



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Agenda for Board Meeting of the Authority October 15, 2008

1. Notice of Public Meeting
2. Roll Call
3. Approval of Previous Month's Minutes
4. Chief Executive Officer's Monthly Report to the Board
5. Bond Projects
6. Loans/Grants/Guarantees
7. Edison Innovation Fund
8. Incentive Programs
9. Board Memorandums
10. Real Estate
11. Authority Matters
12. Public Comment
13. Adjournment

## NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

September 9, 2008

### MINUTES OF THE MEETING

Members of the Authority present: Carl Van Horn, Chairman; Joseph McNamara, Vice Chairman; James Kelly, representing the State Treasurer; Angie McGuire representing the Governor's Office; Eric Wachter representing the Commissioner of the Department of Environment Protection; Michael Sheridan representing the Commissioner of the Department of Banking and Insurance; Joe Latoof representing the Commissioner of the Department of Labor and Workforce Development; Public Members: Steve Plofker, Timothy Carden, Philip Kirschner, Charles Sarlo, Elliot M. Kosoffsky, Second Alternate Public Member; and Rodney Sadler, Non-Voting Member.

Absent from the meeting: Public Member: Thomas Manning, Richard Tolson and Raymond Burke, First Alternate Public Member.

Also present: Caren Franzini, Chief Executive Officer of the Authority; bond counsel for the Authority; Bette Renaud, Deputy Attorney General, Robert Shane, Governor's Authorities Unit; 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 August 12, 2008 meeting minutes of the Board. A motion was made to approve the minutes by Mr. Plofker, seconded by Mr. Kirschner and was approved by the 12 voting members present.

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

## AUTHORITY MATTERS

The next item was to approve the following actions related to the Annual Organizational meeting: 1) By Law changes; 2) committee appointments; 3) appointment of the Assistant Secretaries; 4) election of a vice chair and Treasurer; and 5) board calendar.

**MOTION TO APPROVE: Mr. Carden SECOND: Mr. Kirschner AYES:12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:1**

The next item was to reaffirm the appointment of Steven Gorelick to the position of Executive Director by The New Jersey Motion Picture and Television Commission.

**MOTION TO APPROVE: Mr. Sheridan SECOND: Mr. McNamara AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:2**

The next item was to approve the proposed regulations implementing the Urban Transit Hub Tax Credit Program in accordance with the Urban Transit Hub Tax Credit Act for promulgation in the New Jersey Register.

**MOTION TO APPROVE: Mr. Plofker SECOND: Mr. Carden AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:3**

The next item was to approve structural corrections in fees for the EDA's various loan, guarantee and incentive programs and the corresponding amendments to the program rules for promulgation in the New Jersey Register.

**MOTION TO APPROVE: Mr. Plofker SECOND: Mr. Carden AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:4**

## EDISON INNOVATION FUND

The next item was to approve benefit requests for the Technology Business Tax Certificate Transfer Program which have been evaluated according to the criteria established by the Members of the Board and met the criteria for approval.

**MOTION TO APPROVE: Mr. Carden SECOND: Mr. McNamara AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:5**

## BOND RESOLUTIONS

**PROJECT:** Buona Vita, Inc.

**APPL.#22484**

**LOCATION:** Bridgeton/Cumberland Cty.

**PROCEEDS FOR:** machinery and equipment purchase

**FINANCING:** \$3,100,000 Tax-Exempt Bond

**MOTION TO APPROVE: Mr. Wachter SECOND: Mr. Plofker AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:6**

**PUBLIC HEARING:** Yes

**PUBLIC COMMENT:**None

**PROJECT:** Children's Choice of New Jersey **APPL.#22553**  
**LOCATION:** Bellmawr/Camden Cty.  
**PROCEEDS FOR:** relocation and building acquisition  
**FINANCING:** \$4,000,000 Tax-Exempt Bond  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. Sheridan **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:7**  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:**None

**PROJECT:** Mizco International, Inc. or Nominee **APPL.#22050**  
**LOCATION:** Woodbridge/Middlesex Cty.  
**PROCEEDS FOR:** building acquisition and renovation  
**FINANCING:** \$2,000,000 Tax-Exempt Bond  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. McNamara **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:8**  
**PUBLIC HEARING:** No  
**PUBLIC COMMENT:**None

**COMBINATION PRELIMINARY AND BOND RESOLUTIONS**

**PROJECT:** R.N. Foster Associates, LLC **APPL.#18944**  
**LOCATION:** Edgewater Borough/Bergen Cty.  
**PROCEEDS FOR:** building acquisition and renovation  
**FINANCING:** \$2,200,000 Tax-Exempt Bond  
**MOTION TO APPROVE:** Mr. Sheridan **SECOND:** Mr. Carden **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:9**  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:**None

**PRELIMINARY RESOLUTIONS**

**PROJECT:** Beth Medrash Govoha of Lakewood Inc.,  
a New Jersey Nonprofit **APPL.#23197**  
**LOCATION:** Lakewood/Ocean Cty.  
**PROCEEDS FOR:** property acquisition  
**MOTION TO APPROVE:** Mr. Plofker **SECOND:** Mr. Kirschner **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:10**  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:**None

**COMBINATION PRELIMINARY AND BOND RESOLUTIONS WITH  
AUTHORITY EXPOSURE**

**PROJECT:** Accurate Box Co. Inc. **APPL.#22712**  
**LOCATION:** Paterson/Passaic Cty.  
**PROCEEDS FOR:** machinery and equipment purchase  
**FINANCING:** \$7,000,000 Tax-Exempt Bond  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. Sheridan **AYES:**11  
Mr. Kirschner abstained because the owner of the company serves on NJBIA board.  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:**11  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:**None

**PROJECT:** Accurate Box Co. Inc. **APPL.#22835**  
**LOCATION:** Paterson/Passaic Cty.  
**PROCEEDS FOR:** new equipment  
**FINANCING:** \$3,000,000 Direct Loan  
**MOTION TO APPROVE:** Mr. Sheridan **SECOND:** Mr. McNamara **AYES:**11  
Mr. Kirschner abstained because the owner of the company serves on NJBIA board.  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:**12

**PROJECT:** ONB Holding Group LLC and  
The Exhibit Company Inc. **APPL.#23484**  
**LOCATION:** Piscataway/Middlesex Cty.  
**PROCEEDS FOR:** property and building purchase  
**FINANCING:** \$4,639,000 Tax Exempt Bond and \$500,000 Tax Exempt Bond  
**MOTION TO APPROVE:** Mr. Plofker **SECOND:** Mr. McNamara **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:**13  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:**None

**PROJECT:** ONB Holding Group LLC and  
The Exhibit Company Inc. **APPL.#23554**  
**LOCATION:** Piscataway/Middlesex Cty.  
**PROCEEDS FOR:** property and building purchase  
**FINANCING:** \$1,250,000 Direct Loan  
**MOTION TO APPROVE:** Mr. Sheridan **SECOND:** Mr. Carden **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:**12

**DIRECT LOANS**

**PROJECT:** Print Tech LLC **APPL.#22499**  
**LOCATION:** Mountainside/Union Cty.  
**PROCEEDS FOR:** refinancing existing debt  
**FINANCING:** \$400,000 Direct Loan  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. Latoof **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:12**

**PROJECT:** TJM Properties II, LLC **APPL.#23372**  
**LOCATION:** Hawthorne/Passaic Cty.  
**PROCEEDS FOR:** building acquisition  
**FINANCING:** \$1,000,000 Direct Loan  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. Kirschner **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:12**

**STATEWIDE LOAN POOL**

**PROJECT:** LLC Entity To Be Formed  
for D.L. Myers Corp. t/a  
Sheet Metal Co. and SP Marine  
Services, LLC **APPL.#23508**  
**LOCATION:** Barnegat/Ocean Cty.  
**PROCEEDS FOR:** building acquisition  
**FINANCING:** \$347,265 Authority participation in a \$695,250 bank loan  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. McNamara **AYES:11**  
Mr. Kirschner abstained because New Jersey Manufacturers has an affiliation with  
NJBIA.  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:14**

**LOCAL DEVELOPMENT FINANCING FUND**

**PROJECT:** ULCO Realty, LLC **APPL.#22205**  
**LOCATION:** Paterson/Passaic Cty.  
**PROCEEDS FOR:** building acquisition  
**FINANCING:** \$255,000 Local Development Financing Fund loan  
**MOTION TO APPROVE:** Mr. Kirschner **SECOND:** Mr. Plofker **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:15**

**PETROLEUM UNDERGROUND STORAGE TANK PROGRAM**

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

**MOTION TO APPROVE: Mr. Sheridan SECOND: Mr. McNamara AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:16**

**PROJECT:** Kevin Davenport **APPL.#22741**  
**LOCATION:** Wall Twp./Monmouth Cty.  
**PROCEEDS FOR:** site remediation  
**FINANCING:** \$109,965 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

**PROJECT:** Dorothy Sloan **APPL.#23244**  
**LOCATION:** Swedesboro/Gloucester Cty.  
**PROCEEDS FOR:** site remediation  
**FINANCING:** \$203,128 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

**PROJECT:** Carol Zajac **APPL.#23295**  
**LOCATION:** Dover/Ocean Twp.  
**PROCEEDS FOR:** site remediation and restoration  
**FINANCING:** \$113,379 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 August 2008. **(For Informational Purposes Only)**

**HAZARDOUS DISCHARGE SITE REMEDIATION FUND PROGRAM**

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

**MOTION TO APPROVE: Mr. Carden SECOND: Mr. McNamara AYES:11  
Mr. Sarlo abstained because of his firm's involvement with Jersey City  
Redevelopment Agency.**

**RESOLUTION ATTACHED AND MARKED EXHIBIT:17**

**PROJECT:** Camden Redevelopment Agency (ABC Barrel Company) **APPL.#23392**  
**LOCATION:** Camden/Camden Cty.  
**PROCEEDS FOR:** remedial investigation  
**FINANCING:** \$81,425 Hazardous Discharge Site Remediation Fund

**PROJECT:** Jersey City Redevelopment Agency  
(Turnpike Dump #5) **APPL.#23625**  
**LOCATION:** Jersey City/Hudson Cty.  
**PROCEEDS FOR:** remedial action  
**FINANCING:** \$4,337,346 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 August 2008. **(For Informational Purposes Only)**

**BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

**PROJECT:** API Nanofabrication and Resarch Center, Inc. **APPL.#23534**  
**LOCATION:** Franklin/Somerset **BUSINESS:** electronic device technology  
**GRANT AWARD:** 80% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Sheridan **SECOND:** Mr. Plofker **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:**18

**PROJECT:** The MLB Network, LLC and  
Major League Baseball Properties **APPL.#23521**  
**LOCATION:** Secaucus/Hudson Cty. **BUSINESS:** communications  
**GRANT AWARD:** 80% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Plofker **SECOND:** Mr. Sheridan **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:**18

**PROJECT:** Sun Pharmaceutical Industries, Inc. **APPL.#22652**  
**LOCATION:** Cranbury/Middlesex Cty. **BUSINESS:** pharmaceuticals  
**GRANT AWARD:** 65% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. McNamara **SECOND:** Mr. Kirschner **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:**18

**PROJECT:** Bausch & Lomb Incorporated **APPL.#23720**  
**LOCATION:** TBD **BUSINESS:** pharmaceuticals  
**GRANT AWARD:** 55% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Plofker **SECOND:** Mr. Carden **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:**18

**BOARD MEMORANDUMS**

**PROJECT:** AJ Stairs, Inc. **APPL.#015348**  
**LOCATION:** Lakewood/Ocean Twp.  
**FINANCING:** \$400,000 Direct Loan  
**PROPOSAL:** Write off loan with recourse  
**MOTION TO APPROVE:** Mr. Sheridan **SECOND:** Mr. Carden **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:19**

**PROJECT:** YWCA of Central New Jersey, Inc. **APPL.#014991**  
**LOCATION:** Plainfield/Somerset Cty.  
**FINANCING:** \$1,404,167 Guaranteed Bond  
**MODIFICATION:** Bayonne Community Bank (bondholder) requests EDA's consent to modify the subject bonds from a 20 year term to a 30 year term.  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:**None  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:20**

**PROJECT:** YWCA of Central New Jersey, Inc. **APPL.#016270**  
**LOCATION:** Plainfield/Somerset Cty.  
**FINANCING:** \$845,832 Guaranteed Bond  
**MODIFICATION:** Bayonne Community Bank (bondholder) requests EDA's consent to modify the subject bonds from a 20 year term to a 30 year term.  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:**None  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:20**

**PROJECT:** YWCA of Central New Jersey, Inc. **APPL.#016266**  
**LOCATION:** Plainfield/Somerset Cty.  
**FINANCING:** \$750,000 LDF Direct Loan  
**MODIFICATION:** Grant a 12 month principal moratorium on the subject EDA Direct Loan.  
**MOTION TO APPROVE:** Mr. Sheridan **SECOND:** Mr. Kirschner **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:21**

The next item was to approve the addition of Susquehanna Bank as a Preferred Lender.  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. Plofker **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:22**

The next item was a summary of projects approved under Delegated Authority for August 2008. **(For Informational Purposes Only)**.

**New Jersey Business Growth Fund:** Exothermic Molding, Inc., Joos USA, Inc., Klarr Transport Services, Inc., RLC Plus, Inc and Tom Carroll Scenery, Inc.

**Camden ERB:** Heaven's Little Angels Learning Center, WorldExtend, LLC

**Edison Innovation Fund –** SterraClimb, LLC

**Preferred Lender Program –** 265 Pennsylvania Realty, LLC, Air World, Inc. or Nominee, BSD Realty, Shields Holdings, LLC

**FastStart Direct Loan Program –** Arborsys Group LLC

**Community Economic Development Program –** The Food Trust

**PROJECT:** American Water Capital Corp.

**APPL.#23612**

**LOCATION:** Various

**PROCEEDS FOR:** refinance existing debt

**FINANCING:** \$150,000,000 Tax-Exempt Bond

**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. McNamara **AYES:** 12

**RESOLUTION ATTACHED AND MARKED EXHIBIT:**23

**PUBLIC HEARING:** Yes

**PUBLIC COMMENT:**None

### **REAL ESTATE**

The next item was to approve the recommendation to increase the Vitetta and Torcon budgets to provide additional services at Greystone Psychiatric Hospital as requested by the Department of Human Services, and to increase the Construction Fund Budget with regard to the project cost items, and to amend the Construction Fund Budget utilizing contingency and interest earnings from the project Construction Fund.

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

**RESOLUTION ATTACHED AND MARKED EXHIBIT:**24

The section of the approval related to Vitetta's technical and clinical consulting subcontractor has been held from consideration.

The next item was to approve the recommendation to extend to December 31, 2010 the lease with Laboratory Corporation of America Holdings, a current tenant at the Trenton Office Complex's retail space.

**MOTION TO APPROVE: Mr. Plofker SECOND: Mr. Carden AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:25**

The next item was to authorize an amendment to the Ground Lease with L'Oreal USA Products, Inc. extending L'Oreal's Due Diligence Period until January 30, 2009.

**MOTION TO APPROVE: Mr. Carden SECOND: Mr. McNamara AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:26**

The next item was to amend the lease agreement with myLeaderboard, Inc. to relocate their business from 2,053 square feet to 1,077 square feet of research and development space on the first floor of the Waterfront Technology Center Camden ("WTCC") in the Tech One building. All other terms of the existing lease will remain the same.

**MOTION TO APPROVE: Mr. Sheridan SECOND: Mr. Carden AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:27**

The next item was to enter into a lease with WorldExtend, LLC, ("World") for approximately 2,053 square feet of research and development space at the Waterfront Technology Center Camden ("WTCC") in the Tech One building.

**MOTION TO APPROVE: Mr. Plofker SECOND: Mr. Kirschner AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:28**

#### COMMERCE DIVISION

The next item was to approve the Business Retention and Relocation Assistance Grant Tax Credit Certificate Transfer Program application of Cellco Partnership/Verizon Wireless, to sell unused Business Retention and Relocation Assistance Grant tax credits to Nestle Waters North America, Inc.

**MOTION TO APPROVE: Mr. Plofker SECOND: Mr. Carden AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:29**

The next item was to approve the Energy Sales and Use Tax Exemption Program Renewal Application of B&B Poultry Company, which continues the exemption through August 31, 2009 pursuant to P.L. 2005, c. 374.

**MOTION TO APPROVE: Mr. Kirschner SECOND: Mr. Carden AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:30**

The next item was a summary of the Business Retention and Relocation Assistance Grant (BRRAG) Program. **(For Informational Purposes Only).**

**PROJECT:** Thales Avionics, Inc.

**LOCATION:** Edison/Middlesex

**BUSINESS:** electronics company

**GRANT AWARD:** \$208,000 (estimate), 5 years

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

**RESOLUTION ATTACHED AND MARKED EXHIBIT:31**

The next item was a summary of the Brownfields Reimbursement Program. **(For Informational Purposes Only).**

The next item was to approve the brownfield application of Artic Realty Company, LLC for reimbursement of clean-up costs for an Atlantic City redevelopment project under a Redevelopment Agreement with the New Jersey Economic Development 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 \$640,000.

**MOTION TO APPROVE: Mr. Carden SECOND: Mr. Kirschner AYES: 12  
RESOLUTION ATTACHED AND MARKED EXHIBIT:32**

The next item was to approve the brownfield application of ProLogis Teterboro, LLC for reimbursement of clean-up costs for a Teterboro redevelopment project under a Redevelopment Agreement with the New Jersey Economic Development 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 \$21,276,225.

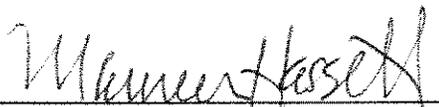
**This matter was held from consideration.**

#### PUBLIC COMMENT

There was no comment from the public.

There being no further business, on a motion by Mr. Carden, and seconded by Mr. Latoof, the meeting was adjourned at 11:21 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.

  
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Maureen Hassett, Assistant Secretary

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**September 15, 2008**

**MINUTES OF THE SPECIAL MEETING**

Members of the Authority present: James Kelly, representing the State Treasurer; Michael Sheridan representing the Commissioner of the Department of Banking and Insurance; Joe Latoof representing the Commissioner of the Department of Labor and Workforce Development.

Present via phone: Carl Van Horn, Chairman; Joseph McNamara, Vice Chairman; Angie McGuire representing the Governor's Office; Eric Wachter representing the Commissioner of the Department of Environment Protection; Public Members Timothy Carden, Thomas Manning; and Robert Shane, Governor's Authorities Unit.

Absent from the meeting: Public Members: Phil Kirschner; Richard Tolson, Charles Sarlo, Steve Plofker; First Alternate Public Member Raymond Burke; Second Alternate Public Member Elliot M. Kosoffsky; and Rodney Sadler, Non-Voting Member.

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

Chairman Van Horn called the meeting to order at 9 a.m.

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.

**NEW MARKETS LOAN PROGRAM**

The next item was to 1] to pre-approve the release of a portion of the MEPT Journal Square Urban Renewal, LLC mortgage serving as the project collateral, 2] to permit the borrower to prepay the NMTC loan under certain circumstances described hereafter and 3] to delegate to staff (with CEO signature and as reviewed by counsel) the right to close the NMTC loan on terms that differ from the original approval, as amended, provided that staff determines that such terms are fiscally prudent, are within Authority underwriting guidelines, and do not involve a change to the interest rate, identity of the borrower, term or amount of the loan, or collateral for loan, subject to an agreement with the borrower of the Authority's right to call the loan (with 12 months notice) should the Board not approve said differing terms post closing.

**MOTION TO APPROVE: Mr. Carden      SECOND: Mr. Latoof AYES: 9**

**RESOLUTION ATTACHED AND MARKED EXHIBIT:1**

**TECHNOLOGY BUSINESS TAX CERTIFICATE TRANSFER PROGRAM**

The next item was to approve 2 of the 4 benefit requests, (Alfacell Corporation and Alphion Corporation) which have been evaluated according to the criteria established by the Members of the Board and met the criteria for approval. Disapproval is recommended for 2 of the 4 benefit requests (Palatin Technologies and Pharmos Corporation) that failed any of the threshold criteria.

**MOTION TO APPROVE:** Mr. Carden      **SECOND:** Mr. Latoof **AYES: 9**

**RESOLUTION ATTACHED AND MARKED EXHIBIT:2**

**PUBLIC COMMENT**

There was no comment from the public.

There being no further business, on a motion by Mr. Latoof, and seconded by Mr. Sheridan, the meeting was adjourned at 9:25 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.

  
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Maureen Hassett, Assistant Secretary

## NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

September 25, 2008

### MINUTES OF THE SPECIAL MEETING

Members of the Authority present: James Kelly, representing the State Treasurer; Joe Latoof representing the Commissioner of the Department of Labor and Workforce Development.

Present via phone: Joseph McNamara, Vice Chairman; Angie McGuire representing the Governor's Office; Eric Wachter representing the Commissioner of the Department of Environment Protection; Public Members Phil Kirschner, Steve Plofker, Charles Sarlo and Raymond Burke; First Alternate Public Member.

Absent from the meeting: Carl Van Horn, Chairman; Michael Sheridan representing the Commissioner of the Department of Banking and Insurance; Public Members: Tim Carden, Richard Tolson, Thomas Manning, Elliot M. Kosoffsky, Second Alternate Public Member; and Rodney Sadler, Non-Voting Member.

Also present: Caren Franzini, Chief Executive Officer of the Authority, by phone, Maureen Hassett, Senior Vice President of Governance & Communications, Ed Pillsbury, Deputy Attorney General, and staff.

Ms. Hassett called the meeting to order at 11 a.m.

In accordance with the Open Public Meetings Act, Ms. Hassett 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.

### AUTHORITY MATTERS

The next item was to approve the changes to the draft rule proposal previously approved by the Members at the September 9, 2008 Board Meeting and authorize staff to submit to the Office of Administrative Law for publication in the New Jersey Register. The Authority will initiate the processing of applications with applicants at risk if the rules are not adopted as proposed herein.

Several material changes necessitate amendments to the draft regulations previously approved by the Board. These changes are highlighted as follows:

- At **19:31-9.6(b) (Application and Servicing Fees)**, the consumer price index adjustment to the annual servicing fee cap of \$40,000, which was included in the rule proposal by the Commerce Commission published in the New Jersey Register in May, is eliminated as the fee has been increased sufficiently to cover costs of program implementation.

