the Rehabilitation Services Phases, the Parties intend that EDA will enter into a capital lease with the Department of the Treasury ("Treasury") for the financing of the Project through lease revenue bonds, with Treasury's lease payments to equal the debt service on the bonds, and that EDA acquire and rehabilitate the Project. DPMC and EDA agree that, upon expiration of any such lease term and certification by the trustee that all of the bonds have been paid in full, EDA will convey the SOB to Treasury for nominal consideration.
- c. Bond Issuance Not Governed by MOU. This MOU does not govern the terms and conditions under which EDA will issue bonds for the Project.

7. **Additional Provisions.**

- a. Environmental Liability. It is expressly understood that this MOU and all subsequent, associated agreements will not obligate EDA to incur any liability for any known or unknown pre-existing environmental conditions on the Project Site.
- b. Sufficient Funds. It is agreed that nothing in this Memorandum of Understanding shall obligate or require EDA to enter into or continue any agreement or contract for the Project or to expend EDA personnel time or other administrative costs for the Project unless sufficient funds are readily available to EDA for expenses and Fees that would be incurred in connection with the Project. EDA shall at all times have the right to terminate or discontinue any agreement, contract or work for the Project if EDA

- determines that sufficient funds are not readily available to EDA for the expenses and Fees that would be incurred in connection with the Project.
- c. Right of Entry. EDA's agreement to perform the Pre-Acquisition Services is subject to the building owner granting a right of entry to EDA, its employees, officers, agents, consultants and contractors access to all portions of the Project.
 - d. Document Approvals. This MOU is not intended to create a binding agreement to acquire property, design or rehabilitate the Project, or obtain bond financing unless and until final forms of documents have been approved by the EDA Board, the State Leasing Space Utilization Committee and the Department of the Treasury and executed and delivered by the Parties.
 - e. Other Approvals. Each Party will obtain all applicable governmental approvals, permits, and authorizations necessary to effectuate their respective responsibilities under this MOU.
 - f. Commencement and Duration. Subject to receipt of the Deposit in accordance with the Pre-Acquisition Services Budget, this MOU will commence immediately upon execution by the Parties. Unless terminated earlier, this MOU shall remain in effect for three (3) years from the date and year first written above, and may be amended by a writing executed by the Parties.
 - g. Amendments. This MOU may be amended in a writing executed by the Parties.
 - h. Termination. Any Party shall have the right to terminate this Memorandum of Understanding upon written notice to the other party. Upon termination, EDA shall make reasonable efforts not to incur any additional expenses or administrative costs; provided, however, EDA shall be permitted to continue to use the Deposit and any supplemental amounts subsequently requisitioned to pay for any expenses or fees actually incurred in connection with the Project.
 - i. Notices. All notices required to be served or given hereunder shall be in writing and will be deemed given when received by personal delivery, by an overnight delivery service which issues a receipt from delivery, or three business days after having been mailed by certified mail, return receipt requested, and addressed as follows:

If to EDA: New Jersey Economic Development Authority
36 West State Street
P.O. Box 990
Trenton, New Jersey 08625-0990
Attention: David E. Nuse, Director
Real Estate Division

If to DMPC: Department of Treasury
Division of Property Management & Construction
33 W. State Street
Trenton, New Jersey 08625-0990
Attention: Steven Sutkin, Director
Division of Property Management & Construction

- j. Good Faith. Each of the Parties will act with reasonable diligence and in good faith for the purpose of satisfying the conditions set forth herein. However, this MOU is not intended to create a binding agreement to begin or complete the Acquisition, Post-Acquisition, or Rehabilitation Service Phase or undertake the acquisition or rehabilitation of the Project unless and until: Project Approval is obtained, sufficient bonds are issued, and the Parties agree to proceed with the Acquisition, Post-Acquisition and the Rehabilitation Services Phases in accordance with Section 2 of this MOU, and final forms of documents have been approved by EDA's Board and the State Treasurer, in their sole discretion, and executed and delivered by both Parties.
- k. Titles and Headings. Titles and headings are included for convenience only and shall not be used to interpret the MOU.

[INTENTIONALLY LEFT BLANK]

The foregoing correctly reflects the Parties' understanding and intent.

IN WITNESS WHEREOF, the Parties have caused this Memorandum of Understanding to be duly executed and delivered as of the date and year first above written and by so executing, represent and warrant they have the authority to do so.