- At New 19:31-9.8(b)8 and 10 (Project Agreement), the regulations now contemplate allowing the applicant to retroactively adjust the allocation of tax credits among its affiliates as a result of an audit by the IRS or the State Division of Taxation, where previously retroactivity was prohibited.
- At New 19:31-9.11(a)1 and 2 (Reporting Requirements), require submission of a certified report on job creation, lease payments and default status, if any, of project agreement after the project is certified complete and capital investment and employment requirements satisfied. The requirement to provide an annual report after Board approval, but prior to certification is eliminated.
- At New 19:31-9.11(b) (Reporting Requirements), the circumstances in which EDA would require the business to forfeit annual tax credits for reporting compliance is narrowed and clarified that the Authority would not recapture credits if an annual report is not filed.
- At 19:31-9.12(2) (Events of Default), debarment violations added as an event of default.
- Other additional changes are summarized in the memo provided to the Board.

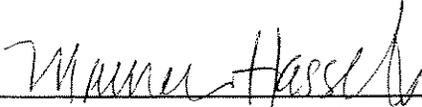
**MOTION TO APPROVE: Mr. Burke SECOND: Ms. McGuire AYES: 8  
RESOLUTION ATTACHED AND MARKED EXHIBIT:1**

**PUBLIC COMMENT**

There was no comment from the public.

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

Certification: The foregoing and attachments represent a true and complete summary of the actions taken by the New Jersey Economic Development Authority at its meeting.

  
 \_\_\_\_\_  
 Maureen Hassett, Assistant Secretary

## **MEMORANDUM**

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**RE:** Chief Executive Officer's Report to the Board

I am pleased to share with you this month's report, which includes measurements of our results and accomplishments against our Strategic Plan through the first nine months of the calendar year.

### **EDISON INNOVATION FUND**

The EDA has closed financing on 24 Edison Innovation Fund projects through September totaling nearly \$16.3 million. This assistance is expected to result in total project investments of just over \$61.3 million in New Jersey, as well as the creation of an estimated 758 new jobs and support for 4,727 existing jobs.

Nine of the projects involve direct, equity-like investments totaling \$4 million, which represents just over one quarter of our Strategic Plan goal. Several Edison projects are already in our review and analysis pipeline, and we are hopeful of reaching our 2008 Strategic Plan target of \$15 million in new, closed direct investments by the end of the year.

The EDA finalized its latest Edison Innovation Fund investment in September with LiveLOOK, Inc. of Newark, a provider of sales and customer service software that enables agents to establish an instant visual link with online customers. The \$1-million Edison investment will be used to support research and development, establish a direct sales force and pay salaries for the expected addition of 100 new positions over the next two years.

### **NEW JERSEY URBAN FUND**

Through September, the EDA closed a total of 48 financings in the urban centers of Camden, Elizabeth, Jersey City, Newark and Paterson under the New Jersey Urban Fund, which provided financing and business incentives of nearly \$83 million in these cities. This exceeded the \$75 million we were seeking to deploy in the Fund's nine targeted cities by the end of 2008 under our Strategic Plan. These projects are expected to result in total investment of \$274.3 million and create 2,323 new jobs.

We are also continuing our efforts to build key relationships in each of these cities – Atlantic City, Camden, East Orange, Elizabeth, Jersey City, Newark, New Brunswick, Paterson and Trenton – and to introduce new intermediary partners for the Urban Fund.

Among the loans that closed in September was a 25-percent EDA participation in a \$4.8-million Sun National Bank loan that will enable the owner of Kid's Palace, a children's clothing and furniture store in Paterson, to acquire the building he currently leases.

### **OTHER URBAN ACTIVITY**

Additionally, through the first nine months of 2008, the EDA finalized 55 projects in other Urban Aid cities, providing nearly \$55.8 million in bonds, loans, loan guarantees and environmental assistance grants (44.6 percent of plan) for borrowers planning to invest almost \$119.5 million in the state's economy. This support is expected to result in the creation of 728 jobs and the maintenance of 103 existing jobs. We are continuing our outreach efforts to move closer to our Strategic Plan goal of providing \$125 million to Urban Aid cities by the end of the calendar year.

In September, the EDA closed a number of financings with Cityworks and related entities to support the redevelopment of a four-block area of Neptune. The pedestrian-friendly project will be created as a town center with retail stores, residential and senior housing and parklands. The first phase of the project consists of constructing a three-story, 52,560-square-foot commercial building and parking. The financings consisted of a \$12,765,000 New Markets Tax Credits Program loan, a \$2-million Local Development Financing Fund loan, a \$1-million EDA guarantee of a \$10,765,000 Commerce Bank loan, and a \$250,000 direct loan through the Brownfields Redevelopment Loan Program. The project is expected to create nearly 100 new jobs.

### **CORE ACTIVITY**

Through September, core financing totaling nearly \$82.8 million was finalized with 88 other projects that plan to make total investments of more than \$295.5 million, create 627 new jobs and maintain 354 jobs.

A \$2.04 million tax-exempt bond directly purchased by Sovereign Bank will be used by Stealth Microwave, Inc., a designer and manufacturer of power amplifiers for the commercial wire industry and military applications, to acquire and renovate a building in Ewing that will be used as a manufacturing facility. Nine new jobs will be created as a result of the business expansion.

The addition of Roma and Susquehanna banks to the EDA's list of Preferred Lenders in the third quarter brought the number of current institutions participating in the program to 13 and has enabled us to surpass our Strategic Plan goal of increasing Preferred Lender membership by 25 percent. We have also continued to exceed our plan targets for hosting events aimed at keeping our business partners informed and updated about EDA programs and services.

## **OTHER NEWS**

### **EDA, Commerce Complete Consolidation on Schedule**

The EDA and the Commerce Commission have successfully completed their consolidation. As of October 1, we have had a “new EDA” in place, as required under legislation signed July 1 by Governor Corzine. Under the new EDA, all of the state’s business growth incentives and the application process are within one agency, providing businesses with one source for information and assistance. The new EDA provides various other enhancements and efficiencies, including a Business Attraction and Retention Team, with personnel to act as a single point of contact for businesses requiring assistance.

We have developed a Strategic Plan to be implemented over the next three to six months to undertake outreach efforts to retain and attract businesses within targeted industries. With the integration of the international trade function within the EDA, the team will work with New Jersey’s global trading partners to increase foreign direct investment, while providing exporting assistance to New Jersey businesses. Under a coordinated, comprehensive marketing effort, the EDA will aggressively market its financial products to the industry sectors vital to the state’s economy. I am pleased that our new team is working to meet the expectations of the Governor, Legislature and the business community to assist the New Jersey economy during these challenging economic times that face our nation.

#### **Speaking Engagements:**

Throughout the month of September, EDA representatives participated as attendees, exhibitors or speakers at 24 events, including a New Jersey Urban Real Estate Conference in Newark, a New Jersey Women’s Micro-Business Credit Program meeting in Trenton, a Chamber of Commerce Southern New Jersey Business Expo in Cherry Hill, a New Jersey State Chamber of Commerce breakfast meeting in Jamesburg, a Governor’s Conference on Housing and Community Development in Atlantic City, and a Hispanic Small Business Conference in Elizabeth. The EDA also held information workshops in Newark, North Brunswick and Wall targeted to small businesses.



## **BOND RESOLUTIONS**

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

**APPLICANT:** Beth Medrash Govoha of Lakewood, Inc., a New Jersey Nonprofit P23197

**PROJECT USER(S):** Beth Medrash Govoha of America, a New Jersey \* - indicates relation to applicant

**PROJECT LOCATION:** Several lots and blocks Lakewood Township (T/UA) Ocean

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund (X) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Beth Medrash Govoha of Lakewood, Inc., a New Jersey Nonprofit Corporation ("BMG Lakewood" or "Applicant"), is a 501(c)(3) organization. It is organized and operated exclusively for charitable, religious, literary, scientific and educational purposes, particularly to: (a) help Orthodox Jewish religious and charitable organizations acquire support through contributions, endowments and foundations; and (b) to provide auxiliary services to the students of Rabbinical Seminaries, particularly Beth Medrash Govoha of America, a New Jersey Nonprofit Corporation and 501(c)(3) tax-exempt educational institution ("BMG America" or "Beneficiary/Project User"), including providing student housing among others.

BMG America, a Talmudic studies higher learning school, is a sectarian/religiously affiliated educational institution. BMG America, the owner of the project facilities, will master lease (long term lease) the student housing facilities to BMG Lakewood through a long term capital lease that will be financed with an upfront payment equal to the value of the full term of the lease, as determined by a qualified appraiser, and an ongoing lease obligation of \$1 per year. In turn, BMG America will re-lease the same with multiple shorter term leases for local property tax exemption purposes. The student housing facility will be open to the students of BMG America exclusively.

BMG Lakewood wishes to finance its upfront long term master lease payment to BMG America. BMG America will use the upfront long term lease payment for the acquisition of properties for new classroom space and refinancing its existing debt (\$7.4 million NJEFA 2000 Bond issue, and \$11.4 million Bank of America Credit Line) incurred for constructing and equipping a dining hall building, renovating a portion of a single-student dormitory, renovation of the main administrative building among others and for acquisition of properties for married student housing and dorm renovation among others, respectively.

Applicant is a 501(c)(3), not-for-profit entity for which 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.

**APPROVAL REQUEST:**

Authority assistance will enable the Applicant to acquire master lease interest in the real property located at the project location (by funding its purchase of long term lease interest) plus pay the costs of issuance.

**FINANCING SUMMARY:**

**BOND PURCHASER:** TD Bank, N.A. (Direct Purchase)

**AMOUNT OF BOND:** \$28,000,000 (maximum)

**TERMS OF BOND:** 25 year term with call option at the end of Year 15; floating rate at tax-exempt equivalent of 30-day LIBOR (30-day LIBOR rate as of 10/10/2008 is 4.5875%) plus 120 basis points; Borrower will have the option to enter into a swap agreement to a fixed rate (indicative t/e fixed swap rate as of 10/10/2008 is 4.4658%) for the first 15 years.

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Long Term Lease	\$27,571,250
Finance fees	\$195,000
Legal fees	\$120,000
Appraisal, Title Ins	\$90,750
Other	\$23,000
<b>TOTAL COSTS</b>	<b>\$28,000,000</b>

**JOBS:** At Application      98 Within 2 years      60 Maintained      0 Construction      0

**PUBLIC HEARING:** 09/09/08 (Published 08/25/08)      **BOND COUNSEL:** Archer & Greiner

**DEVELOPMENT OFFICER:** R. Fischer      **APPROVAL OFFICER:** D. Sucsuz

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

**APPLICANT:** Cooper Health System

P22290

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** One Cooper Plaza

Camden City (T/UA)

Camden County

**GOVERNOR'S INITIATIVES:**

(X) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

The Cooper Health System (Cooper) is among the leading providers of comprehensive health services, medical education and clinical research, serving Camden, Southern New Jersey and the Delaware Valley since 1877. The hospital serves as Southern New Jersey's major tertiary-care referral hospital for specialized services and Level I Southern New Jersey Regional Trauma Center. With over 550 physicians in more than 75 specialties, Cooper is uniquely equipped to provide care in most medical disciplines. As the clinical campus of the University of Medicine and Dentistry of New Jersey – Robert Wood Johnson Medical School at Camden, Cooper offers training programs for medical students, residents, fellows, nurses and allied health professionals in a variety of specialties.

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.

**APPROVAL REQUEST:**

Authority assistance will enable the applicant to expand the Emergency Department/Trauma Intensive Care Unit, which was originally built to accommodate 20,000 patients a year and now treats 49,000 patients a year. In addition the bond proceeds will be used to complete construction of a 312,000 s.f., ten story patient pavilion, that will include operating suites, critical care facilities, laboratory space, and a health resource center open to the community.

TD Bank will act as the Agent for the irrevocable direct pay letter of credit and will syndicate out 50% of the L/C for the Series A bonds. Cooper is also requesting the Authority to approve at its October 2008 Board meeting a \$15 million New Market Tax Credit allocation NJCDE, LLC.

**FINANCING SUMMARY:**

**BOND PURCHASER:** Goldman, Sachs & Co (Underwriter)

**AMOUNT OF BOND:** Series A

\$50,986,302 (Tax-Exempt)

**TERMS OF BOND:** 25 years; Interest only for the first 24 months; fixed rate bonds based on an estimated swap rate of 4.03%. Variable interest rate, reset weekly.

Series B - Direct Purchase by TD Bank, N.A.

\$10,182,592 (Tax-Exempt)

25 years; interest only for the first seven years with full payout over the next 18 years; interest rate 70% of 30 day Libor plus 225 basis points. The L/C will not secure this series of bonds.

Series C - Held by the CDE

\$4,817,408 (Tax-Exempt)

7 years; interest only for the first seven years; interest rate 70% of 30 day Libor plus 225 basis points. The L/C will not secure this series of bonds.

ENHANCEMENT: ( L/C - TD Commerce Bank - 3.5 Yr.)

PROJECT COSTS:

Construction of new building or addition	\$178,321,322
Soft Costs	\$30,796,993
Purchase of equipment & machinery	\$25,269,393
Contingency	\$3,612,292
<b>TOTAL COSTS</b>	<b>\$238,000,000</b>

JOBS: At Application 0 Within 2 years 0 Maintained 0 Construction 0  
 Jobs on Related 22769 3,531 237 0 5,350

PUBLIC HEARING: 10/15/08 (Published 10/01/08) BOND COUNSEL McCarter & English

DEVELOPMENT OFFICER: J. Kenyon

APPROVAL OFFICER: M. Krug

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
PROJECT SUMMARY - NEW MARKETS TAX CREDITS PROGRAM**

**APPLICANT:** The Cooper Health System

P22769

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 1 Cooper Plaza

Camden City (T/UA)

Camden

**GOVERNOR'S INITIATIVES:**

(X) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

The Cooper Health System (the "Health System") is a Camden, New Jersey based non-profit health system that is the largest stand-alone hospital facility in the seven county South Jersey region and the largest employer in Camden County. The Health System's primary operating divisions are Cooper University Hospital ("Cooper" or the "Hospital"), a 561-licensed bed tertiary care facility, and Cooper University Physicians, which employs over 400 physicians.

This project involves the construction of a new 311,000 square foot patient care pavilion to the main hospital campus in Camden. The new 10-story pavilion will be attached to the existing hospital complex via an interior walkway. The pavilion will include operating suites, critical care facilities, laboratory space, and a health resource center open to the community. The project also involves a major expansion of the emergency care facility.

**APPROVAL REQUEST:**

Approval is requested for a \$15,000,000 New Market Tax Credit Allocation.

**FINANCING SUMMARY:**

**LENDER:** NJCDE-6

**AMOUNT OF LOAN:** \$15,000,000

**TERMS OF LOAN:** New Market Tax Credit Allocation

**PROJECT COSTS:**

Construction of new building or addition	\$178,321,322
Soft costs	\$30,796,993
Purchase of equipment & machinery	\$25,269,393
Contingency	\$3,612,292
<b>TOTAL COSTS</b>	<u><u>\$238,000,000</u></u>

**JOBS:** At Application 3,531 Within 2 years 237 Maintained 0 Construction 5,350

**DEVELOPMENT OFFICER:** J. Kenyon

**APPROVAL OFFICER:** D. Lawyer

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

**APPLICANT:** Fellowship Village, Inc.

P19336

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 8000 Fellowship Road

Bernards Township (N)

Somerset

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND:**

Fellowship Village, Inc., a 501(c)(3) not-for-profit entity, owns and operates a life-care retirement community facility located on approximately 62 acres in Basking Ridge (Bernards Township). With 257 independent living units, the facility provides a secure, nondenominational and comfortable continuing care retirement community and related services to over 400 people of various backgrounds in their retirement years. It also extends its services to the general public through assisted living (81 beds), skilled nursing (54 beds) and short-term rehab services.

In this agenda, the applicant also has a refunding bond application to refund its two Authority issued bonds (P23781/\$62,000,000). The proceeds of these two Bonds were used to finance the construction of the initial phase (P07991/1995; refunded with P09913/1998) and the renovation and expansion of the facility (P10427/1998).

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 Internal Revenue Code of 1986, as amended, and is not subject to the State Volume Cap limitation, pursuant to Section 146(g) of the Code.

**APPROVAL REQUEST:**

Authority assistance will enable the applicant to implement a solar panel power system to mitigate use of electricity from the public power grid. The primary gains from the applicant's solar energy system will be offsetting the rising costs of energy and environmental benefits coupled with reduction of dependency on foreign hydrocarbon energy sources and indirect support for alternative energy industry development and employment. The 700kW system will be able to reduce the power required to be purchased from the utility company by about 14% annually. The applicant expects to utilize a New Jersey Board of Public Utilities Clean Energy Rebate for a portion of the project costs (expecting BPU rebate commitment approval for approximately \$245,000).

**FINANCING SUMMARY:**

**BOND PURCHASER:** CAPITAL ONE, N.A. (as representative and/or lead bank), TD BANK, N.A. and PEAPACK-GLADSTONE BANK, as Direct Bond Purchasers

**AMOUNT OF BOND:** Up to \$4,875,250 Tax-Exempt Bond (Part of a \$67,000,000 -maximum- Bond with P23781)

**TERMS OF BOND:** Up to 17 years; floating rate at 65% of One-Month LIBOR plus 175 basis points; the borrower may enter into a swap agreement to a fixed rate (indicative t/e fixed swap rate as of 10/01/2008 is 4.15%).

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Purchase of equipment & machinery	\$3,969,000
Design, engineering & installation	\$581,000
Interest during construction	\$125,000

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Contingency	\$124,750
Legal fees	\$50,000
Finance fees	\$25,500
<b>TOTAL COSTS</b>	<u>\$4,875,250</u>

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**JOBS:** At Application 176 Within 2 years 5 Maintained 0 Construction 0

**PUBLIC HEARING:** 10/15/08 (Published 09/25/08) **BOND COUNSEL:** McCarter & English

**DEVELOPMENT OFFICER:** P. Ceppi **APPROVAL OFFICER:** D. Sucsuz

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

**APPLICANT:** Fellowship Village, Inc.

P23781

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 8000 Fellowship Road

Bernards Township (N)

Somerset

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND:**

Fellowship Village, Inc., a 501(c)(3) not-for-profit entity, owns and operates a life-care retirement community facility located on approximately 62 acres in Basking Ridge (Bernards Township). With 257 independent living units, the facility provides a secure, nondenominational and comfortable continuing care retirement community and related services to over 400 people of various backgrounds in their retirement years. It also extends its services to the general public through assisted living (81 beds), skilled nursing (54 beds) and short-term rehab services.

The applicant received Authority assistance in the past to finance the construction of the initial phase (P07991/1995; refunded with P09913/1998) and the renovation and expansion of the facility (P10427/1998). This application is for refunding of these two prior Bonds.

The Series 1998A and 1998C serial and term bonds had maturities of up to 30 years (interest rates on the bonds to be refunded range from 5.2% to 5.5%; total aggregate outstanding principal is \$63,835,000). In this agenda, the applicant also has a stand-alone bond application for \$4,875,250 (solar power panel project/P19336).

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 Internal Revenue Code of 1986, as amended, and is not subject to the State Volume Cap limitation, pursuant to Section 146(g) of the Code.

**REFUNDING REQUEST:**

Authority assistance will enable the applicant to currently refund the \$63,835,000 outstanding balance of the Series 1998A and 1998C Bonds plus pay the cost of issuance.

The difference between the project costs and the bond amount will be funded from the Debt Service Reserve Fund of the prior bonds and/or by the Applicant's equity.

**FINANCING SUMMARY:**

**BOND PURCHASER:** CAPITAL ONE, N.A. (as representative and/or lead bank), TD BANK, N.A. and PEAPACK-GLADSTONE BANK, as Direct Bond Purchasers

**AMOUNT OF BOND:** Up to \$62,124,750 Tax-Exempt Bond (Part of a \$67,000,000 -maximum- Bond with P19336)

**TERMS OF BOND:** Up to 17 years; floating rate at 65% of One-Month LIBOR plus 175 basis points; the borrower may enter into a swap agreement to a fixed rate (indicative t/e fixed swap rate as of 10/01/2008 is 4.15%).

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Principal amount of bond to be refunded	\$63,835,000
Redemption premium	\$823,450

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Finance fees	\$485,000
Legal fees	\$165,000
Contingency	\$124,750
Accounting fees	\$50,000
TOTAL COSTS	<hr/> <u>\$65,483,200</u> <hr/>

**PUBLIC HEARING:** 10/15/08 (Published 09/25/08)    **BOND COUNSEL:** McCarter & English  
**DEVELOPMENT OFFICER:** P. Ceppi                      **APPROVAL OFFICER:** D. Sucsuz

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

**APPLICANT:** The Peddie School

P22637

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** Etra Road

Hightstown Borough (N)

Mercer

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND:**

The Peddie School (Peddie), founded in 1864, is a not-for-profit independent college preparatory high school with 530 students enrolled in grades 9-12, including 15 postgraduate students. The student body represents 23 states and the District of Columbia, as well as 23 foreign countries. Average class size is 12 students, with a 6:1 student-to-faculty ratio. The campus includes 55 buildings that overlook approximately 230 acres. Peddie students earn admission into the most selective schools, ranging from the Ivy League to U.S. military academies. The applicant is accredited by the Commission on Secondary Schools.

The Authority has provided assistance to the Peddie School with tax-exempt bond financing on a number of occasions. Currently outstanding are the following bonds:

	CLOSED	AMOUNT	PURPOSE
P 15551	3/31/2004	\$ 4,000,000	Refunding 1994 Bond Issue
P 15392	3/31/2004	\$15,865,000	Construct 41,000 s.f. science building
P 10840	8/21/1999	\$ 8,700,000	Renovations to the student center & athletic facility
P 08750	3/07/1996	\$ 4,350,000	Construct new building
P 07553	6/27/1994	\$ 7,000,000	Renovations to the student center & athletic facility

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 as amended, and is not subject to the State Volume Cap limitation, pursuant to Section 146(g) of the Code.

**APPROVAL REQUEST:**

Authority assistance will enable the applicant to renovate its existing 80,000 s.f. athletic complex and add a new 29,500 s.f. pool, turf playing surface and parking lot.

The applicant is also seeking approval at the October 2008 Board Meeting to current refund the outstanding balance of a series of prior bonds issued by the Authority (P22801).

**FINANCING SUMMARY:**

**BOND PURCHASER:** Morgan Stanley & Co, Inc (Underwriter)

**AMOUNT OF BOND:** \$29,600,000 Tax-Exempt Bond (part of a \$55 million tax-exempt bond issue)

**TERMS OF BOND:** 30 years; fixed rate not to exceed 7%, to be determined at time of closing; subject to a call option on the 10th anniversary.