STATE OF NEW JERSEY
DEPARTMENT OF TREASURY
DIVISION OF PROPERTY
MANAGEMENT & CONSTRUCTION

Attest

By: _____
Steven Sutkin
Director

NEW JERSEY ECONOMIC
DEVELOPMENT AUTHORITY

Attest
David. E. Nuse, Director
New Jersey Economic
Development Authority
Real Estate Division

By: _____
Caren S. Franzini
Chief Executive Officer

The foregoing document has been reviewed and approved as to form.

Attorney General of New Jersey

By: _____
Edward G. Pillsbury, Deputy Attorney General

EXHIBIT "A"

ESTIMATED PRE-ACQUISITION SERVICES BUDGET

Item	Amount
Appraisal	10,000
Title	1,000
Total	11,000

EXHIBIT B

FACILITY ASSESSMENT STUDY SCOPE OF WORK

IDT Facility Assessment Study

The NJEDA and DPM&C are soliciting the services of an engineering consultant(s) to inspect and evaluate the condition of the existing IDT Building and associated parking structure. This will include a full building assessment that will assist NJEDA and Treasury in their evaluation to purchase the building. This study will evaluate the Building's HVAC and MEP systems to enhance system efficiency and to reduce annual operation and maintenance cost, building code assessment, elevator analysis, etc. This study is intended to provide a first step at evaluating the condition of the building and its systems, including life expectancy, performance and code related issues. In regards to life expectancy, major systems with life spans less than 5 years and others less than 10 years shall include rough estimates for replacement costs.

The IDT Building is located at 520 Broad Street in Newark. It is roughly a 500,000 square foot building (outside dimension includes mechanical space) with 20 floors and an 800 space parking garage. The building has a gym (including a pool) located in the lower level and a state-of-the-art conference suite located on the 17th floor. The State is researching/evaluating the option of purchasing the building and moving in approximately 2,000 of its employees located in the Newark area. AutoCAD floor plans and other documentation exist (see attached list) and will be provided to the awarded consultant. The State, if it proceeds with the purchase, will be renovating the interior fit out for the majority of all floors to maximize the occupancy rate of each floor to approximately 1 person per 200 square foot and anticipated costs estimates have already been completed for this need. The engineering consultant(s) will work with staff from the NJEDA Real Estate Division, DPM&C and the current ownership representatives in the evaluation. The Services will include the following tasks:

Facility Assessment Study

The primary objective of this project is to conduct a Facility Assessment Study of the IDT Building. The study shall evaluate the interior and exterior components of the building, operating systems, and the parking garage. The consultant shall utilize and include (if available) an evaluation of the current and past maintenance/repair and operations practices for the building as part of this study. The following are areas of study that should be included, but not limited to:

Building

- Façade condition (including any parapet walls)
- Roof (age, condition and life expectancy)
- Windows (condition and payback to replace with thermal insulated units)
- Sidewalks and any area accessible to foot traffic

- Floor Loads (can high density files be placed on floors above grade)
- ADA accessibility
- Life Safety*, health and code evaluations

Operating Systems

- Mechanical Systems (age, condition, life expectancy, distribution and ability to meet current standards for fresh air if floors occupancies are maximized)
- Electrical Distribution Systems (current condition and ability to handle electrical requirements if floors are fully maximized for staff)
- Elevators (useful life and costs for replacements or upgrades if needed)
- Water Distribution Systems (sprinklers, water towers, identify lines sizes, flows and pressures to determine if it will meet the future demand and usage)
- Security System (useful life and costs for replacements or upgrades if needed)
- Electronic Fire Protection System (identify type, age and manufacture of major components and if installation meets the current codes)
- Energy Management System (time clocks for lighting, mechanical setbacks for nights and weekends, motion switches for offices and fuel sources utilized)
- Emergency Power Distribution (generators condition, age and useful life and what is powered by it)
- Environmental issues in regards to boilers and stack emissions per Title 5

Parking Garage

- Condition of parking surface
- ADA accessibility
- Preliminary structural inspection
- Accessibility into and out of the garage

Submission

Based on the Facility Assessment Study findings, the consultant shall prepare a report identifying the above major categories and results of the investigations. Based on current building maintenance records and the evaluation of the life expectancy, recommendations and rough cost estimates should be provided if it's deemed the replacement/repair is recommended due to energy cost savings and useful life has been exhausted. These elements should be evaluated again utilizing an immediate (under 5 years) and future (under 10 year) scenarios. No estimated cost are required for items having a life expectancy and/or do not anticipated to need to be replaced or have major repairs greater than 10 years. A single copy of the draft report is required to

be submitted to DPMC upon 50% completion (1 month) to ensure that the study and recommendations final submission is in the format acceptable to both NJEDA and DPMC. Final submittal shall be provided 2 months after receipt of contract to DPMC and shall consist of five (5) sets of the Facility Assessment Study and the recommendations/cost estimates as requested above.

*The State is already in receipt of an Asbestos Report. Based on the age of the building it is assumed that lead paint is present. If the State proceeds with the purchase, a separate contract to evaluate and remedy these occurrences will be issued to an environmental consultant.



MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

RE: Parking Lease Amendment

DATE: July 14, 2009

Summary

At the July meeting of the Authority, I will seek your approval to lease additional parking spaces for the Authority's use in the Barnes Street lot in Trenton.

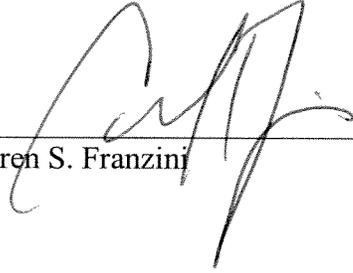
Background

The Authority currently leases 170 parking spaces in Trenton from State Street Square Partners-III. Forty of the spaces are allocated to the New Jersey Schools Development Authority, which reimburses us on a monthly basis for their spaces. The remaining 130 spaces are used by Authority staff. Upon the move of the BRAD Call Center to 36 West State Street this summer, the Call Center's 10 employees will require parking. Consequently, we are recommending the lease of 10 additional spaces, which would allow NJEDA and NJSDA to be the sole occupants of the Barnes Street lot. The additional spaces are available at the market rent of \$115/space/month running through June 30, 2010, at which time our lease for 80 of the 180 total spaces will be renegotiated. Our original parking lease covering 100 spaces runs through 2018.

The attached form of Seventh Amendment to Parking Lot Lease Agreement is in substantially final form. The final document may be subject to revision, although the basic terms and conditions will remain consistent with the attachment. The final terms of the extension agreement will be subject to the approval of the Chief Executive Officer and the Attorney General's Office.

Recommendation

In conclusion, I am requesting the Members' approval to enter into this Seventh Lease Amendment with State Street Square Partners-III on terms generally consistent with this memorandum.


Caren S. Franzini

Attachment

Prepared by: Diane Wong

**SEVENTH AMENDMENT TO PARKING LOT
LEASE AGREEMENT**

This Seventh Amendment to Parking Lot Lease Agreement made this ____ day of July, 2009, between State Street Square Partners-III, a New Jersey general partnership, with an address of 50 West State Street, Suite 112, Trenton, New Jersey 08607 ("Landlord") and New Jersey Economic Development Authority with an address of Box 990, Trenton, New Jersey 08625-0990 ("Tenant").

BACKGROUND

Landlord and Tenant are parties to a Parking Lot Lease Agreement dated October 31, 1997 ("Agreement"), as amended by Amendment to Parking Lot Lease Agreement dated December 1, 2000 (the "First Amendment"), by Second Amendment to Parking Lot Lease Agreement dated December 11, 2001 (the "Second Amendment"), by Third Amendment to Parking Lot Lease Agreement dated June 28, 2002 (the "Third Amendment"), by Fourth Amendment to Parking Lot Lease Agreement dated August 30, 2004 (the "Fourth Amendment"), by Fifth Amendment to Parking Lot Lease Agreement dated September 5, 2007 (the "Fifth Amendment"), and by Sixth Amendment to Parking Lot Lease Agreement dated March 27, 2009 (the "Sixth Amendment"), covering a parking lot located on Hanover Street, City of Trenton, New Jersey.