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Construction of new building or addition	\$14,500,000
Renovation of existing building	\$12,500,000
Engineering & architectural fees	\$6,600,000
Construction of roads, utilities, etc.	\$3,800,000

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Legal fees	\$100,000
Finance fees	\$100,000
Accounting fees	\$50,000
<b>TOTAL COSTS</b>	<u>\$37,650,000</u>

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**JOBS:** At Application    210 Within 2 years    2 Maintained    0 Construction    924

**PUBLIC HEARING:** 10/15/08 (Published 10/01/08)    **BOND COUNSEL:** McManimon & Scotland  
**DEVELOPMENT OFFICER:** P. Ceppi    **APPROVAL OFFICER:** M. Krug

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

**APPLICANT:** The Peddie School

P22801

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** South Main Street

Hightstown Borough (N)

Mercer

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND:**

The Peddie School (Peddie), founded in 1864, is a not-for-profit independent college preparatory high school with 530 students enrolled in grades 9-12, including 15 postgraduate students. The student body represents 23 states and the District of Columbia, as well as 23 foreign countries. Average class size is 12 students, with a 6:1 student-to-faculty ratio. The campus includes 55 buildings that overlook approximately 230 acres. Peddie students earn admission into the most selective schools, ranging from the Ivy League to U.S. military academies. The applicant is accredited by the Commission on Secondary Schools.

At the October 2008 Board meeting, the applicant is also seeking approval for a \$29.6 million, 30 year, fixed rate, tax-exempt bond (P22637). The Authority assistance will enable the applicant to renovate its existing 80,000 s.f. athletic complex and add a new 29,500 s.f. pool, turf playing surface and parking lot. It is anticipated the \$27 million (P22637) will go to market with this refunding bond at the same time.

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 as amended, and is not subject to the State Volume Cap limitation, pursuant to Section 146(g) of the Code.

**REFUNDING REQUEST:**

Authority assistance will enable the applicant to current refund tax-exempt bond listed below, with approximately \$25,150,000 currently outstanding. The purpose of the refunding is to change the variable rate nature of the debt.

	CLOSED	AMOUNT	PURPOSE
P 15551	3/31/2004	\$ 4,000,000	Refunding 1994 Bond Issue
P 15392	3/31/2004	\$15,865,000	Construct 41,000 s.f. science building
P 10840	8/21/1999	\$ 8,700,000	Renovations to the student center & athletic facility
P 08750	3/07/1996	\$ 4,350,000	Construct new building
P 07553	6/27/1994	\$ 7,000,000	Renovations to the student center & athletic facility

**FINANCING SUMMARY:**

**BOND PURCHASER:** Morgan Stanley & Co., Inc. (Underwriter)

**AMOUNT OF BOND:** \$25,400,000 Tax-Exempt Bond  
(Part of a \$55 million tax-exempt bond issue.)

**TERMS OF BOND:** 30 years; fixed rate not to exceed 7%, to be determined at time of closing; subject to a call option on the 10th anniversary.

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Principal amount of bond to be refunded	\$25,150,000
Legal fees	\$100,000

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Finance fees	\$100,000
Accounting fees	\$50,000
TOTAL COSTS	<hr/> <u>\$25,400,000</u> <hr/>

**PUBLIC HEARING:** 10/15/08 (Published 10/01/08) **BOND COUNSEL:** McManimon & Scotland  
**DEVELOPMENT OFFICER:** P. Ceppi **APPROVAL OFFICER:** M. Krug

**COMBINATION PRELIMINARY AND BOND RESOLUTIONS**

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

**APPLICANT:** The Order of St. Benedict of New Jersey

P24023

**PROJECT USER(S):** Delbarton School \*

\* - indicates relation to applicant

**PROJECT LOCATION:** 230 Mendham Rd

Morristown Town (N)

Morris

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND:**

The Order of St. Benedict of New Jersey, a/k/a Delbarton School ("Delbarton"), established in 1939 is a college-preparatory school for boys grades 7 through 12 with a current enrollment of 537 students. The school is open to students of all races, religions, cultures and backgrounds. Delbarton strives to support each boy's efforts toward intellectual development and to reinforce his commitment to help build a community of responsible individuals. The campus is located on 400 acres which includes two classroom buildings, a science pavilion, a dining hall, two gymnasiums, a physical fitness facility, six tennis courts, and eight athletic fields.

The Authority previously issued a \$17.87 million tax exempt bond in 2005 for the construction of a 40,000 sq. ft. Fine Arts Center on 5.6 acres and a 17 space parking lot, as well as various campus improvements. The 2005 Bond was privately placed by Wachovia Bank with a term of 20 years at a variable interest rate, reset weekly. Wachovia Bank also provided a letter of credit for 10 years. The project is in compliance.

The applicant is a 501(c)(3), not-for-profit 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.

**APPROVAL REQUEST:**

Authority assistance will enable the applicant to finance renovations to the main school building and the original school (Old Main) and the construction of additions and renovations to the South and North Athletic Fields, including new locker rooms, new playing fields, scoreboards and grand stands. The difference between the project costs and the bond amount will be funded from the School's pledge campaign fund.

**FINANCING SUMMARY:**

**BOND PURCHASER:** Wachovia Bank, N.A. (its successor or assigns) (Underwriter)

**AMOUNT OF BOND:** \$17,000,000 (Tax-exempt)

**TERMS OF BOND:** 20 years; Interest only for 12 months; Variable interest rate, reset weekly, not to exceed 12%. (Estimated rate as of 10/6/08 is 5.74%.) The Borrower has entered into a swap agreement to a fixed rate of 3.91%.

**ENHANCEMENT:** ( L/C - Wachovia Bank, N.A. - 1.0 Yr.)

**PROJECT COSTS:**

Construction of roads, utilities, etc.	\$8,839,100
Construction of new building or addition	\$6,909,000
Engineering & architectural fees	\$5,570,200
Renovation of existing building	\$3,911,700
Finance fees	\$160,000
Legal fees	\$75,000
Accounting fees	\$35,000

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TOTAL COSTS

\$25,500,000

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**JOBS:** At Application    109 Within 2 years    3 Maintained    0 Construction    590

**PUBLIC HEARING:** 10/15/08 (Published 10/01/08)    **BOND COUNSEL:** Wolff & Samson

**DEVELOPMENT OFFICER:** P. Ceppi    **APPROVAL OFFICER:** T. Wells

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

**APPLICANT:** Princeton Charter School

P22638

**PROJECT USER(S):** Princeton Charter School \*  
Princeton Symphony Orchestra

\* - indicates relation to applicant

**PROJECT LOCATION:** 100 Bunn Drive

Princeton Township (N)

Mercer

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND:**

Princeton Charter School (PCS), is a not-for-profit charter school, funded by public monies and operated independently by a board of trustees under a charter granted by the NJ Department of Education in January of 1997 and subsequently renewed twice. PCS educates more than 290 students in grades kindergarten through 8. PCS plans to expand 3rd and 4th grade over the next several years, to meet community demand and to ensure that all students are prepared for middle-school curriculum. The School has received approval from the NJ Department of Education to increase its enrollment to 348 students by the 2010-2011 school year, which will allow the expansion of the 3rd and 4th grade classrooms.

PCS received Authority assistance in 2001 in the amount of \$4,250,000 (Appl. P13424 and P13421) in order to (i) acquire an existing building of 4,500 sq ft on 1.6 acres of land contiguous to its existing facility of 15,840 sq ft on 5.1 acres of land for an expansion that increased enrollment by adding a kindergarten and increasing the number of classrooms in grade levels 5 through 8; and (ii) to refund a prior tax-exempt bond (Appl. P11019) used to refinance a conventional loan for the acquisition of the school facility in 1997. Bank of America purchased the 2001 Bond for 20 years at a floating rate based on 30-day LIBOR plus 150 basis points swapped to a fixed rate of 5.49%.

The applicant is a not-for-profit 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.

**APPROVAL REQUEST:**

Authority assistance will enable PCS to (i) construct a 17,000 sq. ft. campus center consisting of art, music and theatre classrooms and a gymnasium; (ii) make improvements and renovations to the main classroom building, stairways and the cafeteria, including but not limited to, providing barrier-free access and physically connect the middle school to the campus center and the main classroom building; and (iii) refinance conventional debt for expansion of the school in 2001. The construction, renovations and improvements will provide for the increase in enrollment and to better serve the students and the faculty.

This application is being presented in conjunction with P22684 for the refunding of the 2001 Bonds for a total tax-exempt bond financing of \$8,420,000.

**FINANCING SUMMARY:**

**BOND PURCHASER:** Capital One, N.A. (Direct Purchase)

**AMOUNT OF BOND:** \$5,100,000 (est.) (Part of a \$8,420,000 tax-exempt bond issue with P22684)

**TERMS OF BOND:** 22 years; Variable interest rate based on the tax exempt equivalent of 1-month LIBOR plus 175 basis points (estimated rate as of 10/8/08 is 3.93%). On the closing date, the Borrower will enter into a 10 year swap agreement to a fixed rate estimated at 3.88% as of 10/8/08. Interest only for 2 years; subject to call option on 10th anniversary.

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Construction of new building or addition	\$5,346,000
Renovation of existing building	\$440,000
Refinancing	\$179,900
Legal fees	\$55,000
Finance fees	\$30,000
<b>TOTAL COSTS</b>	<b>\$6,050,900</b>

**JOBS:** At Application    37    Within 2 years    3    Maintained    0    Construction    174

**PUBLIC HEARING:** 07/08/08 (Published 06/23/08)    **BOND COUNSEL:** Saul, Ewing, LLP

**DEVELOPMENT OFFICER:** P. Ceppi    **APPROVAL OFFICER:** T. Wells

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

**APPLICANT:** Princeton Charter School

P22684

**PROJECT USER(S):** Princeton Charter School \*  
Princeton Symphony Orchestra

\* - indicates relation to applicant

**PROJECT LOCATION:** 100 Bunn Drive

Princeton Township (N)

Mercer

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND:**

Princeton Charter School (PCS), is a not-for-profit charter school, funded by public monies and operated independently by a board of trustees under a charter granted by the NJ Department of Education in January of 1997 and subsequently renewed twice. PCS educates more than 290 students in grades kindergarten through 8. PCS plans to expand the 3rd and 4th grades over the next several years, to meet community demand and to ensure that all younger students are prepared for middle-school curriculum. The School has received approval from the NJ Department of Education to increase its enrollment to 348 students by the 2010-2011 school year, which will allow the expansion of the 3rd and 4th grade classrooms.

PCS received Authority assistance in 2001 in the amount of \$4,250,000 (Appl. P13424 and P13421) in order to (i) acquire an existing building of 4,500 sq ft on 1.6 acres of land contiguous to its existing facility of 15,840 sq ft on 5.1 acres of land for an expansion that increased enrollment by adding a kindergarten and increasing the number of classrooms in grade levels 5 through 8; and (ii) refund a prior tax-exempt bond (Appl. P11019) used to refinance a conventional loan for the acquisition of the school facility in 1997. Bank of America purchased the 2001 Bond for 20 years at a floating rate based on 30-day LIBOR plus 150 basis points swapped to a fixed rate of 5.49%.

The applicant is a not-for-profit 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.

**REFUNDING REQUEST:**

Authority assistance will enable the Applicant to refund the \$3,320,000 outstanding balance of the 2001 bond financing.

This Application is being presented in conjunction with Appl. P22638 to construct an addition and make renovations to the existing school, for a total tax-exempt bond financing of \$8,420,000.

**FINANCING SUMMARY:**

**BOND PURCHASER:** Capital One, N.A. (Direct Purchase)

**AMOUNT OF BOND:** \$3,320,000 (est.) (Part of a \$8,420,000 tax-exempt bond with P22638)

**TERMS OF BOND:** 22 years; Variable interest rate based on the tax exempt equivalent of 1-month LIBOR plus 175 basis points (estimated rate as of 10/8/08 is 3.93%). On the closing date, the Borrower will enter into a 10 year swap agreement for a fixed rate estimated at 3.88% as of 10/8/08. Interest only for 2 years; subject to call option on 10th anniversary.

ENHANCEMENT: N/A

**PROJECT COSTS:**

Principal amount of bond to be refunded	\$3,320,000
Legal fees	\$50,000
Finance fees	\$30,000
<b>TOTAL COSTS</b>	<b>\$3,400,000</b>

**PUBLIC HEARING:** 07/08/08 (Published 06/23/08) **BOND COUNSEL:** Saul, Ewing, LLP  
**DEVELOPMENT OFFICER:** P. Ceppi **APPROVAL OFFICER:** T. Wells

## **PRELIMINARY RESOLUTIONS**

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

**APPLICANT:** Bear Creek Senior Housing, LLC

P24136

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 293 Village Rd East

West Windsor Township (N)

Mercer

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND:**

Bear Creek Senior Housing, LLC ("Bear Creek"), was established in 2003 as a result of a restructuring plan of the previous management group, Esplanade Senior Services, LLC, a/k/a The Esplanade at Bear Creek, L.L.C. ("Esplanade"). Esplanade had received bond financing in the amount of \$19,450,000 under P10123 in June 1999 to complete Phase I, which was the construction of 2 interconnected buildings totaling approx. 82,000 sf on 13 acres consisting of 62 assisted living units (72 beds) and 24 memory impaired units (28 beds). Bear Creek has been operational since August 2002 and in compliance at 93% occupancy.

The bond financing was originally underwritten by The GMS Group as term bonds with interest rates of 6% and 7% with final maturity in 2039.

The project qualifies for tax-exempt bond financing as an Exempt Public Facility - Qualified Residential Rental Project under Sections 142(d)(1) and 142(a)(7) of the Internal Revenue Code of 1986 as amended since the applicant will set aside 20% of the units in the project to individuals whose income does not exceed 50% of the area median gross income.

**REFUNDING REQUEST:**

The Applicant requests preliminary Board approval at the October 15, 2008 meeting to current refund the principal balance of proposed conventional debt that will be used to redeem the 1999 Bonds, plus pay costs of issuance.

The reason for a preliminary approval to the refunding is as follows: Bear Creek intends to do a separate project (not bond-financed) on additional land that is not part of the project property but is part of the security for the 1999 Bonds. Bear Creek would like the additional land released as security to the 1999 Bonds for the new project but has not yet arranged the financing and security to accomplish the tax-exempt refunding of the 1999 Bonds. Bear Creek can however secure interim conventional financing. Bond counsel, McCarter and English has reviewed the IRS regulations and concluded that Bear Creek can refinance the conventional interim financing with tax-exempt bonds if it is undertaken after a declaration of intent (a preliminary bond resolution).

**FINANCING SUMMARY:**

**BOND PURCHASER:**

**AMOUNT OF BOND:**

**TERMS OF BOND:**

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Principal amount of bond to be refunded	\$15,500,000
Finance fees	\$240,500
Legal fees	\$200,000
Other	\$139,500
Accounting fees	\$20,000

**TOTAL COSTS**

\$16,100,000

**PUBLIC HEARING:**

**DEVELOPMENT OFFICER:** R. Fischer

**BOND COUNSEL:** McCarter & English

**APPROVAL OFFICER:** T. Wells

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

**APPLICANT:** EASCO Shower Doors Company

P23944

**PROJECT USER(S):** Mercer Glass Fab LLC \*

\* - indicates relation to applicant

**PROJECT LOCATION:** 600 Plum St

Trenton City (T/UA)

Mercer

**GOVERNOR'S INITIATIVES:**

(X) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

EASCO Shower Doors Company (EASCO), incorporated in 2001, is a custom shower enclosure manufacturer based in a 20,000 sf. facility in Vernon, NJ with approximately 35 employees. EASCO is a subsidiary of New Jersey Porcelain Co., Inc., manufacturer and wholesale distributor of a line of porcelain bathroom accessories, electrical insulators, and cabinet hardware, which are sold nationwide. New Jersey Porcelain and its subsidiary, Lenape Products operate out of several buildings in Trenton, owned by NJ Porcelain.

EASCO has recently formed a new entity, Mercer Glass Fab LLC to fabricate and temper glass for use in EASCO's glass shower enclosures and to provide tempered glass to other tempered glass users in the tri-state area.

New Jersey Porcelain Co., Inc. has received prior Authority assistance under Appl. P9120, SLP participation of \$80,860 in 1996 to acquire a 40,000 sq. ft. facility in Trenton and a \$107,813 LDFF loan in 1998 for renovations to the Trenton manufacturing facilities. The loans have been paid in full.

**APPROVAL REQUEST:**

Authority assistance will enable the Applicant to purchase machinery and equipment, which will be leased to Mercer Glass Fab, LLC, needed to manufacture the glass shower enclosures and tempered glass.

**FINANCING SUMMARY:**

**BOND PURCHASER:**

**AMOUNT OF BOND:**

**TERMS OF BOND:**

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Purchase of equipment & machinery	\$1,700,000
Working capital	\$250,000
Renovation of existing building	\$100,000
Construction of roads, utilities, etc.	\$80,000
Legal fees	\$60,000
Accounting fees	\$20,000
Finance fees	\$5,000
<b>TOTAL COSTS</b>	<b>\$2,215,000</b>

**JOBS:** At Application      0 Within 2 years      6 Maintained      0 Construction      5

**PUBLIC HEARING:**

**DEVELOPMENT OFFICER:** P. Ceppi

**BOND COUNSEL:** Wolff & Samson

**APPROVAL OFFICER:** T. Wells

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

**APPLICANT:** Longfield Brothers L.L.C.

P23936

**PROJECT USER(S):** Garden State Bulb Co., L.L.C. \*

\* - indicates relation to applicant

**PROJECT LOCATION:** 2720 Industrial Way

Vineland City (T/UA)

Cumberland

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund (X) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Formed in 2004, Longfield Brothers L.L.C. owns a warehouse and distribution facility at the project location, which has been leased to Garden State Bulb Co., L.L.C., the operating company.

Headquartered in New Jersey, Garden State Bulb Co., L.L.C. has been a direct importer of Dutch bulbs for over fifty years. They are focused on providing top quality yet low cost bulbs exclusively to mass merchandising retailers within the United States. They have their own farms and packing facilities in Holland and a distribution plant in New Jersey. The combination of packing plants in the U.S. and Holland allow them to provide both low cost and top quality bulbs and perennials.

In 2004, Longfield Brothers L.L.C. received joint Authority and Cumberland Empowerment Zone Corporation (CEZC) assistance through a tax-exempt Federal Empowerment Zone (EZ) bond to refinance conventional debt in connection with an 80,000 sf warehouse, packing, and office facility for lease to the operating company on 11.98 acres of land as well as to finance the acquisition of packaging and shipping equipment. The outstanding balance on this original \$2,046,855.71 bond, which was bought by Minotola National Bank, now Susquehanna Bank DV, is about \$1,700,000 (P014701).

CEZC is about to approve a \$7,000,000 allocation from its EZ Bond cap for this project. A subordinate \$2,000,000 Enterprise Zone Development Corporation of Vineland-Millville (UEZ) Loan will be used to partially pay down the new bond upon completion of the new construction.

This project qualifies for tax-exempt bond financing as an Exempt Public Facility - Qualified "New" Empowerment Zone Facility - under Section 1394(f) of the Internal Revenue Code of 1986, as amended, and is not subject to the State Volume Cap limitation.

**APPROVAL REQUEST:**

Authority assistance will enable the expansion of the existing facility by 120,000 sf for coolers, warehouse and a new office area, and equipping of the same with coolers plus pay the cost of issuance.

The difference between the project costs and the bond amount (approximately \$400,000 for coolers) will be funded by the Project User's equity.

**FINANCING SUMMARY:**

**BOND PURCHASER:**

**AMOUNT OF BOND:**

**TERMS OF BOND:**

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Construction of new building or addition	\$6,180,000
Contingency	\$675,000

Purchase of equipment & machinery	\$400,000
Finance fees	\$75,000
Engineering & architectural fees	\$50,000
Legal fees	\$20,000
<b>TOTAL COSTS</b>	<b>\$7,400,000</b>

**JOBS:** At Application      6 Within 2 years      15 Maintained      0 Construction      185

**PUBLIC HEARING:**

**BOND COUNSEL:** Capehart & Scatchard, P.A.

**DEVELOPMENT OFFICER:** H. Friedberg

**APPROVAL OFFICER:** D. Sucsuz

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

**APPLICANT:** SWP Real Estate, LLC.

P23722

**PROJECT USER(S):** East Coast Panelboard, Inc \*  
East Coast Control & Automation, LLC, \*  
East Coast Power Services, LLC \*  
East Coast Power Systems, LLC \*

\* - indicates relation to applicant

**PROJECT LOCATION:** 1457 Shafto Road Tinton Falls Borough (N) Monmouth

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND:**

SWP Real Estate, LLC. (SWP), a real estate holding company, will own the property to be occupied by East Coast Panelboard, Inc and affiliates (tenants). East Coast Panelboard, Inc. was formed in 1983 by Salvatore and Mary Rinaldi, with their two children Salvatore III and Maria Rahner, as a reseller of electrical components and builder of small assembled parts. In January 1999 East Coast Power Systems, LLC (ECPS) was formed as the new parent company for East Coast Panelboard, Inc., the original core company, East Coast Control & Automation, LLC, and East Coast Power Services, LLC. Today, the primary business is building lighting panelboard and switchboards to protect and distribute electricity in commercial buildings. The applicant and tenant's continue to be family owned businesses, with Salvatore III as the CEO. ECPS' doubling in size over the past few years is driving the need to move to a larger facility.

At the May 2008 Board meeting the Authority approved a preliminary bond for East Coast Power Services and affiliates (P21955) to acquire new metal working machines, storage systems and a powder coat paint system, rather than moving outdated machines to a new facility.

**APPROVAL REQUEST:**

Authority assistance will enable the applicant to acquire and renovate the 92,179 s.f. building, situated on 10 acres, they are currently leasing. The applicant leased the building, with an option to purchase, in August 2007, enabling them to move from a 16,000 s.f. facility to the new facility. It is anticipated that the applicant will utilize 50% for immediate occupancy, with room to grow.

**FINANCING SUMMARY:**

**BOND PURCHASER:**

**AMOUNT OF BOND:**

**TERMS OF BOND:**

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Acquisition of existing building	\$3,200,000
Land	\$2,400,000
Renovation of existing building	\$1,000,000
Closing Costs	\$100,000
Construction of roads, utilities, etc.	\$57,000
Renovation of existing equipment & machi	\$27,000
<b>TOTAL COSTS</b>	<b>\$6,784,000</b>

**JOBS:** At Application      41 Within 2 years      12 Maintained      0 Construction      32

**PUBLIC HEARING:**

**DEVELOPMENT OFFICER:** R. Fischer

**BOND COUNSEL:** Gluck Walrath, LLP

**APPROVAL OFFICER:** M. Krug

## **DIRECT LOANS**

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

**APPLICANT:** Preferred Display, Inc.

P23479

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 310 Brighton Road

Clifton City (T/UA)

Passaic

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund (X) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Formed in 2001, PDI is a designer and manufacturer of acrylic, metal, and wood display cases. The Company began its operations as a reseller of display fixtures with a small staff of employees comprised of customer service and warehouse personnel. Today, the business has grown to a full design, manufacturing, and assembly company with 115 employees.