AGREEMENT

For good and valuable consideration, Landlord and Tenant agree as follows:

1. Landlord does hereby lease to Tenant and Tenant does hereby rent from Landlord the right to park an additional 10 cars in Lot C for a term beginning August 1, 2009 and ending June 30, 2010, and thereafter from month to month (subject to sooner termination pursuant to paragraph 6 of the Agreement). Parking spaces shall be used and occupied only and for no other purpose than parking for Tenant, its employees and invitees.
2. Tenant covenants and agrees to pay Landlord as Rent for and during the term hereof, the sum of \$ 115 per month per parking space for the period of August 1, 2009 to June 30, 2010 (the "Rent"). Rent is payable on the first of each month during the term hereof to Landlord at the address set forth above. Unless Tenant is exempt, Tenant shall also be responsible for any sales taxes payable on such parking.
3. All of the terms and conditions of the Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment, as amended by the terms hereof, shall continue in full force and effect and the same are hereby ratified, confirmed and approved.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals or caused these presents to be executed by their proper corporate officers and their proper corporate seal affixed hereto, as of the date first above written.

LANDLORD:
STATE STREET SQUARE PARTNERS-III,
a New Jersey General Partnership

By: State Street-III, L.P., a New Jersey limited
partnership, a general partner

By: Aegis State Street Partners, Inc., a New Jersey
partner

By: _____

TENANT:

NEW JERSEY ECONOMIC DEVELOPMENT
AUTHORITY

By: _____

MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

RE: Retail Lease Amendment – S & P Donuts
Renaissance Place at Trenton Office Complex

DATE: July 14, 2009

Summary

At the July meeting of the Authority, I will seek your approval to grant S & P Donuts, a current tenant at the Trenton Office Complex's retail space, three consecutive renewal options of five (5) years each in addition to the 5-year extension it is presently exercising.

Background

Pursuant to the guidelines of the Capital City Redevelopment Corporation, the Authority included 23,000 square feet of ground floor retail space within the Motor Vehicles Services building on East State Street. As part of our sublease agreement with the New Jersey Department of the Treasury, the Authority has installed all necessary improvements and marketed this space to retail and professional office tenants.

S & P Donuts, a Dunkin Donuts franchise, presently occupies 1,350 square feet in Renaissance Place. S & P Donuts exercised its Second Renewal Term option to renew its current Lease, which expires on December 31, 2010, for an additional term from January 1, 2011 through December 31, 2015. In addition, S & P Donuts has also requested an option to renew for an additional three consecutive periods of five year terms. Future increases would be based on the calculations as referenced in the original Lease. S & P Donuts has performed in accordance with the terms of its existing Lease.

The attached form of Second Lease Term Extension Agreement is in substantially final form. The final document may be subject to revision, although the basic terms and conditions will remain consistent with the attachment. The final terms of the extension agreement will be subject to the approval of the Chief Executive Officer and the Attorney General's Office.

Recommendation

In conclusion, I am requesting the Members' approval to enter into this Second Lease Term Extension with S & P Donuts at the Trenton Office Complex on terms generally consistent with this memorandum.


Caren S. Franzini

Attachment

Prepared by: Diane Wong

SECOND LEASE TERM EXTENSION AGREEMENT

THIS SECOND LEASE TERM EXTENSION AGREEMENT, made as of the ____ day of _____, 2009 (this "SECOND LEASE TERM EXTENSION AGREEMENT") is by and between S & P DONUTS, LLC. ("TENANT"),

and

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY, a public body corporate and politic established by Chapter 8 of the Laws of New Jersey, 1974 (N.J.S.A. 34:1B-1 et seq.), whose address is 36 West State Street, PO Box 990, Trenton, New Jersey 08625-0990 ("LANDLORD").

WHEREAS, the Dozen Donuts, Inc., as TENANT and LANDLORD entered into a certain Lease Agreement made as of March 1, 1995, (the "ORIGINAL LEASE"); and

WHEREAS, the ORIGINAL LEASE was amended by that certain "Amendment to Dozen Donuts Lease Agreement" dated November 2, 1995 and that certain "Second Amendment to Dozen Donuts Lease Agreement" dated December 9, 1997 (the "ORIGINAL LEASE, as thus amended, the "LEASE"); and

WHEREAS, by Modification and Assignment of Lease (the "MODIFICATION") dated March 12, 1998, Dozen Donuts, Inc. assigned its right, title and interest in the LEASE to Mannar Management Corp.; and

WHEREAS, by Assignment and Assumption of Lease (the "ASSIGNMENT") dated July 20, 2001, Mannar Management Corp assigned its right, title and interest in the LEASE to S & P Donuts, LLC, as assignee; and

WHEREAS, by Lease Term Extension Agreement dated September 17, 2004, the Lease Term of the Lease was extended for a period beginning on January 1, 2006 and ending on December 31, 2010 (the "LEASE TERM EXTENSION AGREEMENT").