This project involves the term out of an existing \$3 million working capital line of credit used to finance trade receivables and inventory.

**APPROVAL REQUEST:**

Approval of a \$750,000 direct loan is requested.

**FINANCING SUMMARY:**

**LENDER:** NJEDA

**AMOUNT OF LOAN:** \$750,000

**TERMS OF LOAN:** Fixed for five years at the time of closing at the five-year US Treasury with a floor of 3.00%. One rate reset at the end of year five at the same index. Seven-year term, fully amortizing.

**PROJECT COSTS:**

Refinance debt	\$2,789,721
Finance Fees	\$8,000
<b>TOTAL COSTS</b>	<b>\$2,797,721</b>

**JOBS:** At Application 115 Within 2 years 25 Maintained 0 Construction 0

**DEVELOPMENT OFFICER:** K. Durand

**APPROVAL OFFICER:** D. Lawyer

**FUND FOR COMMUNITY ECONOMIC DEVELOPMENT**

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
PROJECT SUMMARY - COMMUNITY ECONOMIC DEVELOPMENT PROGRAM**

**APPLICANT:** 420 Perth Amboy Properties, LLC

P23770

**PROJECT USER(S):** 2nd Home Perth Amboy Operations, LLC \*

\* - indicates relation to applicant

**PROJECT LOCATION:** 420 Fayette Street

Perth Amboy City (T/UA)

Middlesex

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund (X) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

420 Perth Amboy Properties, LLC was formed to acquire a 12,000 square foot facility in Perth Amboy whereby by an operating business, 2nd Home Perth Amboy Operations, LLC will occupy the facility and hold the adult day care license for 150 patients. This project involves the purchase of a total of five existing adult day care facilities (owned by the same management team) by a new management team (consisting of three members of the Rosenberg family).

**APPROVAL REQUEST:**

Approval is recommended for a \$750,000 loan from the Fund for Community Economic Development to be used as partial financing for the real estate being acquired in Perth Amboy. Concurrently being presented for approval under P 23771 is a related project named 61-65 Passaic Properties, LLC which seeks a \$750,000 FUND loan to purchase real estate in Passaic.

**FINANCING SUMMARY:**

**LENDER:** Fund for Community Economic Development

**AMOUNT OF LOAN:** \$750,000

**TERMS OF LOAN:** Borrower's option of fixed for 5 years at the five year US Treasury rate + 1% with a floor of 3% (with a rate reset at the end of year five at the same index), or floating at Wall Street Journal Prime minus 2% with a floor of 2% adjusted on the first business day of each calendar quarter, ten year term, based upon a 20 year amortization.

**PROJECT COSTS:**

<b>Acquisition of existing building</b>	\$2,300,000
<b>Finance fees</b>	\$57,500
	<hr/>
<b>TOTAL COSTS</b>	<b>\$2,357,500</b>
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**JOBS:** At Application      22 Within 2 years      10 Maintained      0 Construction      0

**DEVELOPMENT OFFICER:** K. Durand

**APPROVAL OFFICER:** M. Conte

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
PROJECT SUMMARY - COMMUNITY ECONOMIC DEVELOPMENT PROGRAM**

**APPLICANT:** 61-65 Passaic Properties, LLC

P23771

**PROJECT USER(S):** 2nd Home Passaic Operations, LLC \*

\* - indicates relation to applicant

**PROJECT LOCATION:** 61-65 Grove Street

Passaic City (T/UA)

Passaic

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund (X) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

61-65 Passaic Properties, LLC is formed to buy and own a 10,000 square foot building in Passaic whereby an operating business, 2nd Home Passaic Operations, LLC will occupy the facility and hold the adult day care license for 120 patients. This project is part of the purchase of a total of five existing adult day care facilities (owned by the same management team) by a new management team (consisting of three members of the Rosenberg family).

**APPROVAL REQUEST:**

\$750,000 loan from the Fund for Community Economic Development to be used as partial financing for the real estate being acquired in Passaic. Concurrently being presented for approval under P 23770 is a related project named 420 Perth Amboy Properties, LLC which seeks a \$750,000 FUND loan to purchase real estate in Perth Amboy.

**FINANCING SUMMARY:**

**LENDER:** Fund for Community Economic Development

**AMOUNT OF LOAN:** \$750,000

**TERMS OF LOAN:** Borrower's option of fixed for 5 years at the five year US Treasury rate + 1% with a floor of 3% (with a rate reset at the end of year five at the same index), or floating at Wall Street Journal Prime minus 2% with a floor of 2% adjusted on the first business day of each calendar quarter, ten year term based upon a 20 year amortization.

**PROJECT COSTS:**

Acquisition of existing building	\$1,960,000
Finance fees	\$57,500
<b>TOTAL COSTS</b>	<u><u>\$2,017,500</u></u>

**JOBS:** At Application    16 Within 2 years    10 Maintained    0 Construction    0

**DEVELOPMENT OFFICER:** K. Durand

**APPROVAL OFFICER:** M. Conte

**CAMDEN ECONOMIC RECOVERY BOARD**



**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Camden Redevelopment Agency – Centerville HOPE VI  
P016011

The Members of the Authority are asked to approve a modification to the \$5,000,000 non-recoverable infrastructure grant for the Camden Redevelopment Agency (CRA) to assist the Camden Housing Authority (CHA) in making infrastructure improvements in the Centerville section of Camden. This modification request is to revise the scope of work to include a project management fee for the CRA to be funded from this grant and to extend the grant term to September 9, 2010.

#### **Background**

On December 23, 2003, the Members approved the reservation of a \$5,000,000 ERB commitment to the CRA to evidence financial support of the Centerville Area HOPE VI project sponsored by CRA and CHA.

In January 2004, the CRA and CHA collaborated to re-submit a funding request to the U.S. Department of Housing and Urban Development (HUD) for the HOPE VI project. In June of 2004, the CRA and CHA received notification from HUD that the Centerville Area HOPE VI project received a \$20 million grant commitment. On August 3, 2004, the Members approved a \$5,000,000 non-recoverable infrastructure grant to the CRA to fund a portion of the infrastructure costs for the Centerville HOPE VI project.

The Centerville HOPE VI project is located on property that was previously owned by the CRA and sold to the CHA for fair market value. In addition, CRA condemned 10 vacant and abandoned parcels, which were sold to Antioch Community Development Corporation (Antioch CDC) for \$50,000 plus the cost of condemnation. The Antioch CDC has also contributed a parcel of land that is used in the project. The project was originally approved as a 668-unit housing project with 566 affordable, mixed income rental units (130 of which are senior housing) and 102 homeownership units. The approved project encompassed four distressed public housing sites in Centerville with a total of 10 phases-Roosevelt Manor Phases I, II, and III, Chelton Terrace Phases II and III, Antioch Phases I and II, and Centerville Homes Phases I, II, and III. The estimated sales price of the homeownership units under Roosevelt Manor and Centerville Homes ranged between \$45,000 and \$70,000.

Phases I, II, and III. The estimated sales price of the homeownership units under Roosevelt Manor and Centerville Homes ranged between \$45,000 and \$70,000.

This project involved the demolition of 268 units on a 14-acre site, relocation of tenants in 214 of the units, along with the construction of housing units. The \$5,000,000 ERB grant was earmarked for the infrastructure improvements including grading through site preparation work, private alleys, curbs, sidewalks, tot-lots, utilities, sewers, roads, as well as new buried underground systems for electric, gas, telephone, and cable. Also, a comprehensive Community and Support Services Plan was included in the scope of the project to address family support services, education and training services, employment services, business development, and community building.

To supplement this \$142 million multi-phased project, a 12,350 sq. ft. new community center with retail space and support services available to resident and community members, as well as a new City library, and a new elementary school were planned. Two local churches were scheduled for expansion, and neighboring parks were to be improved.

### **Project Update**

The Centerville HOPE VI project was amended to include 564 new affordable, mixed-income rental units (142 of which are senior housing) and 43 homeownership units are planned. (See attached conception site plan.) The project now has 8 phases of residential development, which includes 7 rental and 1 homeownership phase. The total project cost has increased from \$142 million to \$166 million, mostly due to an increase in construction and soft costs over the past four years.

Currently, 2 rental phases totaling 165 units (Antioch Manor Phase 1 and Chelton Terrace Phase 2) are completed; 3 rental phases with 230 units (Roosevelt Manor Phases 5, 7, and 12) are financed and under construction; 1 rental phase with 78 senior units (Antioch Manor Phase 2) will close this month and begin construction in October 2008. The CRA and CHA plan to submit applications for tax credits and other financing in Fall/Winter 2008 for 1 rental phase containing 89 units (Roosevelt Manor Phases 9/10). The number of Centerville Homes rentals has increased from a total of 171 to 175 units; the 16 homeownership units of this phase remain the same.

The CHA and Antioch CDC own the land and provide ground leases to the limited partnerships between the developers and their equity investors. Once the 15-year tax credit compliance periods expire for the rental units, CHA and Antioch CDC have the option to purchase the units from the developers. These rental units will generate approximately \$75,000 annually for each phase under 30-year payment in lieu of taxes agreements. This is significant because the CHA rental units did not previously pay any property tax revenue.

The Roosevelt Manor Phase 6 includes 43 home ownership units and is scheduled for completion by 2010. Although HOPE VI funds were approved for the original 3 homeownership phases, Roosevelt Phase 8 and Centerville Homes Phase 4 require additional funds to finance the project. The CRA and CHA will apply for additional funding and/or modify the scope of the work for these 2 phases to construct the additional 59 homeownership units. Preliminary and Final site plans are approved for the homeownership units and City Council is expected to approve a resolution supporting these units by Winter 2008. The anticipated sales prices for twin homes and townhouses have been increased to \$90,000 for the

3-bedroom units and \$100,000 for the 4-bedroom units. A market study will be done to determine if these sales prices are reasonable.

To date, the ERB has disbursed a total of \$919,797 for infrastructure work completed on Antioch Phase 1 and Roosevelt Phase 5. Below are sources and uses of funds for the original 10-phased project and the revised 8-phased project:

**Sources of Funds**

<i>Original</i>	<i>Revised</i>	
\$ 20,000,000	19,818,144	HUD HOPE VI Grant
\$ 5,205,881	6,719,828	CHA Capital Funds/Replacement Housing Funds
\$ 3,570,000	4,000,000	HMFA CHOICE (formerly MONI) Program
\$ 7,038,000	3,900,000	Homebuyer End Loan/Sales Proceeds
\$ 102,000		Homebuyer Down Payment
\$ 69,399,265	92,643,298	Equity Raised from Tax Credits
\$ 3,184,131	2,531,000	Federal Home Loan Bank Loan
\$	516,000	Federal Home Loan Bank Grant
\$ 14,802,422	16,031,995	DCA Balanced Housing Grant Funds
\$ 5,000,000	5,000,000	Camden ERB Grant
\$ 500,000		City of Camden CDBG Grant
\$	2,200,000	Special Needs
\$	661,878	HMFA First Mortgage
\$ 12,206,530	12,206,530	Private Community Support Services Grant Funds
\$ 1,114,723	358,877	Reinvested Developer's Fee
<b>\$142,119,953</b>	<b>\$166,587,550</b>	<b>Total</b>

**Uses of Funds**

<i>Original</i>	<i>Revised</i>	
\$ 1,351,406	1,125,028	Acquisition
\$ 73,493,296	93,651,728	Housing Construction Hard Costs
\$ 1,335,000	2,318,000	Community Center Hard Costs
\$ 4,772,748	5,220,242	Hard Costs Contingency
\$ 25,672,978	29,053,222	Soft Costs*
\$ 1,407,000	3,882,664	Demolition
\$ 380,607	380,607	Relocation
\$ 15,741,794	12,726,177	Infrastructure Site Work
\$ 3,200,000	3,200,002	CHA Administration and Program Costs
\$	250,577	CRA Project Management Fee
\$ 14,765,124	14,779,303	Community Support Services
<b>\$142,119,953</b>	<b>\$166,587,550</b>	<b>Total</b>

\*Includes professional fees/consultant services, legal fees, tax credit fees, accounting fees, financing and other fees, developer's fee, and reserves.

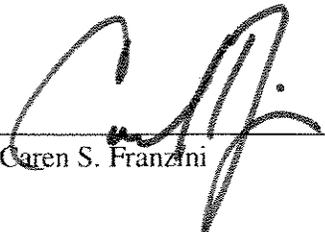
Due to escalating construction cost, the community center will now be 8,700 sq.ft. versus 12,350 sq.ft. The smaller building will now include CHA and/or an affiliate management and maintenance offices, a day care center, as well as a Camcare Wellness Center providing primary health care services. The planning board approved the facility in August 2008 and permits are expected this month. Construction will begin in October 2008 and should be completed by February 2009.

When the Centerville HOPE VI project was approved in 2004, the budget did not include a project management fee for the CRA. However, the CRA has been providing intense oversight, in collaboration with the CHA, to administer the project. More specifically, the CRA has helped with 1) all pre-development activities, including design, scope, project schedules, and finance strategies/applications; 2) site assemblage, monitoring timetables, local approvals, including CRA Board, City Council, Planning and/or Zoning Boards, Brownfield designation, and other environmental investigation as well as remediation reports, plans, and funding; and 3) administering funding requisitions, inspections, and monitoring the ERB infrastructure grant, which involves participation in construction progress and requisition meeting, review of disbursement documentation, meeting with the developers/team to insure that funds and budget items were expended as encumbered, and resolving any disputes with City departments and the CHA/developer's team. The CRA is requesting a allocation of \$250,577 from the ERB grant support personnel expenses associated with this \$166 million multi-phased, comprehensive housing development project. This represents less than 1% of the total project costs and 5% of the ERB grant amount.

**Recommendation**

Staff has reviewed the application for consistency with the Act, the Strategic Revitalization Plan, the Capital Improvement and Infrastructure Master Plan, and the City of Camden's Master Plan. The Centerville Area HOPE VI project meets all the eligibility and statutory requirements and will enhance the overall redevelopment of the Centerville area of Camden.

The Members of the ERB approved this project at it's meeting on September 23, 2008. Accordingly, the Members of the Authority are asked to approve the extension to the term of the grant agreement to September 9, 2010 and to allocate \$250,577 of ERB grant funds to provide a project management fee to the CRA.

  
Caren S. Franzini

Prepared By:

Mujiba Salaam Parker  
Business Development Officer



**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Camden Redevelopment Agency – Neighborhood and Redevelopment Plans  
(P015686)

The Members of the Authority are asked to approve a modification the Camden Redevelopment Agency (CRA)'s planning activities to revise the scope of work and extend the term of the grant agreement to May 19, 2010.

**Background:**

On March 23, 2004, the Members approved \$641,250 to the CRA to fund a portion of 7 neighborhood plans and 14 redevelopment plans for the City of Camden. On January 23, 2007, the Members approved a modification to increase the grant amount to \$723,945 to fund an additional redevelopment plan, a portion of the Camden Historic Survey, and for additional staff time needed to update certain plans. At that meeting, the Members also extended the term of the grant agreement from May 19, 2006 to May 19, 2008.

The 7 neighborhood plans to be completed with the ERB planning funds included: Centerville, Fairview, Liberty Park, Morgan Village, Parkside, North Camden, and Whitman Park. The 14 redevelopment plans under this planning project included the following areas: Bergen Square, Cooper Plaza, Central Waterfront, Downtown Camden, Gateway, Lanning Square, Liberty Park, Marlton, Morgan Village, North Camden, Rosedale, Stockton II, Waterfront South, and Whitman Park.

**Planning Update:**

To date, all 7 of the neighborhood plans have been completed and 11 of the 14 redevelopment plans have been completed and approved by the Camden City Planning Board. Due to legal challenges, the CRA is seeking to update 4 of the redevelopment plans including Bergen Square, Lanning Square, Marlton, and Whitman Park. In addition, The CRA is seeking to perform a complete revision of the Cramer Hill redevelopment plan with a parcel by parcel survey and create a redevelopment plan and redevelopment study of the Dudley neighborhood utilizing funds from this ERB planning grant. The timeline for completion of these plans is anticipated by May 2010.

The CRA is requesting a reallocation of ERB funds to complete these plans only as well as the fees associated with the special planning board meetings. The CRA/City staff completed the Downtown and Cooper Plaza Redevelopment Plans instead of contracting with consultants, saving nearly \$40,000 in expenses. To accomplish this revised scope of work, the CRA is also requesting an extension of the grant term to May 19, 2010.

As part of the January 2007 modification, ERB approved \$15,000 in planning funds to complete the Geographical Information Systems/Global Positioning System (GIS/GPS) component of a Camden Cultural Services Survey (aka Camden Historic Survey). The total cost of the Camden Historic Survey was \$82,318. Completed last year, the Camden Historic Survey identified approximately 5,360 historic properties in the City and included a field survey, a written description, and a photograph of each property along with any other pertinent historic data. This survey serves as the Historic Preservation element to the Camden City Master Plan.

To date, \$275,348 has been disbursed. The balance of \$448,597 will be utilized for activities described herein. Below are the approved and revised sources and uses of funds for these planning activities. (See attached detailed sources and uses of funds for the neighborhood and redevelopment plans)

**Sources of Funds**

<i>Approved</i>	<i>Revised</i>	
\$ 261,987	282,167	City of Camden/CRA (in-kind)
90,000	90,000	City Community Development Block Grant (CDBG)
299,300	282,900	Private 3 <sup>rd</sup> Party Developers/Organizations
<u>723,945</u>	<u>723,945</u>	ERB Grant
<b>\$1,375,232</b>	<b>\$1,379,012</b>	<b>Total</b>

**Uses of Funds**

<i>Approved</i>	<i>Revised</i>	
\$ 196,500	216,500	Staff Expense
916,200	915,505	Consultant Fees
197,045	181,340	Other Expenses (mailing, copies, etc.)
<u>65,487</u>	<u>65,667</u>	Project Management Fee
<b>\$1,375,232</b>	<b>\$1,379,012</b>	<b>Total</b>

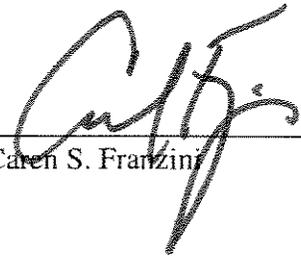
**Disbursement of Funds:**

The disbursement of funds will be subject to the EDA's receipt and satisfactory review of invoices and the contracts for service, fee schedule and reports detailing the scope of work and related time schedule.

**Recommendation:**

Staff has reviewed the modification request for consistency with the Act and the Strategic Revitalization Plan adopted by the Board at its June 20, 2003 meeting. The planning project meets the eligibility and statutory requirements and will enhance the overall revitalization of Camden.

The Members of the ERB approved this project at its meeting on September 23, 2008. Accordingly, the Members of the Authority are asked to approve a modification to revise the scope of the project and to extend the term of the grant agreement to May 19, 2010.



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Caren S. Franzini

Prepared By:

Mujiba Salaam Parker  
Business Development Officer



**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Camden Redevelopment Agency - Planning Grant Phase 2  
(P016904)

The Members of the Authority are asked to approve an amendment to the Camden Redevelopment Agency (CRA)'s Planning Grant Phase 2 project to revise the scope of work and extend the term of the grant agreement to January 11, 2010.

**Background:**

On November 22, 2005, the Members approved a \$444,050 planning grant to the CRA to prepare 5 neighborhood plans, a City-wide Housing Production Strategy, a City-wide Industrial Site Inventory, and develop a Project Decision Model. On January 23, 2007, the Members amended the approval to allow for \$57,300 of the project management fee to be allocated toward the Fels Institute Contract for services rendered by John Kromer, the former Executive Director of the Camden Redevelopment Agency.

**Planning Update:**

Although the CRA had planned to produce five neighborhoods plans for the Gateway, Bergen Square, Central Waterfront, Cooper Plaza, and Marlton neighborhoods at a cost of approximately \$75,000 per plan, it currently anticipates preparing only the Cooper Plaza Neighborhood Plan which is expected to be completed by April 30, 2010. The delay in advancing these plans resulted from changes in administration and from various lawsuits filed on the previously approved plans. The CRA is requesting a \$100,000 of the ERB grant to be allocated to the Cooper Plaza Neighborhood Plan which will include a human capital component. In addition, CRA is seeking outside legal review of all remaining redevelopment plans prior to planning board submission in an effort to minimize litigation following the approval of the plans and studies. The cost of these reviews is \$138,000 of which \$114,000 will be funded from the ERB grant.

The City-wide Housing Strategy Report was completed in 2006 and includes a property information database linked to the CRA's Geographic Information Systems ("GIS"). This report provides information about current and planned affordable housing activities in Camden neighborhoods; shows how public resources are being used to stabilize and improve the city's residential communities; provides information on where housing units and businesses can be accommodated; and is assisting in answering relocation questions that arise as part of planning for redevelopment projects.

The City-wide Industrial Site Inventory shows analyzed data on current and possible industrial sites within the City, with environmentally responsible reuse of the Brownfield sites as a primary component. The report provides an accurate inventory of existing industrial uses, the surrounding area, and a strategy for consolidation. The plan will be completed in third quarter of 2008 and, the CRA is requesting the full amount of the plan be funded with proceeds of this ERB grant.

The CRA has hired an in-house Database Manager and no longer has the need for consultant services to produce a Project Decision Model as originally planned. The Database Manager has created and integrated a series of databases (CRA projects database, brownfields database, demolition database, vacant government property, acquisition & relocation, industrial site inventory) that the CRA currently utilizes to help track activity and make pertinent planning decisions.

The CRA is undertaking an East Camden Human Capital Plan that will cover the Stockton, Rosedale, Dudley, and Marlton census tracts. The purpose of the plan is to link communities with the direct and indirect benefits from the revitalization of the built environment to ensure that the quality of life for Camden residents is enhanced by the improvements made in their area. The plan will include existing community assets, leveraged resources, and a strategy to address community needs and secure additional resources to achieve community goals and objectives. This plan should be completed by December 31, 2009 and CRA is requesting an allocation of \$75,000 in ERB funds for this planning component.

To accomplish this revised scope of work, the CRA is requesting an extension of the grant term to January 11, 2010. Below are the originally approved and amended sources and uses of funds. Attached is a spreadsheet that further details the specific allocation of sources and uses of funds for each planning activity. To date, \$175,000 has been disbursed. The balance of \$270,050 will be used to fund the activities outlined herein.

**Originally Approved Sources of Funds:**

\$445,050	Camden ERB grant
100,000	City of Camden CDBG
50,000	HMFA/ABC grant
<u>35,750</u>	CRA grant
<b>\$630,800</b>	

**Originally Approved Uses of Funds:**

\$375,000	(5) Neighborhood Plans
115,000	City-wide Replacement Housing Strategy
68,000	City-wide Industrial Site Plan
57,300	Project Management of Planning
<u>15,500</u>	Project Decision Model
<b>\$630,800</b>	

**Amended Sources of Funds:**

\$445,050	Camden ERB grant
48,250	City of Camden CDBG
50,000	HMFA/ABC grant
<u>35,000</u>	CRA grant
<b>\$578,300</b>	

**Amended Uses of Funds:**

\$100,000	Cooper Grant Neighborhood Plan
115,000	City-wide Replacement Housing Strategy
68,000	City-wide Industrial Site Plan
138,000	Redevelopment Plan Legal Review
100,000	East Camden Human Capital Plan
<u>57,300</u>	Fels Institute Contract-Management Fee
<b>\$578,300</b>	

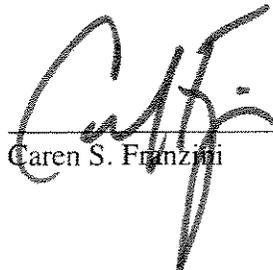
**Disbursement of Funds:**

The disbursement of funds will be subject to the EDA's receipt and satisfactory review of invoices and the contracts for service, fee schedule and reports detailing the scope of work and related time schedule.

**Recommendation:**

Staff has reviewed the amendment request for consistency with the Act and the Strategic Revitalization Plan adopted by the Board at its June 20, 2003 meeting. The planning project meets the eligibility and statutory requirements and will enhance the overall revitalization of Camden.

The Members of the ERB approved this project at it's meeting on September 23, 2008. Accordingly, the Members of the Authority are asked to approve the amendment to revise the scope of the project and to extend the term of the grant agreement to January 11, 2010.



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Caren S. Franzini

Prepared By:

Mujiba Salaam Parker  
Business Development Officer



**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**RE:** ERB Business Incentive Grant Programs  
Status Update

The Members of the Authority are asked to extend the ERB Business Incentive Grant Programs an additional 12 months through September 30, 2009.

Background:

On August 23, 2005, the Members approved a \$16 million allocation from the Demolition and Redevelopment Financing Fund to support the pilot of the Business Improvement and Business Lease Incentive initiatives in an effort to stimulate commercial, industrial and retail business activities throughout the City of Camden. On October 23, 2007, the Members approved a modification to the program that reduced the level of funding from \$16 million to \$10.5 million, with maximum allocations of \$500,000 for the Business Improvement Incentive Program (“BII”) and \$10 million for the Business Lease Incentive (“BLI”) Program.

The incentives are designed to supplement other state and municipal resources that are available to attract businesses to Camden, to create a wide spectrum of job opportunities for the residents of the City, and to foster other economic development activities. As part of the approval, staff was asked to report on the program annually to evaluate the program criteria and to determine its viability to move forward.

Under the **Business Improvement Incentive** program, \$500,000 is allocated to reimburse financially viable business applicants for 50% of the cost of improvements made to facilities located on one of the city’s major commercial corridors with a maximum incentive of \$20,000. The program is structured to allow for the full amount of the incentive award to be disbursed to the applicant upon completion and inspection of the improvements. For investment properties owners, there is a limit of three BII grants.

Re: ERB Business Incentive Grant Programs - Update

As a supplement to this incentive program, the Camden Redevelopment Agency ("CRA") utilizes its UEZ funding to provide loans or guarantees of loans made by financial institutions to businesses located within the City's major commercial corridors. In addition, the New Jersey Economic Development Authority ("EDA") promotes its low-cost financing resources to support women, minority and small business enterprises. In February, 2008, the EDA and the Camden Empowerment Zone Corp. ("CEZ") executed a Memorandum of Agreement that sets forth a financing product to bridge the amount of the ERB BII Incentive. Together, these resources are used to encourage the business community to participate in the revitalization efforts and invest in their business facilities.

Through the **Business Lease Incentive** program, \$10 million is allocated to attract businesses seeking to relocate to the City of Camden and plan to lease more than 500 s.f. of market rate building space and support existing City businesses seeking to expand and lease a minimum of 500 s.f. of additional space. The program is structured to reimburse financially viable businesses a portion of their annual lease payment according to the type of space leased by the business. The annual incentive payment cannot exceed 50% of the annual lease payment or when combined with any other governmental grants, cannot exceed 80% of the annual lease payment. The incentive payments are paid annually to the applicant upon receipt of a landlord's confirmation of no monetary or other material lease agreement defaults and the applicant's certification of any other governmental grants received during the lease period. This incentive is used to encourage business owners to explore an alternative location for their business operation and create an opportunity to increase office, industrial, and retail uses throughout the City of Camden.

Both incentive programs set forth criteria requiring applicants to pursue UEZ certification, if applicable, and to facilitate job recruitment through the Camden One Stop.

Program Update:

Over the last year, staff has collaborated with state and local agencies to promote these incentives to stimulate business growth in the City of Camden. Specifically, the incentive programs were highlighted in several news releases and press events. Direct mail campaigns were mailed to Burlington, Camden and Gloucester County businesses encouraging them to expand in the City of Camden. Presentations were made to the South Jersey, Cherry Hill and African American Chambers of Commerce and to several banking institutions. Joint meetings with CRA were held with local business associations, realtors and developers.

Although the outreach efforts continue to be aggressive, activity for the BII has been slow primarily due to the rising costs of construction. To date, three applications have been approved for a total of \$60,000 which has leveraged more than \$380,000 in private investment and resulted in the creation of 7 new jobs.

Re: ERB Business Incentive Programs

The Greater Camden Partnership (“GPC”) and the CRA are collaborating on a program to assist property and businesses owners in the Downtown to upgrade their properties, secure new tenants and create an attractive “Main Street” environment. With grant funds from the Reinvestment Fund and the Camden Empowerment Zone Corp., the agencies have prepared designs for building facades for approximately 40 commercial buildings located between Second Street and Broadway. In addition, staff has been working with CRA and St. Joseph’s Carpenter Society with owners of 7 commercial properties on 3100 block of Westfield Avenue to upgrade the facades and parking areas of the small stripe shopping district. This revitalization project will have a positive impact on the nearby Baldwin’s Run housing development which includes mixed income and senior rental units as well as home ownership units.

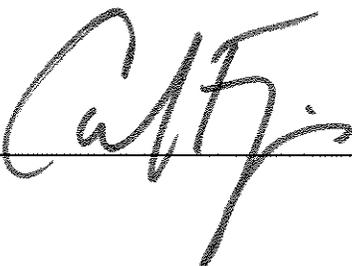
Under the BLI program, 11 applications have been received and approved for approximately \$2.1 million. The 11 approved projects will result in 142,000 s.f of additional leased space and the creation of approximately 500 new jobs spurring approximately \$23 million in new rents over the next 10 years.

The BLI incentive is an effective financial tool to attract businesses to Camden. The EDA has successfully utilized the incentive to attract businesses to the Waterfront Technology Center and throughout the Innovation Zone. Steiner and Associates completed construction on the Ferry Terminal Building next to the Adventure Aquarium and is promoting the BLI to attract tenants to the facility. Carl Dranoff is also promoting this incentive program for the commercial tenants in the Victor Building and the soon to be redeveloped Radio Lofts building.

Recommendation:

By implementing these incentives, the ERB has reaffirmed its support of the Camden business community as an integral part of the City’s revitalization efforts and economic health. The proposed incentives will continue to leverage private investment and stimulate other economic development activities throughout the City of Camden as intended by the Act.

On September 23, 2008, the Members of the ERB approved a one year extension of the ERB Business Incentive Grant Programs. Accordingly, the Members of the Authority are also asked to approve the one year extension through September 30, 2009.



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Prepared By: L. Wallick

**PETROLEUM UNDERGROUND STORAGE TANK  
PROGRAM**



**MEMORANDUM**

**TO:** Members of the Authority  
**FROM:** Caren S. Franzini  
Chief Executive Officer  
**DATE:** October 15, 2008  
**SUBJECT:** NJDEP Petroleum UST Remediation, Upgrade & Closure Fund Program

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

**Private Grants:**

Anthony Cullen .....	\$252,725
Harvest Outreach Ministry, Inc .....	\$123,287
Selma Levin .....	\$108,443
Charles Vaughn and Daisy Vaughn .....	\$175,000
Charles White .....	\$108,220

**Total UST funding for October 2008 .....** \$767,675

Prepared by: Lisa Petrizzi

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

**APPLICANT:** Anthony Cullen

P22417

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 229 Hampshire Dr.

West Deptford Township (N)

Gloucester

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Anthony Cullen is a homeowner seeking to remove a leaking 550-gallon residential #2 heating underground storage tank (UST) and perform extensive remediation and perform site restoration. 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 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 \$252,725 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$25,273 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** \$252,725

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$252,725
NJDEP oversight cost	\$25,273
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<b>\$278,248</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Harvest Outreach Ministry, Inc.

P23307

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 204-208 21st Ave.

Paterson City (T/UA)

Passaic

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Harvest Outreach Ministry, Inc. is a 501(c)(3) not-for-profit organization seeking to close an underground storage tank (UST) and perform extensive remediation and site restoration. The tank will be decommissioned in accordance with NJDEP requirements. The NJDEP has determined that the project costs are technically eligible.

Certifications provided by the 501(c)(3) not-for-profit applicant meets the requirements for a conditional hardship grant.

**APPROVAL REQUEST:**

The applicant is requesting grant funding in the amount of \$123,287 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$12,329 is the customary 10% of the grant amount. This assumes that the work will not require a high level of NJDEP involvement

**FINANCING SUMMARY:**

**GRANTOR:** Petroleum UST Remediation, Upgrade & Closure Fund

**AMOUNT OF GRANT** \$123,287

**TERMS OF GRANT:** No Interest; 5 year repayment provision on a pro-rata basis

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$123,287
NJDEP oversight cost	\$12,329
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<b>\$135,866</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Selma Levin

P23580

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 14 North Plaza Place

Atlantic City (T)

Atlantic

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Selma Levin is a homeowner seeking to remove a leaking 1000-gallon residential #2 heating underground storage tank (UST) and perform extensive soil and groundwater remediation and site restoration. 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 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 \$108,443 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$10,844 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**\$108,443

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$108,443
NJDEP oversight cost	\$10,844
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<b>\$119,537</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Charles Vaughn and Daisy Vaughn

P23289

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 150 Millhurst Rd.

Manalapan Township (N)

Monmouth

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Charles Vaughn and Daisy Vaughn is a homeowner seeking to remove a leaking 500-gallon residential #2 heating underground storage tank (UST) and perform extensive remediation and site restoration. 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 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 \$175,000 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$17,500 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** \$175,000

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$175,000
NJDEP oversight cost	\$17,500
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<b>\$192,750</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Charles White

P22965

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 27 Sherry Lane

Hammonton Township (T)

Atlantic

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND:**

Charles White is a homeowner seeking to remove two leaking 275-gallon residential #2 heating underground storage tank (UST), perform extensive remediation and site restoration. The tanks 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 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 \$108,220 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$10,822 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:** \$108,220

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$108,220
NJDEP oversight cost	\$10,822
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<b>\$119,292</b>

**APPROVAL OFFICER:** L. Petrizzi



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**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 September 01, 2008 to September 30, 2008

Summary:	# of Grants	\$ Amount
Leaking tank grants awarded	126	\$2,121,062
Non-leaking tank grants awarded	191	\$489,650

Applicant	Description	Grant Amount	Awarded to Date
Accomando, Rosemarie (P23240)	Initial grant for upgrade, closure and remediation	\$10,969	\$10,969
Allen, Jeffery (P23541)	Initial grant for upgrade, closure and remediation	\$48,434	\$48,434
Aller, Danny and Karen (P22282)	Initial grant for upgrade, closure and remediation	\$9,316	\$9,316
Alleyne, Alfred (P23344)	Initial grant for upgrade, closure and remediation	\$11,600	\$11,600
Beers, Brenda J. (P22341)	Initial grant for upgrade, closure and remediation	\$11,751	\$11,751
Belli, Dominick T. (P23148)	Initial grant for upgrade, closure and remediation	\$3,846	\$3,846
Bianucci, Carmela C. (P23678)	Initial grant for upgrade, closure and remediation	\$58,614	\$58,614
Boudakian, Robert (P22433)	Initial grant for upgrade, closure and remediation	\$22,205	\$22,205
Bradley, William J. and Helen L. (P23378)	Initial grant for upgrade, closure and remediation	\$3,873	\$3,873
Brown, Ragna (P22496)	Initial grant for upgrade, closure and remediation	\$8,098	\$8,098

Applicant	Description	Grant Amount	Awarded to Date
Bublitz, Harold (P23292)	Initial grant for upgrade, closure and remediation	\$33,445	\$33,445
Bucolo, John C. (P22693)	Initial grant for upgrade, closure and remediation	\$16,688	\$16,688
Cannuscio Pizza, Inc. (P22618)	Initial grant for upgrade, closure and remediation	\$63,861	\$63,861
Capetta, Robert and Amelia (P21270)	Initial grant for upgrade, closure and remediation	\$15,991	\$15,991
Carr, Edward (P22737)	Initial grant for upgrade, closure and remediation	\$7,424	\$7,424
Charmant, Vania (P23145)	Initial grant for upgrade, closure and remediation	\$11,416	\$11,416
Chichin, Elise (P23524)	Initial grant for upgrade, closure and remediation	\$13,983	\$13,983
Ciallella, Angelina (P22704)	Supplemental grant for upgrade, closure and remediation	\$70,814	\$283,529*
Clinton Church of the Nazarene (P22883)	Initial grant for upgrade, closure and remediation	\$8,400	\$8,400
Colby, Michael (P23385)	Initial grant for upgrade, closure and remediation	\$5,533	\$5,533
Colvin, Harry (P22967)	Initial grant for upgrade, closure and remediation	\$77,395	\$77,395
Cordeiro, Marcia (P22891)	Initial grant for upgrade, closure and remediation	\$15,734	\$15,734
Cortelyou, Robert M. (P22793)	50% Initial grant for upgrade, closure and remediation	\$4,869	\$4,869
Creamer, Eugene (P23125)	Initial grant for upgrade, closure and remediation	\$3,589	\$3,589
Danchuk, Andrew (P22794)	Initial grant for upgrade, closure and remediation	\$6,110	\$6,110
Danus, John and Kathleen (P23349)	Initial grant for upgrade, closure and remediation	\$12,885	\$12,885
DeWald, Daniel (P23726)	Initial grant for upgrade, closure and remediation	\$3,857	\$3,857
Dell, Larry and Jane (P23503)	Initial grant for upgrade, closure and remediation	\$3,000	\$3,000
Desmond, Jamie (P22388)	Initial grant for upgrade, closure and remediation	\$3,222	\$3,222
Devine, June (P23190)	Initial grant for upgrade, closure and remediation	\$41,510	\$41,510
Edwards, Coit and Linda (P23470)	Initial grant for upgrade, closure and remediation	\$37,184	\$37,184
Elkins, Pamela J. (P23573)	Initial grant for upgrade, closure and remediation	\$9,187	\$9,187
Eng, Sui Wah (P22614)	Initial grant for upgrade,	\$11,683	\$11,683

Applicant	Description	Grant Amount	Awarded to Date
	closure and remediation		
Estate of Carol Gladden (P23407)	Initial grant for upgrade, closure and remediation	\$20,772	\$20,772
Fassett, Fredrick (P23140)	Initial grant for upgrade, closure and remediation	\$5,531	\$5,531
Fei, Haixaing (P23587)	Initial grant for upgrade, closure and remediation	\$11,183	\$11,183
Filipski, Edward (P23391)	50% Initial grant for upgrade, closure and remediation	\$2,983	\$2,983
Fisezi, Michael J. (P22777)	Initial grant for upgrade, closure and remediation	\$16,980	\$16,980
Flynn, Michael (P23161)	Initial grant for upgrade, closure and remediation	\$3,459	\$3,459
Gensch, Michael C. (P22709)	Initial grant for upgrade, closure and remediation	\$10,807	\$10,807
Gould, Stacy (P22961)	Initial grant for upgrade, closure and remediation	\$8,938	\$8,938
Grady, Michele (P23495)	Initial grant for upgrade, closure and remediation	\$19,250	\$19,250
Gregorio, Ronald (P23303)	Initial grant for upgrade, closure and remediation	\$31,269	\$31,269
Gulbin, Christopher (P22834)	Initial grant for upgrade, closure and remediation	\$10,945	\$10,945
Gyongyosi, Tom (P22004)	Initial grant for upgrade, closure and remediation	\$13,676	\$13,676
Haitz, Stella Virginia (P23153)	Initial grant for upgrade, closure and remediation	\$25,000	\$25,000
Hampton, Ramona (P23163)	Initial grant for upgrade, closure and remediation	\$32,589	\$32,589
Hardegree-Capp, Sharon (P22665)	Initial grant for upgrade, closure and remediation	\$12,404	\$12,404
Howe, James and Janis (P22230)	Initial grant for upgrade, closure and remediation	\$6,801	\$6,801
Hult, David and Florence (P22427)	Initial grant for upgrade, closure and remediation	\$20,085	\$20,085
Iorio, Joseph and Angela (P23397)	Initial grant for upgrade, closure and remediation	\$7,987	\$7,987
Jimenez, Eric (P23018)	Initial grant for upgrade, closure and remediation	\$9,286	\$9,286
Jones, Demetra (P23381)	Initial grant for upgrade, closure and remediation	\$14,708	\$14,708
Keegan, Roxanne (P22342)	Initial grant for upgrade, closure and remediation	\$2,916	\$2,916
Khoury, Toni L. (P22931)	Initial grant for upgrade, closure and remediation	\$15,368	\$15,368

Applicant	Description	Grant Amount	Awarded to Date
Kirchmer, Barbara (P23542)	Initial grant for upgrade, closure and remediation	\$4,175	\$4,175
Klobusicky, Mary and Robert (P23663)	Initial grant for upgrade, closure and remediation	\$6,700	\$6,700
Lai, Alvin (P22744)	Initial grant for upgrade, closure and remediation	\$24,235	\$24,235
Latteri, Bonnie R. (P23566)	Initial grant for upgrade, closure and remediation	\$7,306	\$7,306
Lawson, Thomas H. (P23124)	Initial grant for upgrade, closure and remediation	\$2,850	\$2,850
Leale, A.J. (P23142)	Initial grant for upgrade, closure and remediation	\$76,114	\$76,114
Lear, Susan (P22345)	Initial grant for upgrade, closure and remediation	\$9,905	\$9,905
Lehr, Gary (P23118)	Initial grant for upgrade, closure and remediation	\$24,304	\$24,304
Lemba, Louis A. (P23115)	Initial grant for upgrade, closure and remediation	\$3,700	\$3,700
Lim, Charles (P22875)	Initial grant for upgrade, closure and remediation	\$13,200	\$13,200
Lipari, Joseph and Barbara (P23545)	Initial grant for upgrade, closure and remediation	\$4,134	\$4,134
Lundgren, Benjamin (P23345)	Initial grant for upgrade, closure and remediation	\$10,733	\$10,733
Lyles, Kathleen (P23164)	Initial grant for upgrade, closure and remediation	\$3,783	\$3,783
Mannix, Jean (P23461)	Initial grant for upgrade, closure and remediation	\$23,479	\$23,479
Mansfield, Dana (P23170)	Initial grant for upgrade, closure and remediation	\$29,486	\$29,486
Matthews, Susan H. and Kathleen G. (P22698)	Initial grant for upgrade, closure and remediation	\$15,932	\$15,932
McCoy Jr., James (P23133)	Initial grant for upgrade, closure and remediation	\$9,643	\$9,643
McCoy, Lorretta (P22661)	Supplemental grant for upgrade, closure and remediation	\$59,441	\$69,178
McDermott, Carl (P23208)	Initial grant for upgrade, closure and remediation	\$12,047	\$12,047
McIntosh, Robert C. (P22889)	Initial grant for upgrade, closure and remediation	\$7,515	\$7,515
McMillan, Billie D. and Jennifer (P22700)	Initial grant for upgrade, closure and remediation	\$18,700	\$18,700
Mennella, Vito A. (P23685)	Initial grant for upgrade, closure and remediation	\$8,814	\$8,814
Meyer, Roy and Diane	Initial grant for upgrade,	\$11,908	\$11,908

Applicant	Description	Grant Amount	Awarded to Date
(P23559)	closure and remediation		
Migliaccio, Lawrence (P22937)	Initial grant for upgrade, closure and remediation	\$29,343	\$29,343
Monica, Brenda (P22224)	Initial grant for upgrade, closure and remediation	\$18,172	\$18,172
Montgomery, Frank (P23493)	Initial grant for upgrade, closure and remediation	\$2,017	\$2,017
Nemeth, Elizabeth (P22622)	Initial grant for upgrade, closure and remediation	\$8,746	\$8,746
Nilan, Paul and Mary Beth (P23490)	Initial grant for upgrade, closure and remediation	\$17,558	\$17,558
O'Brien, Michael (P22687)	Initial grant for upgrade, closure and remediation	\$3,000	\$3,000
O'Connor, Donald and Barbara (P22784)	Initial grant for upgrade, closure and remediation	\$37,998	\$37,998
O'Neill, Christine (P23210)	Initial grant for upgrade, closure and remediation	\$23,678	\$23,678
Odom, Nathaniel (P23464)	Initial grant for upgrade, closure and remediation	\$15,756	\$15,756
Pagan, Virginia and German Martinez (P22975)	Initial grant for upgrade, closure and remediation	\$22,452	\$22,452
Pallitto, Robert E. (P22851)	Initial grant for upgrade, closure and remediation	\$10,850	\$10,850
Paluchniak, Andrzej (P23499)	Initial grant for upgrade, closure and remediation	\$11,704	\$11,704
Parker, Shuk-ling Li and Brian (P23386)	Initial grant for upgrade, closure and remediation	\$3,800	\$3,800
Patel, Upendra V. (P22379)	Initial grant for upgrade, closure and remediation	\$10,867	\$10,867
Paturzo, Mary Lou (P23108)	Initial grant for upgrade, closure and remediation	\$46,702	\$46,702
Pignataro, Andrew and Patricia (P23354)	Initial grant for upgrade, closure and remediation	\$17,317	\$17,317
Pinghera, Tony (P23560)	Initial grant for upgrade, closure and remediation	\$10,862	\$10,862
Piparo, Jeffrey (P23527)	Initial grant for upgrade, closure and remediation	\$4,715	\$4,715
Povio, Nicholas J., Sr. (P22501)	Initial grant for upgrade, closure and remediation	\$5,025	\$5,025
Robertson, Judith (P21998)	Initial grant for upgrade, closure and remediation	\$10,218	\$10,218
Rotondo, Michael and Christine (P23286)	Initial grant for upgrade, closure and remediation	\$10,477	\$10,477
Rowens, Joseph and Heather (P21523)	Initial grant for upgrade, closure and remediation	\$3,178	\$3,178