WHEREAS, the TENANT and the LANDLORD wish to extend the term of the Lease; and

NOW, THEREFORE, in the joint and mutual exercise of their powers, and in consideration of the mutual covenants herein contained, the parties amend the Lease as follows:

1. Lease Term. The Lease Term of the Lease shall be extended for a period beginning on January 1, 2011 and ending on December 31, 2015 (the "SECOND EXTENDED LEASE TERM").

2. Fixed Minimum Rent. During the Second Extended Lease Term, TENANT shall pay to LANDLORD Fixed Minimum Rent as follows:

<u>Period</u>	<u>Fixed Minimum Rent</u>	<u>Monthly Minimum Rent</u>
Lease Years 16-20	\$ 24,097.50 per year	\$ 2,008.13

3. Additional Lease Term Renewal Options: Subject to the terms set forth below, in addition to the renewal exercised in this Second Lease Term Extension Agreement, Tenant is hereby granted three additional consecutive options of five (5) years each (“Additional Renewal Terms”) to renew the Lease. Upon prior written notice given by Tenant at least (12) months prior to the expiration of the prevailing Term of the Lease, Tenant shall have the right to renew and extend this Lease for a period of five (5) years each. In the event that this Lease is renewed and extended, all conditions contained in the Lease, or as modified prior to the expiration of the Lease, shall apply unless modified in writing by mutual consent, including the Fixed Minimum Rent as set forth in this paragraph. During each Additional Renewal Term, the Fixed Minimum Rent for said renewal shall be an amount representing the Fixed Minimum Rent for the prior five Lease Years, plus five times the average increase in the Consumer Price Index (C.P.I.) for the prior five Lease Years as reported by the Wall Street Journal or such other publication or standard as may be agreed upon by the parties hereto. Tenant and Landlord shall work with each other in good faith to agree upon the Fixed Minimum Rental rate for each Additional Renewal Term. During each Additional Renewal Term, Percentage Rent shall be calculated on Gross Receipts in excess of \$800,000 per year.
4. Section 17.06 of the Lease, this Agreement is hereby updated to show addresses of the Parties to be the following:

If intended for Landlord:

Director of Real Estate
 New Jersey Economic Development Authority
 PO Box 990
 36 West State Street
 Trenton, NJ 08625-0990

With a copy addressed and sent to:

Edward Pillsbury, DAG
New Jersey Division of Law, Treasury Section
Hughes Justice Complex
PO Box 106
Trenton, NJ 08625-0106

And if intended for Tenant:

Mr. Nimesh Shah
S & P Donuts, LLC
225 East State Street
Trenton, NJ 08608

5. A new Article XIX "POLITICAL CAMPAIGN CONTRIBUTIONS" is added to the Lease as follows:

19.01 For the purpose of this Article XIX, the following shall be defined as follows:

a) Contribution means a contribution reportable as a recipient under The New Jersey Campaign Contributions and Expenditures Reporting Act. P.L. 1973, c. 83 (C.10:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-7 and N.J.A.C. 19:25-10.1 et seq., a contribution made to a legislative leadership committee, a contribution made to a municipal political party committee or a contribution made to a candidate committee or election fund of any candidate for or holder of the office of Lieutenant Governor. Currently, contributions in excess of \$300 during a reporting period are deemed reportable under these laws.

b) Business Entity means:

i. a for-profit entity as follows:

A. in the case of a corporation: the corporation, any officer of the corporation, and any person or business entity that owns or controls 10% or more of the stock of the corporation;

B. in the case of a general partnership: the partnership and any partner;

C. in the case of a limited partnership: the limited partnership and any partner;

D. in the case of a professional corporation: the professional corporation any shareholder or officer;

E. in the case of a limited liability company: the limited liability company and any member;

F. in the case of a limited liability partnership: the limited liability partnership and any partner;

G. in the case of a sole proprietorship: the proprietor; and

H. in the case of any other form of entity organized under the laws of this State or other state or foreign jurisdiction: the entity and any principal, officer, or partner thereof;

ii. any subsidiary directly or indirectly controlled by the business entity;

iii. any political organization organized under section 527 of the Internal Revenue Code is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and

iv. with respect to an individual who is included within the definition of business entity the individuals spouse or civil union partner, and any child residing with the individual, provided, however, that, this Order shall not apply to a contribution made by such spouse, civil union partner, or child to a candidate for whom the contributor is entitled to vote or to a political party committee within whose jurisdiction the contributor resides unless such contribution is in violation of section 9 of P.L. 2005, c. 51 (C.19:44A-20.1 et seq.) (Chapter 51").

c) P.L.2005, c.51 – means Public Law 2005, chapter 51 (N.J.S.A. 19:44A-20.13 through 19:44A-20.25 and expanded by Executive Order 117 (Gov. Corzine, September 24, 2008).

19.02 The terms, restrictions, requirements and prohibitions set forth in P.L. 2005, C.51 are incorporated into this LEASE by reference as material terms of this LEASE with the same force and effect as if P.L. 2005, C.51 were stated herein its entirety. Compliance with P.L. 2005, C.51 by TENANT shall be a material term of this LEASE.

19.03 In addition to any other Event of Default specified in this LEASE, LANDLORD shall have the right, but not the obligation, to declare an event of default under this LEASE if: (i) TENANT makes or solicits a Contribution in violation of P.L. 2005, C.51, (ii) TENANT knowingly conceals or misrepresents a Contribution given or received; (iii) TENANT makes or solicits Contributions through intermediaries for the purpose of

concealing or misrepresenting the source of the Contribution; (iv) TENANT makes or solicits any Contribution on the condition or with the agreement that it will be contributed to a campaign committee or any candidate or holder of the public office of Governor, or to any State or county party committee; (v) TENANT engages or employs a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any Contribution, which if made or solicited by LANDLORD or any LANDLORD member that constitutes a Business Entity itself, would violate the restrictions of P.L. 2005, C.51; (vi) TENANT funds Contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) TENANT engages in any exchange of Contributions to circumvent the intent of P.L. 2005, C.51; (viii) TENANT directly or indirectly through or by any other person or means, does any act which would violate the restrictions of P.L. 2005, C.51; or (ix) any material misrepresentation exists in any Executive Order Certification and Disclosure which was delivered by TENANT to LANDLORD in connection with this LEASE.

19.04 TENANT hereby acknowledges and agrees that pursuant to P.L. 2005, C.51, TENANT shall have a continuing obligation to report to the Office of the State Treasurer, P.L. 2005, C.51 Review Unit of any Contributions it makes during the TERM of this LEASE. If after the COMMENCEMENT DATE, any Contribution is made by TENANT and the Treasurer of the State of New Jersey determines such Contribution to be a conflict of interest in violation of P.L. 2005, C.51, LANDLORD shall have the right, but not the obligation, to declare this LEASE to be in default.

19.05 TENANT is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (“ELEC”), pursuant to C. 19:44A-20.13 (P.L. 2005, c. 271, section 3) during the TERM of this LEASE. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

Except as amended herein, all of the provisions of the Lease shall remain in full force and effect and shall continue in their entirety for the Second Extended Lease Term. Capitalized terms used within the Second Lease Term Extension Agreement but not otherwise defined herein shall have the meanings ascribed to them in the Lease.

This Second Lease Term Extension Agreement may be signed in any number of counterparts with the same effect as if the signatures thereto and hereto were upon the same instrument.

This Second Lease Term Extension Agreement shall become effective immediately upon its execution and delivery by the parties hereto.

If any provision of this Second Lease Term Extension Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof or of the Lease.

IN WITNESS WHEREOF, the parties hereto have duly executed this Second Lease Term Extension Agreement as of the date first written above.

ATTEST

NEW JERSEY ECONOMIC DEVELOPMENT
AUTHORITY, LANDLORD

By: _____
NAME:
TITLE:

ATTEST:

S & P Donuts, LLC. TENANT

By: _____
NAME:
TITLE:

AUTHORITY MATTERS



MEMORANDUM

TO: Members of the Authority

FROM: Caren S. Franzini
Chief Executive Officer

RE: Business Development Consultant - Business Retention and Attraction Division

DATE: July 14, 2009

Request:

The Members are requested to approve entering into a contract with Development Counsellors International (DCI) to provide business development consulting services to the Authority's Business Retention & Attraction Division (BRAD). This initiative allows the Authority to provide business lead development and qualification services, which will assist BRAD in its mission to promote New Jersey for business attraction and retention.