Applicant	Description	Grant Amount	Awarded to Date
Rutkowski, Sophie (P23501)	Initial grant for upgrade, closure and remediation	\$22,269	\$22,269
Schwartz, William (P23297)	Initial grant for upgrade, closure and remediation	\$78,933	\$78,933
Seman, Juwita (P23172)	Initial grant for upgrade, closure and remediation	\$7,592	\$7,592
Sieber, Frances (P23590)	Initial grant for upgrade, closure and remediation	\$17,597	\$17,597
Sinclair, Andrew (P23735)	Initial grant for upgrade, closure and remediation	\$19,444	\$19,444
Sohayda, Roger (P23466)	Initial grant for upgrade, closure and remediation	\$15,009	\$15,009
Souza, Neith (P23463)	Initial grant for upgrade, closure and remediation	\$8,939	\$8,939
Spytek, Beverly K. (P22353)	Initial grant for upgrade, closure and remediation	\$10,693	\$10,693
Stepien, Chrisptoyer R. (P23543)	Initial grant for upgrade, closure and remediation	\$8,219	\$8,219
Sternadori, Robert D. (P23379)	Initial grant for upgrade, closure and remediation	\$13,227	\$13,227
Stiffler, Kevin (P22969)	Initial grant for upgrade, closure and remediation	\$15,345	\$15,345
Stryker, David (P22786)	Initial grant for upgrade, closure and remediation	\$3,801	\$3,801
Stull, Robert (P23158)	Initial grant for upgrade, closure and remediation	\$15,057	\$15,057
Torres, Celso and Olga (P23143)	Initial grant for upgrade, closure and remediation	\$26,484	\$26,484
Townsend, Glenn (P23672)	Supplemental grant for upgrade, closure and remediation	\$300	\$4,120
Tridente, Angelo (P23561)	Initial grant for upgrade, closure and remediation	\$15,396	\$15,396
Tucker, Wilbur C. and Catherine J. (P23548)	Initial grant for upgrade, closure and remediation	\$6,636	\$6,636
Tulli, Irene M. (P22739)	Initial grant for upgrade, closure and remediation	\$6,705	\$6,705
Underwald, Craig (P23187)	Initial grant for upgrade, closure and remediation	\$18,810	\$18,810
Vanderveer, Howard and Rosalind (P23122)	Initial grant for upgrade, closure and remediation	\$11,014	\$11,014
Viggiano, Robert and Angela (P21807)	Initial grant for upgrade, closure and remediation	\$4,402	\$4,402
Ward, Mary (P23494)	Initial grant for upgrade, closure and remediation	\$36,194	\$36,194
Weiss, June R. (P22685)	Initial grant for upgrade,	\$12,142	\$12,142

Applicant	Description	Grant Amount	Awarded to Date
	closure and remediation		
Williams, Dawn T. (P23199)	Initial grant for upgrade, closure and remediation	\$47,403	\$47,403
Zabriskie, Cindy (P23683)	Initial grant for upgrade, closure and remediation	\$2,500	\$2,500
Zucosky, William and Marie (P23127)	Initial grant for upgrade, closure and remediation	\$14,989	\$14,989

126 Grants

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

**\$2,121,062**

Abbate, Anthony (P23831)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Abraham, Goolam M. (P23426)	Grant to remove an underground storage tank	\$1,200	\$1,200
Ahlert, Michael (P23509)	Grant to remove an underground storage tank	\$1,035	\$1,035
Alberto, Ligia (P23442)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Anderson, Irene (P23660)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Angle, Tim and Melissa (P23249)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Argenio, Danielle and Lars Andresen (P23452)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Ashman, Nancy L. (P23074)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Bardello, Janet E. (P23409)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,997	\$2,997
Barrelli, Joseph and Frances (P23516)	Grant to remove an underground storage tank	\$1,200	\$1,200
Belloff, Mary (P23654)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Bilyk, Boguslaw S. and Susan (P23622)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Blom, Robert and Johanna (P23677)	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		
Bonevento, Anna (P23738)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Bowen, Donna M. (P23236)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Brown, Tonya and Sean (P23551)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Bruggeman, John and Joanna (P22940)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,802	\$2,802
Butler, Edward (P23825) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$2,500	\$2,500
Byrne, John C. and Luann K. (P23518)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Byrne, Thomas and Ann (P23688)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,700	\$2,700
Cahayla, Joseph and Erika (P23431)	Grant to remove an underground storage tank	\$1,200	\$1,200
Calderone, Craig and Bonnie (P23454)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Cammarata, Sal and Joanne (P23511)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Campbell, Boyd C. and Leslie (P23506)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,570	\$2,570
Capone, Peter J. and Bernadette (P23889)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Carcuffe, Carol (P23724)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,830	\$2,830
Cargulia, Marie (P23606)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,899	\$2,899
Caruano, Maureen (P23697)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Case, Hedwig (P23842)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,967	\$2,967

Applicant	Description	Grant Amount	Awarded to Date
Caulfield, E. Frances (P22523)	Grant to remove an underground storage tank	\$1,015	\$1,015
Choice, Walter and Cennie (P23532)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Cimiluca, Angelina (P22514)	Grant to remove an underground storage tank	\$1,200	\$1,200
Cochran, Lawrence M. and Kathy E. (P23970)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Coleman, Michael (P23312)	Grant to remove an underground storage tank	\$1,200	\$1,200
Cote, Carol (P23217)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
D'Alessandro, Lisa A. (P23552)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
D'Esposito, Richard J. and Marie J. (P23595)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Davidowsky, Jeffrey Charles and Mary Ann (P23636) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$2,240	\$2,240
Davis, Robert Paul (P23652)	Grant to remove an underground storage tank	\$1,200	\$1,200
Day, Lorna (P23701)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Decker, Jr., David C. and Karen (P23335)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,944	\$2,944
DelSordo, Jerome N. and Eileen S. (P23812)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
DelTufo, Robert G. and Hope C. (P23177)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Demeter, Robert (P23602)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
DiCristina, Debra (P23746)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Dilluvio, Stephen and Geralyn (P23851)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,950	\$2,950

Applicant	Description	Grant Amount	Awarded to Date
Dulio, Donna (P23631)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Edwards, John and Barbara (P23623)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Eldridge, Fredrick and Norma (P23626)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Eldridge, John and Judith (P23665)	Grant to remove an underground storage tank	\$1,200	\$1,200
Elsasser, Charles Todd and Nancy Beth (P23424)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,758	\$2,758
Esposito, Louis and Dawn (P23600)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Estwin, Patricia (P23512)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Farina, Roanne M. (P23749)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,166	\$2,166
Feldkamp, Helene (P23444)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Fichter, John and Karen (P23182)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Fink, Steven (P23513) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Fitzpatrick, Ann L. (P23763)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Fleming, Michael and Kelly (P23755)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,944	\$2,944
Ford, Julia and Harry S. (P23599)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Francis, Jean M. (P23890)	Grant to remove an underground storage tank	\$1,200	\$1,200
Franks, Barbara (P23869)	Grant to remove an underground storage tank	\$1,200	\$1,200
Gardiner, Donald E. (P23646)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,700	\$2,700

Applicant	Description	Grant Amount	Awarded to Date
Gargiulo, Michael Robert (P23522)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,614	\$2,614
Gassert, Garry (P23744)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Gawryluk, John E. and Kathleen O'Rourke (P23439)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Georgeson, William and Carole (P23805)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Glory, Robert W. and Donna (P23884)	Grant to remove an underground storage tank	\$917	\$917
Gold, Amelia (P23341)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Gorun, Diane and Robert, Sr. (P22076)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,899	\$2,899
Grady, Kevin and Kim (P23369)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Graham, Avery and Darcy (P23914)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Graham, Robert (P23806)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Greaves, Patricia A. and Paul L. (P23609)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Gregory, Donald J. and Anita R. (P23946)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Grovenger, Robert and Patricia (P23892)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Grover, Rosemarie (P22762)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Haheer, John G. and Barbara A. (P23675)	50 % grant to remove an underground storage tank and install an above ground storage tank	\$1,485	\$1,485
Hajcak, Regina F. (P23827)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,888	\$2,888

Applicant	Description	Grant Amount	Awarded to Date
Hakim, Sami A. and Natalie B. (P23824)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Hammond, Edwin H. and Gloria R. (P23766)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Harrigan, John and Beatrice (P23949)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Ho, Gin C. (P23945)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Homer, Gail (P23423)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Hoppe, Aribert and Anneliese (P23742)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,987	\$2,987
Huebner, Steve and Ruth (P23418)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Hull-Feingold, Diane Y. (P23811)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Italiano, Cheryl (P22956)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Janus, Edward (P23674)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Joe, Elaine (P23648)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,673	\$2,673
Johnson, Keith E. and Kathleen L. (P23823)	Grant to remove an underground storage tank	\$1,200	\$1,200
Jordan, Daniel E. and Sandra L. (P23618)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kameika, Estelle M. (P23707)	Grant to remove an underground storage tank	\$1,200	\$1,200
Kasauskas, Paul and Carol Puleo (P23451)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kastner, Larry and Debra (P23336)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kidney, John and Marion (P23753)	Grant to remove an underground storage tank	\$966	\$966

Applicant	Description	Grant Amount	Awarded to Date
Klaver, David and Tehila (P23607)	Grant to remove an underground storage tank	\$1,200	\$1,200
Klun, Kenneth (P23536)	Grant to remove an underground storage tank	\$1,200	\$1,200
Kopec, William L. (P23723)	Grant to remove an underground storage tank and install an above ground storage tank	\$1,435	\$1,435
Kraun, Gary and Donna (P23615)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,920	\$2,920
Kreczkowski, Paul (P22820)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Krin, Brian J. and Shelley C. (P23767)	Grant to remove an underground storage tank	\$1,150	\$1,150
Kuehn, Arthur A. (P23617)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Kyrillos, Dr. Joseph and Marguerite (P23813) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$2,275	\$2,275
Kyrillos, Dr. Joseph and Marguerite (P23814) Tank B	Grant to remove an underground storage tank and install an above ground storage tank	\$2,800	\$2,800
LaMonica, Joseph J. and Peggy (P23651)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Ladnier, Edith (P23689)	Grant to remove an underground storage tank	\$1,200	\$1,200
Lee, Sandra and Barry (P23627)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Leone, Miguel A. and Gloria C. (P23916)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Levine, Mitchell B. (P23870)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Lewis, Doreen (P23447)	Grant to remove an underground storage tank	\$1,200	\$1,200
Loihle, Gilda (P23441)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
MacGibbon, W. Doug and Wilma Hutton (P23743)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,997	\$2,997
Mamuric, Gerald U. and	Grant to remove an underground	\$1,200	\$1,200

Applicant	Description	Grant Amount	Awarded to Date
Diane Marie (P23328)	storage tank		
Mansuetto, Robert and Joanne (P23751)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Marques, Rogerio and Ismenia (P23630)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Martin, Elizabeth (P23967)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Massey, Elizabeth (P22950)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,649	\$2,649
Matyisin, Jeffrey P. and Robyn M. (P23687)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Maynor, Margie J. (P23704)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,950	\$2,950
Mazurkiewicz, Michael and Laura Astuto (P23553)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,750	\$2,750
McDermott, Thomas S. and Susan E. (P23693)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
McNally, Robert and Anne (P23633)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Melia, Doris (P23486)	Grant to remove an underground storage tank	\$1,200	\$1,200
Menchon, Juan and Iris (P23601)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,827	\$2,827
Mickey, Richard L. and Lillian M. (P23179)	Grant to remove an underground storage tank	\$1,200	\$1,200
Miller, Keith (P23487)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,956	\$2,956
Miller, Todd and Meghan (P23818)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Mohamad, Richard (P23077)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,493	\$2,493
Moore, Carole (P23620)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,926	\$2,926

Applicant	Description	Grant Amount	Awarded to Date
Motta, Jennifer and Gregory (P23638)	Grant to remove an underground storage tank	\$1,200	\$1,200
Murray, Thomas and Stephanie (P23658)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Nelson, Evelyn M. and Olie W. (P23725)	50 % grant to remove an underground storage tank	\$600	\$600
Nieradke, Irene C. (P23435)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,991	\$2,991
Norton, Matt and Nicole (P23616)	Grant to remove an underground storage tank	\$1,200	\$1,200
O'Hearn, Tom and Judy (P23628)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Osterman, Robert and Kelly (P23728)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Pencak, Mark and Christina (P23505)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Perry, Jeff R. and Patt-Ann (P23952) Tank A	Grant to remove an underground storage tank and install an above ground storage tank	\$2,759	\$2,759
Picciolo, Rocco L. (P22595)	Grant to remove an underground storage tank	\$1,200	\$1,200
Pietrantonio, John and Margaret E. (P23887)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Poandl, Lou and Paoju (P23603)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Quartucci, Thomas A. and Alicia A. (P23975)	Grant to remove an underground storage tank	\$1,062	\$1,062
Ramos, Olga A. (P23537)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,650	\$2,650
Reif, Ruth (P23370)	Grant to remove an underground storage tank	\$1,200	\$1,200
Ricci, Anthony (P23915)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Richmond, Thomas and Linda (P23419)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,899	\$2,899
Robinson, Peter and Pamela (P23597)	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		
Romaine, Albert and Eileen (P23671)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Romeo, Vince Jr. and Gerry (P23456)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,425	\$2,425
Rossi, Casment (P23768)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Roylance, Dale (P22910)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Sanders, John and Michelle (P23326)	Grant to remove an underground storage tank	\$1,200	\$1,200
Schemm, Richard and Annette (P23694)	Grant to	\$1,157	\$1,157
Schorr, Chad and Cybele (P23519)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Simpson, Scott and Mary (P23837)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,706	\$2,706
Slick, Daniel J. and Deborah (P23421)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Sloan, Philip E. and Julia S. (P23876)	Grant to remove an underground storage tank	\$1,069	\$1,069
Smith, III, Michael J. (P23748)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Smith, Jeffrey A. and Juanita A. (P23699)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,927	\$2,927
Smith, Jody and Robert (P23340)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Smith, Travis D. and Suzanne S. (P23489)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Sneyers, Henry P. and Ann C. (P23919)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Sorce, James S. and Patricia (P23761)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Spangler, Joseph and	Grant to remove an underground	\$3,000	\$3,000

Applicant	Description	Grant Amount	Awarded to Date
Kathleen (P23332)	storage tank and install an above ground storage tank		
Spoerel, Thomas J. and Jaclyn D. (P23819)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Strauss, Allan J. and Catherine J. (P23762)	50 % grant to remove an underground storage tank and install an above ground storage tank	\$1,490	\$1,490
Sweeney, Valerie (P23510)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,714	\$2,714
Tartaglia, Peter and Paulette (P23920)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Treshock, Edward and Sandra (P22763)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,702	\$2,702
Tutalo, Michael L. and Mary (P23363)	Grant to remove an underground storage tank	\$1,200	\$1,200
Varin, Stephen Sr. (P22996)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,899	\$2,899
Vislocky, Lisa and Curtis (P23785)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Waer, John J. and Kathleen (P23549)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Walker, Edwin and Carla (P23639)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Walsh, Tyrell and Kristen (P22808)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Warner, Heather and Andrew (P23264)	Grant to remove an underground storage tank	\$1,200	\$1,200
Warner, James R. and Sandra K. (P23329)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Wendelaar, Linda (P23747)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,925	\$2,925
Wesley, Judeth F. (P22179)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Whelan, Arthur (P23596)	Grant to remove an underground storage tank	\$1,200	\$1,200

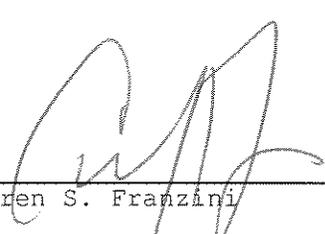
Applicant	Description	Grant Amount	Awarded to Date
White Jr., Andrew (P23810)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Willett, Melvin C. and Anne M. (P23613)	Grant to remove an underground storage tank	\$1,200	\$1,200
Williams, Alice E. (P23296)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Wilson, Faith T. and Jack (P23453)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Wonderlin, Daniel and Dona (P23874)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,836	\$2,836
Yarosis, Edward and Diane (P23634)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Zaremba, Jay and Ellen Vander Closter (P23695)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Zawislak, Mary (P23540)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Zempleni, Therezia (P22371)	Grant to remove an underground storage tank	\$1,025	\$1,025
Zukoski, John Z. (P23848)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,840	\$2,840

**191 Grants**

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

**\$489,650**

\*This amount includes grants approved previously by the Board and this award does not exceed the supplemental aggregate limit.

  
Caren S. Franzini

Prepared by: Lisa Petrizzi, Finance Officer

**HAZARDOUS DISCHARGE SITE REMEDIATION FUND  
PROGRAM**

**MEMORANDUM**

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Hazardous Discharge Site Remediation Fund Program

The following private and municipal projects have been approved by the Department of Environmental Protection for grants to perform preliminary assessment site, site investigation, remedial investigation, and remedial action activities. The scope of work is described on the attached project summaries.

**Private Grant:**

Ferrell Brennan Partnership ..... \$88,825

**Municipal Grants:**

Borough of Haddon Heights (Haddon Heights Landfill) ..... \$102,313

City of Hoboken (1600 Park Avenue)..... \$323,252

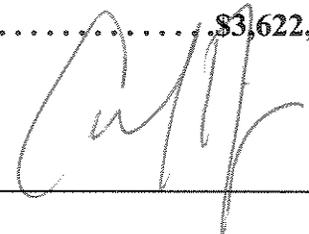
City of Paterson (River Walk)..... \$575,723

Rahway Redevelopment Agency (Elizabeth Avenue Site) ..... \$507,621

South Amboy Redevelopment Agency (W.A.S. Terminals, Inc.) ..... \$673,860

City of Trenton (Greenway Sites)..... \$1,350,589

**Total HDSRF funding for October 2008 ..... \$3,622,183**



Prepared by: Lisa Petrizzi

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

**APPLICANT:** Ferrell Brennan Partnership

P23405

**PROJECT USER(S):** Shamrock Heating & AC

\* - indicates relation to applicant

**PROJECT LOCATION:** 143 Red Lion Road

Southampton Township (N)

Burlington

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND:**

Ferrell Brennan Partnership is the owner of the project site, which is rented to Shamrock Heating & AC located in Vincentown, Southampton Township. The NJDEP Bureau of Case Management has found the applicant's proposal for financial assistance to be administratively and technically complete and has approved funding to be provided in the form of a Hazardous Discharge Site Remediation 25% Matching Grant under N.J.S.A. 58:10B-Subsection 2, Series A. The grant has been calculated off 25% of the Remedial Action (\$80,750) and adding the DEP oversight fees (\$8,075).

The scope of work includes remedial action activities utilizing innovative technology. In addition, pursuant to the evaluation it has been determined that the applicant meets the Authorities standard guidelines under the program.

**APPROVAL REQUEST:**

The applicant is requesting grant funding in the amount of \$88,825 to perform the approved scope of work at the project site.

The NJDEP estimated oversight fee is \$8,075. 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:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT:** \$88,825 (25% Matching Grant)

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Remedial Action	\$323,000
NJDEP oversight cost	\$8,075
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<b>\$331,575</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Borough of Haddon Heights (Haddon Heights Landfill)

P23903

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** Interstate 295 and Devon Avenue Haddon Heights Borough (N) Camden

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND:**

Borough of Haddon Heights received a grant in December 2006 in the amount of \$161,291 under P17547 to perform Site Investigation (SI). The project site is a former landfill which has potential environmental areas of concern (AOC's). The Borough of Haddon Heights currently owns the project site and has satisfied Proof of Site Control. It is the Borough's intent, upon completion of the environmental investigation activities, to redevelop the project site for recreation and conservation purposes.

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 Borough of Haddon Heights is requesting supplemental grant funding to perform RI in the amount of \$102,313 at the Haddon Heights Landfill project site, for a total funding to date of \$263,604.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT**\$102,313

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Remedial investigation	\$93,012
NJDEP oversight cost	\$9,301
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<b>\$102,813</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** City of Hoboken (1600 Park Avenue)

P22319

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 1600 Park Avenue

Hoboken City (T/UA)

Hudson

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund (X) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

The project site, identified as Block 256 and 11, Lots 1-8 and 1-2 is currently vacant, but former operations encompassed furniture manufacturing and warehousing, commercial stores, ice plant and coal storage, garages, stables, iron and sheet metal storage, asbestos storage and a filling station which has potential environmental areas of concern (AOC's). The City of Hoboken currently owns 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 open space/recreation.

According to amended legislation, a grant can be awarded to a municipality, county or redevelopment entity authorized to exercise redevelopment powers up to 75% of the costs of remedial action for projects involving the redevelopment of contaminated property for recreation and conservation purposes, provided that the use of the property for recreation and conservation purposes is included in the redevelopment plan and is conveyed by a development easement, deed restriction for development or conservation easement for recreation and conservation purposes. NJDEP has approved this request for Remedial Investigation (RI) and Remedial Action (RA) grant funding on the above-referenced project site and finds the project technically eligible under the HDSRF program, Category 2, Series A. The grant has been calculated by adding the RI costs (\$15,840) and 75% of the RA costs (\$278,025) and the DEP oversight costs (\$29,387).

**APPROVAL REQUEST:**

The City of Hoboken is requesting grant funding to perform RI & RA in the amount of \$323,252 at the 1600 Park Avenue project site.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT**\$323,252

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Remedial Action	\$370,700
NJDEP oversight cost	\$29,387
Remedial investigation	\$15,840
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<b>\$416,427</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** City of Paterson (River Walk)

P23230

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** various

Paterson City (T/UA)

Passaic

**GOVERNOR'S INITIATIVES:**

(X) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

The project site consists of 15 various parcel located within the former industrial area of Paterson and has potential environmental areas of concern (AOC's). The City of Paterson owns 7 parcels and intends to acquire the balance of the project site and has satisfied Proof of Site Control. This project is within the Great Falls Historic District Brownfield Development Area ("BDA"). It is the City's intent, upon completion of the environmental investigation activities, to redevelop the project site for recreation/open space.

NJDEP has approved this request for Preliminary Assessment (PA) and Site Investigation (SI) 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 Paterson is requesting grant funding to perform PA and SI in the amount of \$575,723 at the River Walk project site.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT**\$575,723

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Site investigation	\$440,818
Preliminary assessment	\$82,566
NJDEP oversight cost	\$52,339
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<b>\$576,223</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Rahway Redevelopment Agency (Elizabeth Avenue Site) P23219

**PROJECT USER(S):** Same as applicant \* - indicates relation to applicant

**PROJECT LOCATION:** 1839-1905 Elizabeth Avenue Rahway City (T/UA) Union

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND:**

The project site, identified as Block 226; 227; 228, Lots 1; 1-2; 1-6 historically has been used for book binding, metal fabricating, glassware etching and fabric manufacturing which has potential environmental areas of concern (AOC's). The Rahway Redevelopment Agency ("RRA") intends to acquire the project site and has satisfied Proof of Site Control. It is the RRA's intent, upon completion of the environmental investigation activities, to redevelop the project site for residential re-use.

NJDEP has approved this request for Site Investigation (SI) and 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 Rahway Redevelopment Agency is requesting grant funding to perform SI and RI in the amount of \$507,621 at the Elizabeth Avenue project site.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT**\$507,621

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Remedial investigation	\$373,236
Site investigation	\$97,061
NJDEP oversight cost	\$37,324
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<b>\$508,121</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** South Amboy Redevelopment Agency (W.A.S. Terminals, Inc.) P22916

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** Rosewell Street

South Amboy City (N)

Middlesex

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND:**

The project site, identified as Block 161.02, Lot 24 is a former gasoline storage and transfer facility which has potential environmental areas of concern (AOC's). The South Amboy Redevelopment Agency ("SARA") intends to acquire the project site and has satisfied Proof of Site Control. It is the SARA's intent, upon completion of the environmental investigation activities, to redevelop the project site as a recreational park.

NJDEP has approved this request for Preliminary Assessment (PA) and 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 South Amboy Redevelopment Agency is requesting grant funding to perform PA and RI in the amount of \$673,860 at the W.A.S. Terminals, Inc. project site.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT** \$673,860

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Remedial investigation	\$602,600
NJDEP oversight cost	\$61,260
Preliminary assessment	\$10,000
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<u><u>\$674,360</u></u>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** City of Trenton (Greenway Sites)

P23207

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** various

Trenton City (T/UA)

Mercer

**GOVERNOR'S INITIATIVES:**

(X) Urban Fund ( ) Other Urban ( ) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

The City of Trenton received a grant in June 2002 under P13573 to perform a Remedial Investigation (RI) and a grant in September 2004 in the amount of \$89,117 to perform a Site Investigation (SI). The project site consists of several properties totaling 18 acres, within a Brownfield Development Area. Former operations include a freight yard and a wire manufacturing facility. The City of Trenton currently owns the project site and has satisfied Proof of Site Control. It is the City's intent to redevelop the project site into a planned open space/recreational area.

According to amended legislation, a grant can be awarded to a municipality, county or redevelopment entity authorized to exercise redevelopment powers up to 75% of the costs of remedial action for projects involving the redevelopment of contaminated property for recreation and conservation purposes, provided that the use of the property for recreation and conservation purposes is included in the redevelopment plan and is conveyed by a development easement, deed restriction for development or conservation easement for recreation and conservation purposes. NJDEP has approved Remedial Action (RA) grant funding on the above-referenced project site and finds the project technically eligible under the HDSRF Program, Category 2, Series A. The grant has been calculated off 75% of the RA costs (\$1,147,673) and SI costs (\$80,135) and DEP oversight costs (\$122,781),

**APPROVAL REQUEST:**

The City of Trenton is requesting additional grant funding to perform RA activities required by NJDEP in the amount of \$1,350,589 at the Greenway project site, for total funding to date of \$2,090,589.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT** \$1,350,589

**TERMS OF GRANT:** No Interest; No Repayment

**PROJECT COSTS:**

Remedial Action	\$1,530,230
NJDEP oversight cost	\$122,781
Site investigation	\$80,135
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<b>\$1,733,646</b>

**APPROVAL OFFICER:** L. Petrizzi



**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

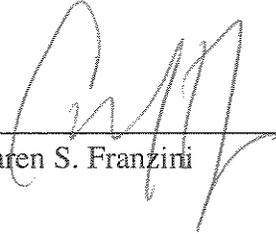
**SUBJECT:** Hazardous Discharge Site Remediation Fund - Delegated Authority Approvals  
(For Informational Purposes Only)

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 September, 2008.

Applicant	Description	Grant Amount	Awarded to Date
Township of Buena Vista (Milmay Garage) P23448	Initial grant to perform site investigation, remedial investigation and remedial action to redevelop for commercial use	\$74,895	\$74,895
Estate of Trafford Boisselle P22536	Initial 25% grant to perform remedial action activities	\$16,399	\$16,399
Township of Franklin (Onka Property) P23068	Initial grant to perform site investigation to redevelop for recreation/open space	\$75,802	\$75,802

Ferrell Brennan Partnership P23402	Initial 25% grant to perform remedial action activities	\$22,825	\$22,825
City of Newark (Avon Sheet Metal & Roofing Co.) P22328	Initial grant to perform preliminary assessment and site investigation to redevelop for mixed-use	\$62,879	\$62,879
City of Newark (Former Stacor Corporation) P22289	Initial grant to perform preliminary assessment and site investigation to redevelop for mixed-use	\$88,316	\$88,316
Township of Voorhees (Cherry Hill Equipment Corp) P22852	Supplemental grant to perform remedial investigation activities to redevelop for mixed use	\$31,683	\$170,633
Judith Woodruff P22532	Supplemental 25% matching grant to perform remedial action activities	\$38,869	\$77,858
<b>8 Grants</b>	<b>Approved in September 2008</b>	<b>\$411,668</b>	

  
 \_\_\_\_\_  
 Caren S. Franzini

Prepared by: Lisa Petrizzi, Finance Officer

**EDISON INNOVATION FUND**

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
PROJECT SUMMARY - EDISON INNOVATION FUND PROGRAM**

**APPLICANT:** Bluenog Corporation

P22018

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 15 Corporate Place South, Suite Piscataway (T)

Middlesex

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban (X) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Formed in April 2006, Bluenog is an enterprise software and solutions company located within the Greater New Brunswick Innovation Zone. The flagship product, Bluenog Platform, is an Integrated Collaborative Environment that tightly integrates content management, portal, and business intelligence software. The integration eliminates application silos, reduces total cost of ownership, and accelerates application development. The Bluenog Platform is a commercial product that is built on open source and leverages Web 2.0 technologies. Leading organizations rely on Bluenog to build and deploy rich Internet applications and manage dynamic website content at a fraction of the cost of traditional alternatives.

**APPROVAL REQUEST:**

A \$1 million investment from the Edison Innovation Fund is recommended.

Our investment proceeds will be used to partially fund the employment growth needs of Bluenog Corporation's customer support, documentation, and sales and marketing divisions in accordance with the growth of business operations.

**FINANCING SUMMARY:**

**LENDER:** NJEDA

**AMOUNT OF LOAN:** \$1,000,000

**TERMS OF LOAN:** Five-year term at a fixed interest rate of 5.00%. During the first six months, the loan will not require any principal or interest payments. Interest during this period will accrue and will be capitalized. Interest only payments will then commence for the next 18 months. The remaining 36 months will require equal principal plus interest payments in amounts adequate to fully repay the investment.

**PROJECT COSTS:**

Growth Capital	\$1,000,000
Finance Fees	\$10,000
<b>TOTAL COSTS</b>	<u><u>\$1,010,000</u></u>

**JOBS:** At Application    25 Within 3 years    62 Maintained    0 Construction    0

**DEVELOPMENT OFFICER:** M. Wiley

**APPROVAL OFFICER:** D. Lawyer

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
PROJECT SUMMARY - EDISON INNOVATION FUND PROGRAM**

**APPLICANT:** Xipto, Inc.

P22550

**PROJECT USER(S):** Same as applicant

\* - indicates relation to applicant

**PROJECT LOCATION:** 105 Lock Street

Newark City (T/UA)

Essex

**GOVERNOR'S INITIATIVES:**

(X) Urban Fund ( ) Other Urban (X) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND:**

Incorporated in July of 2005, Xipto, LLC was founded by Nicholas Arauz and Anthony DiCio. On March 31, 2008 the company was merged into Xipto, Inc. which became the surviving entity. Company objective is to develop and market their proprietary micro-endorsement advertising model (the one-to-one transmission of an endorsed message from the endorser to one of their friends and compensation for that personal endorsement) to both cell phone providers and advertisers. Xipto has not yet recorded any revenues although important parts of its service, such as the user interface (which enable advertisers to accumulate the micro-endorsements of their messages at a large scale with precise targeting) and personalized ring-back tone provider interface ("RBT") have been built and tested and a commercial agreement with Cincinnati Bell has been executed November of 2007.

**APPROVAL REQUEST:**

\$1 million investment from the Edison Innovation Fund is recommended. Our investment proceeds will be used for fixed and variable expenses over the next 12 months to support the development of the user interface, intellectual technology platform, non payroll related marketing costs and to pay salaries for the expected additional ten new positions. The new jobs will be centered in sales and marketing (which includes a call center).

**FINANCING SUMMARY:**

**LENDER:** NJEDA

**AMOUNT OF LOAN:** \$1,000,000

**TERMS OF LOAN:** Interest at 5% fixed for five years. No payments for the first two years with interest accrued and capitalized. Principal and interest to commence in month 25 in amounts to fully amortize the loan over a three year period (term is five years).

**PROJECT COSTS:**

	\$1,000,000
<b>Finance fees</b>	\$10,000
	<hr/>
<b>TOTAL COSTS</b>	<b>\$1,010,000</b>
	<hr/> <hr/>

**JOBS:** At Application      3 Within 3 years      66 Maintained      0 Construction      0

**DEVELOPMENT OFFICER:** S. Royster

**APPROVAL OFFICER:** M. Conte

## **INCENTIVE PROGRAMS**

**BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

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

**APPLICANT:** Eight O'Clock Coffee Company

P23846

**PROJECT LOCATION:** 3 Paragon Drive

Montvale Borough (N)

Bergen County

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

Eight O'Clock Coffee Company (EOC) was first introduced in 1919 as the store-brand coffee for The Great Atlantic & Pacific Tea Company (A&P), and later became a national brand. It is the number one player in the branded whole bean market and the category leader in the gourmet segment with approximately 67 percent market penetration of the US retail coffee market. The applicant is wholly owned by Coffee Consolidated, Inc., which has three related foreign shareholders, Tata Tea Ltd (33%), Tata Enterprises (Overseas) AG (17%) and Tata Coffee Ltd (50%). EOC's headquarters is in Montvale, and operates its roasting and packaging facility in Landover, Maryland. In an effort to become more efficient, Tata is looking to consolidate the headquarter operations in early 2009 of EOC with two other Tata beverage companies, Tetley Tea (Connecticut), and Good Earth (California). EOC is economically viable.

**MATERIAL FACTOR:**

EOC is requesting a BEIP grant to support creating 32 new jobs to accommodate moving Tetley Tea and Good Earth's respective corporate headquarters to Montvale. At risk are 30 jobs, at EOC's corporate headquarters. Also under consideration is consolidating offices at Tetley's facility in Connecticut, where space is also available. The applicant is estimating project cost to be \$1.5 million. A favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to consolidate corporate operations in New Jersey.

**APPROVAL REQUEST:**

**PERCENTAGE:** 55%

**TERM:** 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Eight O'Clock Coffee Company 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:** \$ 680,240  
(not to exceed an average of \$50,000 per new employee over the term of the grant)

**NJ EMPLOYMENT AT APPLICATION:** 30

**ELIGIBLE BEIP JOBS:** Year 1 25 Year 2 7 Base Years Total = 32

**ANTICIPATED AVERAGE WAGES:** \$100,000

**ESTIMATED PROJECT COSTS:** \$1,530,000

**ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10** \$1,236,800

**ESTIMATED NET NEW STATE INCOME TAX - DURING 15** \$1,174,960

**PROJECT IS:**  Expansion  Relocation AK

**CONSTRUCTION:**  Yes  No

**PROJECT OWNERSHIP HEADQUARTERED IN:** New Jersey

**APPLICANT OWNERSHIP:**  Domestic  Foreign

**DEVELOPMENT OFFICER:** J. Colon

**APPROVAL OFFICER:** M. Krug

### FORMULA EVALUATION

<u>Criteria</u>	<u>Score</u>
1. Location: <b>Montvale Borough</b>	N/A
2. Job Creation <b>32</b> Targeted : _____ Non-Targeted : <u> X </u>	1
3. Job at Risk: <b>30</b>	1
4. Industry: <b>food products</b> Designated : _____ Non-Designated : <u> X </u>	0
5. Leverage: <b>3 to 1 and up</b>	2
6. Capital Investment: <b>\$1,530,000</b>	1
7. Average Wage: <b>\$ 100,000</b>	4

TOTAL:  9

**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 :**

<b>Total Score per formula:</b>	<b>9 = 30 %</b>
<b>Construction/Renovation :</b>	<b>5 %</b>
<b>Bonus Increases :</b>	<b>20 %</b>
<b>Total Score (not to exceed 80 %):</b>	<b>55 %</b>

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

**APPLICANT:** Miami International Holdings, Inc

P24086

**PROJECT LOCATION:** One Bridge Plaza

Fort Lee Borough (N)

Bergen County

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban ( ) Edison (X) Core ( ) RFG

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

Miami International Holdings, Inc. (Miami), was formed in 2007 to build, own and operate two fully electronic exchanges for the trading of stock, equity options, index options, currency options and futures. The applicant intends for its exchanges to be the modern global hub to serve markets in North America, South America, Latin America, Asia and Europe, working through exchanges in the respective regions. In the U.S. and Latin America, Miami will work through broker/dealers and private bankers, with plans for an Exchange in Miami. In June 2008, Miami issued an Offering Memorandum to attract funding. To date it has received commitments for 50% of its current goal. Based on the equity raised to date and outstanding commitments, the applicant is economically viable.

**MATERIAL FACTOR:**

Miami is seeking a BEIP grant to support creating 40 new jobs in Fort Lee. The jobs will be highly qualified computer engineers to write the computer code to run the electronic stock exchanges. Also under consideration are New York City, Pennsylvania, and Miami, Florida. Project costs are estimated to exceed \$25 million. A favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to open its technology office in Fort Lee.

**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 Miami International Holdings, 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:** \$ 2,000,000  
(not to exceed an average of \$50,000 per new employee over the term of the grant)

**NJ EMPLOYMENT AT APPLICATION:** 10

**ELIGIBLE BEIP JOBS:** Year 1 35 Year 2 5 Base Years Total = 40

**ANTICIPATED AVERAGE WAGES:** \$215,000

**ESTIMATED PROJECT COSTS:** \$25,544,380

**ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10** \$4,676,000

**ESTIMATED NET NEW STATE INCOME TAX - DURING 15** \$5,014,000

**PROJECT IS:** (X) Expansion ( ) Relocation

**CONSTRUCTION:** (X) Yes ( ) No

**PROJECT OWNERSHIP HEADQUARTERED IN:** New Jersey

**APPLICANT OWNERSHIP:** (X) Domestic ( ) Foreign

**DEVELOPMENT OFFICER:** S. Royster

**APPROVAL OFFICER:** M. Krug

## FORMULA EVALUATION

<u>Criteria</u>	<u>Score</u>
1. Location: <b>Fort Lee Borough</b>	N/A
2. Job Creation <b>40</b> Targeted : _____ Non-Targeted : <u> X </u>	1
3. Job at Risk: <b>0</b>	0
4. Industry: <b>Financial services</b> Designated : <u> X </u> Non-Designated : _____	2
5. Leverage: <b>3 to 1 and up</b>	2
6. Capital Investment: <b>\$25,544,380</b>	3
7. Average Wage: <b>\$ 215,000</b>	4
<b>TOTAL:</b>	<b>12</b>

**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 :**

<b>Total Score per formula:</b>	<b>12 = 40 %</b>
<b>Construction/Renovation :</b>	<b>5 %</b>
<b>Bonus Increases :</b>	<b>20 %</b>
<b>Total Score (not to exceed 80 %):</b>	<b>65 %</b>

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

**APPLICANT:** Princeton Power Systems, Inc.

P23719

**PROJECT LOCATION:** 201 Washington Road                      West Windsor Township      Mercer County

**GOVERNOR'S INITIATIVES:**

Urban Fund    Other Urban    Edison    Core    RFG

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

Incorporated in 2001, Princeton Power Systems, Inc. delivers Renewable Energy Solutions, Grid-tied Inverters up to 500 kW and Motor Control Solutions for utility, commercial and military power users. Their products are based on innovative and patented technologies, which set new standards for clean power in reliable and efficient packages. Their core product is a grid-tied inverter, which is a component of commercial solar photovoltaic installations. Princeton Power Systems, Inc.'s products are also used in industrial facilities and aboard Naval vessels.

The applicant has received a NJCST Edison Innovation R&D Grant, a BPU Recoverable Grant and a Springboard II Grant.

The applicant is growing fast and it is in need of a larger space. The applicant is considering re-paying the above grants and moving its entire current operations from New Jersey to Pennsylvania for further expansion. In the alternative, the applicant is considering keeping its smaller current New Jersey operations here while establishing a larger expansion facility in Pennsylvania thus intending to expand further there. The Company is economically viable.

**MATERIAL FACTOR:**

The applicant is seeking a BEIP grant to support creating 40 new positions in New Jersey. Princeton Power Systems, Inc. has represented that a favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to expand within New Jersey and therefore to pick New Jersey over Pennsylvania. The Authority staff recommends the award of the proposed BEIP grant.

**APPROVAL REQUEST:**

**PERCENTAGE:** 60%

**TERM:** 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Princeton Power Systems, 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:** \$ 435,000  
 (not to exceed an average of \$50,000 per new employee over the term of the grant)

**NJ EMPLOYMENT AT APPLICATION:** 13

**ELIGIBLE BEIP JOBS:** Year 1 20 Year 2 20 Base Years Total = 40

**ANTICIPATED AVERAGE WAGES:** \$65,000

**ESTIMATED PROJECT COSTS:** \$3,800,000

**ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10** \$725,000

**ESTIMATED NET NEW STATE INCOME TAX - DURING 15** \$652,500

**PROJECT IS:** (X) Expansion (X) Relocation Plainsboro, NJ

**CONSTRUCTION:** (X) Yes ( ) No

**PROJECT OWNERSHIP HEADQUARTERED IN:** New Jersey

**APPLICANT OWNERSHIP:**(X) Domestic ( ) Foreign

**DEVELOPMENT OFFICER:** P. Durand

**APPROVAL OFFICER:** D. Sucsuz

## FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	<b>West Windsor Township</b>	N/A
2. Job Creation	<b>40</b>	<b>1</b>
	Targeted : <u>  X  </u> Non-Targeted : _____	
3. Job at Risk:	<b>13</b>	<b>1</b>
4. Industry:	<b>Environmental device technology</b>	<b>2</b>
	Designated : <u>  X  </u> Non-Designated : _____	
5. Leverage:	<b>3 to 1 and up</b>	<b>2</b>
6. Capital Investment:	<b>\$3,800,000</b>	<b>2</b>
7. Average Wage:	<b>\$ 65,000</b>	<b>3</b>
<b>TOTAL:</b>		<b>11</b>

**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 :**

<b>Total Score per formula:</b>	<b>11 = 35 %</b>
<b>Construction/Renovation :</b>	<b>5 %</b>
<b>Bonus Increases :</b>	<b>20 %</b>
<b>Total Score (not to exceed 80 %):</b>	<b>60 %</b>

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

**APPLICANT:** PsychoGenics Inc.

P22628

**PROJECT LOCATION:** 100 Phillips Pkwy

Montvale Borough (N)

Bergen County

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban (X) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

PsychoGenics Inc. (Psycho), formed in 1998, is a leader in preclinical neurobiology and in the provision of Central Nervous System (CNS) drug discovery solutions. The applicant has a pipeline of in-house and partnered drug candidates addressing such major CNS disorders as ADHD, anxiety, cognitive impairment, depression and psychosis/schizophrenia. Psycho has established research agreements with over 100 pharmaceutical and biotech companies, such as Eli Lilly, Roche, Sepracor and Cephalon to validate targets and select compounds to advance into clinical trials as the next generation of neuropsychiatric drugs. Its most advanced drug candidate just passed Phase II clinical trails for ADHD. PsychoGenics is economically viable.

**MATERIAL FACTOR:**

PsychoGenics Inc. is seeking a BEIP grant to create 189 new jobs in New Jersey at its Montvale facility. Initially, approximately 120 jobs will be moved from its present Tarrytown, NY facility to New Jersey. Also under consideration is Norfolk and Stamford, Ct, and Ardsley, N.Y. The applicant is estimating project cost to be in excess of \$26 million. A favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to move all operations to New Jersey.

**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 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:** \$ 3,913,029  
(not to exceed an average of \$50,000 per new employee over the term of the grant)

**NJ EMPLOYMENT AT APPLICATION:** 11

**ELIGIBLE BEIP JOBS:** Year 1 139 Year 2 50 Base Years Total = 189

**ANTICIPATED AVERAGE WAGES:** \$86,148

**ESTIMATED PROJECT COSTS:** \$26,505,000

**ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10** \$5,590,042

**ESTIMATED NET NEW STATE INCOME TAX - DURING 15** \$4,472,033

**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: <b>Montvale Borough</b>	N/A
2. Job Creation <b>189</b> Targeted : <u> X </u> Non-Targeted : _____	3
3. Job at Risk: <b>11</b>	1
4. Industry: <b>Biotechnology</b> Designated : <u> X </u> Non-Designated : _____	2
5. Leverage: <b>3 to 1 and up</b>	2
6. Capital Investment: <b>\$26,505,000</b>	3
7. Average Wage: <b>\$ 86,148</b>	4

TOTAL: **15**

**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 :**

<b>Total Score per formula:</b>	<b>15 = 45 %</b>
<b>Construction/Renovation :</b>	<b>5 %</b>
<b>Bonus Increases :</b>	<b>20 %</b>
<b>Total Score (not to exceed 80 %):</b>	<b>70 %</b>

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

**APPLICANT:** Reed Elsevier PLC, Reed Elsevier NV and Elsevier Inc. and P24124

**PROJECT LOCATION:**TBD Locations Unknown (N) Unknown County

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

The group of companies, Reed Elsevier PLC, Reed Elsevier NV and Elsevier Inc. and Affiliates (collectively "Reed Elsevier"), are leading global providers of professional information and online workflow solutions in the Science and Medical; Legal, Risk Information and Analytics; and Business sectors.