The cost of the proposed contract is based on an estimated one hundred thirty-five thousand (\$135,000) dollars total annual budget. Funding from BRAD's budget will be utilized for this project with the additional funding of \$20,000 annually supported through the EDA Portfields account. The contract allows for a one (1) year extension option, to be exercised at the sole discretion of the Authority at the same prices, terms and conditions. Should the Authority exercise the extension option, the total estimated expenditure is two hundred seventy thousand (\$270,000) dollars.

Background:

The BRAD is charged with promoting the State through domestic and international business assistance and outreach programs for business attraction and retention purposes. Early in 2009, BRAD implemented a domestic & international business calling plan to further these efforts. The goal of the plan is to improve New Jersey's business climate, by pursuing an aggressive and proactive strategy to retain and grow businesses in the Garden State, as well as to attract new businesses and to encourage new foreign direct investment.

The BRAD is currently working on the business retention element of the business calling plan. The consultant is required to address the business attraction goals of the plan and work on business lead development and qualification in New Jersey's seven key industry sectors (manufacturing, logistics/warehousing, pharmaceutical & life sciences, communications, technology, financial services and clean energy). They will be required to identify domestic and international companies that are exhibiting changes that forecast a site selection need. Further, the consultant will contact decision-makers of identified companies and qualifying companies (based on their corporate development strategies) and schedule face-to-face meetings between company decision makers and BRAD to explore investment opportunities.

Additionally, these same business development consulting services will be used to identify potential candidates in the technology sector, which might consider relocation to the Fort Monmouth complex, as part of the Authority's new responsibilities related to the redevelopment of Fort Monmouth.

RFP for Business Development Consulting Services:

The Authority issued a Request for Proposals (RFP), in June 2009, on behalf of BRAD, for these business development consulting services. The Authority's objective to attract new businesses to the State New Jersey will benefit from the use of an outside firm that has expertise in new business attraction to assist with the functions indicated above.

This RFP represents a re-bid of the services solicited under 2009-RFP-014, which opened on May 14, for a larger *Scope of Work* for these same Business Development Consulting Services. A decision was made to terminate the RFP process for 2009-RFP-014, since all six (6) proposals received exceeded the Authority's available budget monies to procure the specified services, in some cases, by several fold. As such, Proposers were notified in writing that the RFP process was terminated and an award would not be made. The *Scope of Work* was reduced, the budget amount was capped at an estimated one hundred thirty-five thousand (\$135,000) dollars and the RFP was released as this 2009-RFP-018.

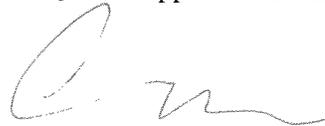
The RFP was duly advertised, posted on the Authority's website and distributed to potentially interested Bidders, identified by the Division, via broadcast e-mail. An informational pre-bid conference was held on June 5, 2009, during which the RFP specifications were reviewed with interested Bidders and questions and answers were addressed and documented. In response to this solicitation, four (4) proposals were received. An Evaluation Committee (the "Committee") comprised of cross-functional Authority staff reviewed the four (4) proposals.

Respondents were judged in the following areas: the general approach and plans in meeting the requirements of the *Scope of Work*, the detailed approach and plans to perform the services required, the qualifications and experience of the management assigned to the project, the documented experience in successfully completing contracts of similar size and scope for other economic development entities as well as the overall ability to mobilize, undertake and successfully complete the contract.

Based on a thorough review of the proposals, the Committee recommends the selection of Development Counsellors International (DCI) (New York, NY). Price and other factors considered, DCI offers the experience, depth of staff, as well as the appropriate number of allocated hours required annually to successfully assist the Division in its business development mission. The attached Committee summary chart indicates the price for services, score and ranking of each proposal received by the Authority.

Recommendation:

The Members' approval is requested to enter into a one (1) year contract, with one (1) one (1) year extension option, to be exercised at the sole discretion of the Authority, at the same prices, terms and conditions, with DCI, to provide these business development services. Pricing, as indicated in DCI's "*Fee Schedule – Hourly Rates*," shall remain firm throughout the term of the contract and any extensions, thereto. The contract also allows for the scope of work and budget allocation to be reduced at any time at the sole discretion of the Authority. The final contract will be subject to approval of the Chief Executive Officer and the Attorney General's Office.


Caren S. Franzini



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

MEMORANDUM

TO: Members of the Board

FROM: Caren S. Franzini
Chief Executive Officer

RE: FY 2010 Budget Impact on EDA
For Information Only

DATE: July 14, 2009

On June 29th, Governor Jon S. Corzine signed P.L. 2009, c. 68 adopting a \$29 billion budget for Fiscal Year 2010. The budget reflects the administration’s continuing commitment to fiscal responsibility and deficit reduction and is \$1.8 billion less than the first budget he signed four years ago.

Specifically, the budget appropriates \$28.9 billion in State funds and \$13.8 billion in federal funds for the State budget for fiscal year 2009-2010; and allocates \$1.104 billion in direct state services funding and \$230.5 million in grants-in-aid for economic development purposes.

The following allocations are included among the \$230.5 million in grant funding for economic development:

InvestNJ – Job Credits, EDA.....	\$25 million
InvestNJ – Capital Credits, EDA.....	\$8.2 million
Division of Business Assistance, Marketing and International Trade, EDA.....	\$3.211 million
Business Employment Incentive Program, EDA.....	\$194 million

Of the amount appropriated to the Division of Business Assistance, Marketing and International Trade, EDA, \$250,000 shall be used for New Jersey Small Business Development Centers, pursuant to a spending plan approved by the authority.

The FY2010 State Budget also transfers \$50 million from the Long Term Obligation and Capital Expenditure Fund for the *Main Street Business Assistance Program*, as well as \$25 million to the *InvestNJ Business Grant Program* in EDA.

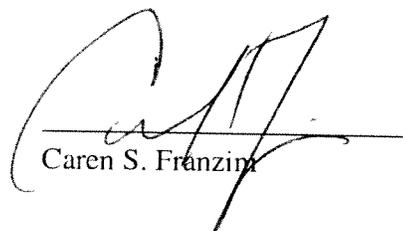
In addition, companion budget legislation, A4107/S2017 enacted as P.L. 2009, c. 74 directs EDA to transfer up to \$22 million in unencumbered reserves from interest earnings in the Petroleum Underground Storage and Remediation, Upgrade and Closure Fund and the

Hazardous Discharge Site Remediation Fund to provide incentives to businesses for qualifying capital investments within the *InvestNJ Business Grant Program*.

Retail Margin Fund – \$1.5 million is transferred from the Retail Margin Fund to the BPU for a number of purposes, including funding administrative costs of EDA to enable the Authority to assist BPU in administering the program pursuant to a MOU entered into by BPU and the authority. The Board approved this MOU at its' June 2009 meeting.

American Recovery and Reinvestment Act (ARRA) – Federal funds provided under the State Energy Program pursuant to ARRA shall be appropriated to the Clean Energy Fund and allocated by BPU under MOU, as follows: (1) *\$15 million* to EDA for a grant and loan program to be developed and administered by EDA to fund public and private renewable energy, energy efficiency and alternative energy projects, with applications prioritized based on the ability to create jobs, reduce greenhouse gas emissions, save or create energy and provide for innovate technology. This program creation was approved by the EDA Board at its June 2009 meeting; and (2) *\$20.6 million* for a program to be developed by the BPU for grants to State departments, agencies, authorities and public colleges and universities for renewable and energy efficiency projects and such entities, prioritized by an interagency team consisting of one representative each from the BPU, EDA, OEG, Commission on Science and Technology and Office of Energy Savings, based on the ability to create jobs, reduce greenhouse gas emissions, save or create energy and provide for innovative technology.

Stem Cell Institute of New Jersey – Additional companion budget legislation, P.L. 2009, c. 67 appropriates *\$1.75 million* to EDA for payment of predevelopment costs as approved by EDA in June 2007, incurred in connection with the proposed stem cell research institute in New Brunswick, as set forth in P.L. 2006, c. 102. EDA, in consultation with the Office of the Attorney General, will enter into a grant agreement with the New Brunswick Development Corporation, the developer of the Stem Cell Institute of New Jersey, in New Brunswick, to reimburse them for expended predevelopment funds.



Caren S. Franzini