Reed Elsevier group has two publicly traded parents but they are run as one business. Reed Elsevier PLC (publishing business) is listed on the London stock exchange and Reed Elsevier NV (financing business) is listed on the Amsterdam stock exchange. Also, their ADRs are listed on the NYSE Euronext (New York) exchange. Among some of the U.S. businesses they own or control are Elsevier, LexisNexis, ScienceDirect, ChoicePoint, Gray's Anatomy, Matthew Bender, and Martindale Hubbell.

Matthew Bender & Company, Inc./Reed Elsevier Inc. received a BEIP grant in 2000 for 205 employees of its legal publishing business (P12352, in Newark, NJ). The entire group employs 754 employees in five New Jersey locations.

The primary, but not exclusive, target of this BEIP grant is Elsevier Inc. (The Science & Technology division). As the world's leading publisher of science and health information, Elsevier serves more than 30 million scientists, students, and health and information professionals worldwide. The Science & Technology and Health Sciences divisions are supported by shared service functions that provide book and journal production, application management, information technology, fulfillment and distribution services.

The Applicant(s) and its group of affiliated companies are economically viable, and Elsevier Inc. (The Science & Technology division) is considering relocation of 350 positions from Manhattan to another location, either in Brooklyn or in New Jersey (Jersey City likely).

**MATERIAL FACTOR:**

The Applicant is seeking a BEIP grant to support creating or bringing 350 positions to New Jersey. The Applicant has represented that a favorable decision by the Authority to award the BEIP grant is a material factor in the Applicant's decision to relocate to New Jersey and therefore to pick New Jersey over New York. The Authority staff recommends the award of the proposed BEIP grant.

**APPROVAL REQUEST:**

**PERCENTAGE:** 45%

**TERM:** 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Reed Elsevier PLC, Reed Elsevier NV and Elsevier 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:** \$ 6,138,956  
(not to exceed an average of \$50,000 per new employee over the term of the grant)

**NJ EMPLOYMENT AT APPLICATION:** 754

**ELIGIBLE BEIP JOBS:** Year 1 350 Year 2 0 Base Years Total = 350

**ANTICIPATED AVERAGE WAGES:** \$100,500

**ESTIMATED PROJECT COSTS:** \$7,120,000

**ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10** \$13,642,125

**ESTIMATED NET NEW STATE INCOME TAX - DURING 15** \$14,324,231

**PROJECT IS:** ( ) Expansion (X) Relocation New York, NY

**CONSTRUCTION:** (X) Yes ( ) No

**PROJECT OWNERSHIP HEADQUARTERED IN:** \_\_\_\_\_

**APPLICANT OWNERSHIP:**( ) Domestic (X) Foreign Netherlands

**DEVELOPMENT OFFICER:** M. Abraham

**APPROVAL OFFICER:** D. Sucsuz

### FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	<b>Locations Unknown</b>	<b>N/A</b>
2. Job Creation	<b>350</b>	<b>4</b>
	Targeted : _____ Non-Targeted : <u>  X  </u>	
3. Job at Risk:	<b>0</b>	<b>0</b>
4. Industry:	<b>printing and publishing</b>	<b>0</b>
	Designated : _____ Non-Designated : <u>  X  </u>	
5. Leverage:	<b>3 to 1 and up</b>	<b>2</b>
6. Capital Investment:	<b>\$7,120,000</b>	<b>2</b>
7. Average Wage:	<b>\$ 100,500</b>	<b>4</b>
<b>TOTAL:</b>		<b>12</b>

**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:** 12 = 40 %

**Construction/Renovation :** 5 %

**Bonus Increases :** 0 %

**Total Score (not to exceed 80 %):** 45 %

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

**APPLICANT:** Semprae Laboratories, Inc.

P23718

**PROJECT LOCATION:** To Be Determined

Locations Unknown (N)

Unknown County

**GOVERNOR'S INITIATIVES:**

Urban Fund  Other Urban  Edison  Core  RFG

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

Semprae Laboratories, Inc. (Semprae) was formed in July 2008 to acquire Zestra Laboratories assets through bankruptcy court in Delaware. Capital for the acquisition was primarily contributed by Quaker Bio Venture. The applicant is positioned to commercialize Zestra Feminine Arousal Fluid, a topical product consisting of botanical oils and extracts. The product is clinically proved to improve sexual desire, arousal, sensation and satisfaction for women with and without female sexual dysfunction (FSD). Zestra will be the applicant's initial lead product in the company's effort to develop its sexual health franchise. Zestra is regulated by the Federal Drug, Food and Cosmetic Act, and there is a formulation patent, which expires in 2021. The product also is patented in several key European countries, and registered its trademark in the US, Canada, Europe, key markets in Asia, including Korea & Taiwan. At present, all manufacturing is outsourced to SPAN Packaging Services, Greenville, SC, and manufactured on Semprae owned equipment. The applicant plans to grow the business through direct and online marketing and brand building programs targeting consumers, in addition to medical professionals who treat women with FSD. Based on Quaker Bio Venture's equity infusion the company is economically viable.

Semprae's request for a \$1 million Edison Innovation Growth Fund loan is anticipated to be presented to the Board in the near term.

**MATERIAL FACTOR:**

Semprae Laboratories, Inc. is seeking a BEIP grant to support creation of 10 new jobs and establish corporate headquarters in N.J. Also under consideration are Pennsylvania, New York and South Carolina. Please note, the Commonwealth of Pennsylvania is a limited partner in Quaker Bio Venture II. A favorable decision by the Authority to award the BEIP is a material factor in the applicant's decision to establish corporate headquarters in NJ.

**APPROVAL REQUEST:**

**PERCENTAGE:** 40%

**TERM:** 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Semprae Laboratories, 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: \$ 220,100  
(not to exceed an average of \$50,000 per new employee over the term of the grant)

NJ EMPLOYMENT AT APPLICATION: 1

ELIGIBLE BEIP JOBS: Year 1 4 Year 2 6 Base Years Total = 10

ANTICIPATED AVERAGE WAGES: \$125,000

ESTIMATED PROJECT COSTS: \$9,500,000

ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10 \$550,250

ESTIMATED NET NEW STATE INCOME TAX - DURING 15 \$605,275

PROJECT IS: (X) Expansion (X) Relocation Charleston SC

CONSTRUCTION: (X) Yes ( ) No

PROJECT OWNERSHIP HEADQUARTERED IN: New Jersey

APPLICANT OWNERSHIP: (X) Domestic ( ) Foreign

DEVELOPMENT OFFICER: K. Coviello APPROVAL OFFICER: M. Krug

## FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	Locations Unknown	N/A
2. Job Creation	10	1
	Targeted : <input checked="" type="checkbox"/> Non-Targeted : _____	
3. Job at Risk:	0	0
4. Industry:	Biotechnology	2
	Designated : <input checked="" type="checkbox"/> Non-Designated : _____	
5. Leverage:	3 to 1 and up	2
6. Capital Investment:	\$2,500,000	1
7. Average Wage:	\$ 125,000	4
<b>TOTAL:</b>		<b>10</b>

**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:** 10 = 35 %

**Construction/Renovation :** 5 %

**Bonus Increases :** 0 %

**Total Score (not to exceed 80 %):** 40 %

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

**APPLICANT:** Tobira Therapeutics, Inc.

P23888

**PROJECT LOCATION:** To be determined

Locations Unknown (N)

Unknown County

**GOVERNOR'S INITIATIVES:**

( ) Urban Fund ( ) Other Urban (X) Edison ( ) Core ( ) RFG

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

Tobira Therapeutics, Inc. is a clinical stage biopharmaceutical company that acquires, develops and commercializes innovative products for the treatment of infectious diseases such as HIV/AIDS, hepatitis and other associated infectious conditions. The Company was founded in 2006 by Eckard Weber, MD, a partner at the venture capital firm Domain Associates, who has assembled a highly experienced management team with decades of clinical and commercial development experience specifically in HIV/AIDS drug development. The Company is economically viable.

**MATERIAL FACTOR:**

Tobira Therapeutics, Inc. is seeking a BEIP grant to support expansion of its operations in New Jersey. The alternative is expanding in Newtown, PA. The benefit to NJ is the addition of approximately 20 new full-time positions and expanding from its existing space of 4,000 sq. ft. to 12,000 sq. ft., as the Company has recently been awarded a patent and is more actively licensing products to be used for the treatment of HIV/AIDS. A favorable decision by the Authority to award the BEIP grant is a material factor in the applicant's decision to expand in New Jersey.

**APPROVAL REQUEST:**

**PERCENTAGE:** 35%

**TERM:** 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Tobira Therapeutics, 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:** \$ 317,546  
(not to exceed an average of \$50,000 per new employee over the term of the grant)

**NJ EMPLOYMENT AT APPLICATION:** 8

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

**ANTICIPATED AVERAGE WAGES:** \$110,250

**ESTIMATED PROJECT COSTS:** \$240,000

**ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10** \$907,275

**ESTIMATED NET NEW STATE INCOME TAX - DURING 15** \$1,043,366

**PROJECT IS:** (X) Expansion ( ) Relocation

**CONSTRUCTION:** (X) Yes ( ) No

**PROJECT OWNERSHIP HEADQUARTERED IN:** New Jersey

**APPLICANT OWNERSHIP:** (X) Domestic ( ) Foreign

**DEVELOPMENT OFFICER:** P. Ceppi

**APPROVAL OFFICER:** T. Wells

## FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	Locations Unknown	N/A
2. Job Creation	20	1
	Targeted : <input checked="" type="checkbox"/> Non-Targeted : _____	
3. Job at Risk:	8	0
4. Industry:	Biotechnology	2
	Designated : <input checked="" type="checkbox"/> Non-Designated : _____	
5. Leverage:	3 to 1 and up	2
6. Capital Investment:	\$240,000	0
7. Average Wage:	\$ 110,250	4

TOTAL: 9

**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 :**

<b>Total Score per formula:</b>	9 = 30 %
<b>Construction/Renovation :</b>	5 %
<b>Bonus Increases :</b>	0 %
<b>Total Score (not to exceed 80 %):</b>	<b>35 %</b>

**BROWNFIELD REIMBURSEMENT PROGRAM**



## MEMORANDUM

To: Members of the Authority

From: Caren Franzini  
Chief Executive Officer

Date: October 15, 2008

Subject: 110 Hoboken Avenue Development Urban Renewal Co., LLC – Brownfield Contaminated Site Reimbursement

### Summary:

The Members are asked to approved the brownfield application of 110 Hoboken Avenue Development Urban Renewal Co., LLC for reimbursement of clean-up costs for a Jersey City 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 \$8,500,000.

### Project Description:

- The former Van Leer Chocolate Facility is approximately 7.9 acres and is located in Jersey City, New Jersey. The project is called “Van Leer Place” and will consist of two buildings with 438 residential units, 7,500 square feet of commercial/retail space and 408 underground and 89 surface parking spaces.
- The project includes 1.5 acres that will be donated to the City as a public park.
- The remedial strategy involves excavation of soils with engineering controls for soil and institutional controls for soil and groundwater. NJDEP approved the Remediation Action Workplan (RAW) by letter dated November 27, 2006.
- The Project is located within an Urban Enterprise Zone (“UEZ”) and within a Jersey City Redevelopment Area designated by the Jersey City Redevelopment Agency (“JCRA”).
- The project has no Council on Affordable Housing (“COAH”) requirements, because the site is located in a Redevelopment Zone and Urban Enterprise Zone and sufficient affordable housing exists in the area.
- The anticipated new state tax revenue to be generated by the Project is approximately \$11.7 million.

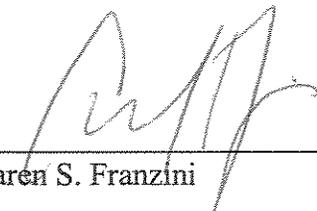
**Anticipated remediation costs: \$8,500,000**  
**Recommended reimbursement: \$6,375,000**

The Authority received an application for a Brownfield Redevelopment Agreement from the 110 Hoboken Avenue Development Urban Renewal Co., 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:**

The Authority staff has reviewed the 110 Hoboken Avenue Development Urban Renewal Co., 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 110 Hoboken Avenue Development Urban Renewal Co., LLC application and authorize the CEO of the Authority to execute a Brownfield Redevelopment Agreement with 110 Hoboken Avenue Development Urban Renewal Co., LLC and the State Treasurer.



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Caren S. Franzini

Prepared by: James Simmons



## MEMORANDUM

To: Members of the Authority

From: Caren S. Franzini  
Chief Executive Officer

Date: October 15, 2008

Subject: Athena BLDG 110 Urban Renewal, LLC – Brownfield Contaminated Site  
Reimbursement

### Summary:

The Members are asked to approved the brownfield application of Athena BLDG 110 Urban Renewal, LLC for reimbursement of clean-up costs for a Jersey City 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 \$1,656,300.

### Project Description:

- The project site is 0.725 acres and is the former location of the P. Lorillard Tobacco Company & Joseph Copy General Warehouse Company.
- The project (located in the Hudson Exchange Redevelopment Area of Jersey City and adjacent to the Warehouse Historic District /Powerhouse Arts Redevelopment District) will consist of 451 rental units, a 343-space parking garage and approximately 16,600 square feet of retail space.
- The project will contain 25 Affordable Dwelling Units (ADU) at the Site. Athena will also make a contribution of \$2,500,000 to the City for the construction of 25 off-site ADU.
- Remediation consists of excavating and disposing of impacted soils, the installation of an engineering control cap (building slab) and bringing in clean fill to replace the existing contaminated soils.
- Athena anticipates that new state taxes generated from the site will total \$7,240,663.
- The developer anticipates approximately \$180,279,060 in development costs compared to \$1,656,300 in remediation costs.

**Anticipated remediation costs: \$1,656,300**

**Recommended reimbursement: \$1,242,150**

The Authority received an application for a Brownfield Redevelopment Agreement from the Athena BLDG 110 Urban Renewal, 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 Commission 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 Athena BLDG 110 Urban Renewal, 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 Athena BLDG 110 Urban Renewal, LLC application and authorize the CEO of the Authority to execute a Brownfield Redevelopment Agreement with Athena BLDG 110 Urban Renewal, LLC and the State Treasurer.



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Caren S. Franzini

Prepared by: James Simmons



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

## MEMORANDUM

To: Members of the Authority

From: Caren S. Franzini  
Chief Executive Officer

Date: October 15, 2008

Subject: Clinton Township Realty, LLC (“CTR”) – Brownfield Contaminated Site  
Reimbursement

### Summary:

The Members are asked to approved the brownfield application of Clinton Township Realty, LLC for reimbursement of clean-up costs for a Town of Clinton 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 \$130,000.

### Project Description:

- The Project site is approximately 1.11 acres and was formerly the J.C. Johnson Oil Terminal, utilized as a petroleum product storage and transfer facility.
- The Project site is to be redeveloped as a lumberyard to expand the existing storage of Fox Lumber.
- The work to be performed includes the remediation of the soil, excavation and off-site disposal. Regarding groundwater, existing benzene levels are to be addressed via natural attenuation and the establishment of an Aquifer Classification Area.
- Based upon sales figures from the existing Fox Lumber, an addition to the lumberyard of this magnitude is projected to earn gross sales of approximately \$2,000,000 to \$3,000,000 annually, generating new sales taxes of \$138,600 to \$207,900 annually.
- Redevelopment costs are estimated at \$200,000.

**Anticipated remediation costs:** \$130,000

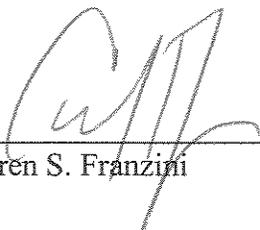
**Recommended reimbursement:** \$97,500

The Authority received an application for a Brownfield Redevelopment Agreement from the Clinton Township Realty, 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:**

The Authority staff has reviewed the Clinton Township Realty, 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 Clinton Township Realty, LLC application and authorize the CEO of the Authority to execute a Brownfield Redevelopment Agreement with Clinton Township Realty, LLC and the State Treasurer.



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Caren S. Franzini

Prepared by: James Simmons

**BRRAG**

**MEMORANDUM**

To: Members of the Authority

From: Caren S. Franzini  
Chief Executive Officer

Date: October 15, 2008

Subject: Business Retention and Relocation Assistance Grant (BRRAG) Tax Credit Certificate Transfer Program – preliminary approval of application from Deloitte LLP and subsidiaries.

**Request:**

The Members are asked to provide preliminary approval of the Business Retention and Relocation Assistance Grant Tax Credit Certificate Transfer Program (Transfer Program) application of Deloitte LLP and subsidiaries. Deloitte provides audit, consulting, financial advisory, risk management, and tax services to selected clients throughout the world.

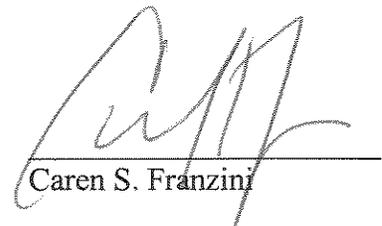
**Background:**

In July 2007, the Commerce Commission Board of Directors approved an application by Deloitte for a grant of tax credits under the BRRAG program. With help from the BRRAG program, Deloitte retained and relocated 822 full-time employees from offices in Summit and Parsippany, NJ, to leased space at 100 Kimball Drive, also in Parsippany.

Although Deloitte received tax credits valued at \$1,233,000 from the New Jersey Division of Taxation, the company is unable to use these credits. Deloitte is now seeking approval to sell these BRRAG tax credits as permitted under the Transfer Program.

The Transfer Program allows businesses with unused BRRAG tax credits to sell these credits to offset the costs of relocation. Unused tax credits must be sold for at least 75 percent of their value. Pursuant to Transfer Program regulations, the sale of BRRAG tax credits requires two Board approvals – preliminary and final. This request is for preliminary approval. The Members will issue final approval after Deloitte submits additional forms to NJEDA, identifying a buyer along with the sale price of the tax credits.

Attached is an applicant/project summary for further reference.



Caren S. Franzini

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**  
**BRRAG Tax Credit Certificate Transfer Program**  
**Applicant/Project Summary, 10/15/08**

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**Applicant:**

- Deloitte LLP and subsidiaries, 1100 Walnut Street, Suite 3300, Kansas City, MO and 100 Kimball Drive, Parsippany, Morris County, NJ.
- Deloitte provides audit, consulting, financial advisory, risk management, and tax services to selected clients throughout the world.

**Applying for:**

- BRRAG Tax Credit Certificate Transfer Program (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 July 2007, the Commerce Commission Board of Directors approved an application from Deloitte LLP and subsidiaries for a grant of tax credits under the Business Retention and Relocation Assistance Grant (BRRAG) program and the Sales and Use Tax Exemption (STX) Program.
- With help from the BRRAG and STX programs, Deloitte consolidated locations in Summit and Parsippany, NJ, to a new, leased facility at 100 Kimball Drive, Parsippany, NJ.
- The relocation prompted more than \$39 million in capital spending at the company's new location in Parsippany.
- After retaining and relocating 822 employees as a result of this project, the New Jersey Division of Taxation issued BRRAG tax credits to Deloitte in the amount of \$1,233,000.
- On September 3, 2008, the NJEDA received an application from Deloitte to participate in the Transfer Program.

**Qualification** – This application satisfies the following eligibility criteria:

- Deloitte entered into a BRRAG Project Agreement with the NJEDA on August 29, 2008.
- Deloitte certifies that it is not in default of its BRRAG Project Agreement.
- Deloitte has unused BRRAG tax credits and certifies that it cannot use the BRRAG tax credits issued by the New Jersey Division of Taxation.
- Deloitte 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:**

- Deloitte's BRRAG tax credits are valued at \$1,233,000; therefore the company must sell these credits for at least 75 percent of their value or at least \$924,750.

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
PROJECT SUMMARY – BUSINESS RETENTION AND RELOCATION ASSISTANCE GRANT**

**APPLICANT:** KS Engineers

**COMPANY ADDRESS:** 24 Commerce Street, 15<sup>th</sup> Fl. Newark (N) Essex County

**PROJECT LOCATION:** 494 Broad Street Newark (N) Essex County

**GOVERNOR’S INITIATIVES:**

( X ) NJ Urban Fund            ( ) Edison Innovation Fund            ( ) Core            ( ) Ready for Growth

**APPLICANT BACKGROUND:**

KS Engineers, incorporated in 1994, is a civil engineering, land surveying, and construction management firm. For the last 10 years, KS Engineers has been providing professional engineering services to transportation departments and highway authorities in New York and New Jersey as well as county governments, municipalities, colleges and universities in the region. KS Engineers has outgrown its current leased space in Newark and is considering the relocation of its corporate headquarters to leased space either within Newark or to Orangeburg, New York.

**MATERIAL FACTOR:**

KS Engineers (KS) currently operates from 12,000 s.f. of leased office space in Newark. The company is seeking larger space to accommodate recent employment growth and expected growth over the next several years. The company is requesting a BRRAG grant to support the relocation and retention of 92 full-time employees. If the relocation project moves forward in New Jersey, KS plans to sign a new 12-year lease and relocate all of its employees within Newark by December of this year. As an alternative, KS is considering space in Orangeburg, New York, where operational costs for rent and parking are significantly less than in New Jersey. The applicant is estimating project costs at \$300,000 for new equipment, furniture, and other leasehold improvements. Management has indicated a favorable decision by the Authority to award the BRRAG grant is a material factor in the applicant’s decision to remain and expand in New Jersey.

**APPROVAL REQUEST:**

**TERM:** 5 years

The Members of the Authority are asked to approve the proposed BRRAG grant to KS to encourage the company to remain and grow in New Jersey. The recommended grant is based on the Project Evaluation Factors set forth on the attached BRRAG Scoresheet, which the former Commerce Commission Board of Directors approved for use at its regular monthly meeting on February 21, 2008.

**TOTAL ESTIMATED GRANT AWARD OVER TERM OF GRANT:** \$ 101,200

**GRANT AMOUNT PER RETAINED EMPLOYEE** (see attached scoresheet): \$ 1,100

**NEW JERSEY EMPLOYMENT AT APPLICATION:** 92

**ELIGIBLE BRRAG JOBS:** 92

**ANTICIPATED AVERAGE WAGES:** \$73,465

**ESTIMATED PROJECT COST:** \$300,000

**ESTIMATED TOTAL GROSS PAYROLL:** \$6,685,477

**ESTIMATED TOTAL GROSS STATE WITHHOLDINGS 1-YR & 5YRS:** 1-yr: \$237,742    5-yrs: \$1,188,710

**PROJECT IS:** ( ) Expansion            ( X ) Relocation

**CONSTRUCTION:** ( ) Yes            ( X ) No

**APPROVAL OFFICER:** N. McGuire

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**  
**Business Retention and Relocation Assistance Grant of Tax Credits**  
**SCORESHEET – 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)

**Company:**      **KS Engineers**

**Date Scored:**    **9/16/08**

**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	92	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	\$73,465	3
2 = \$30,001 - \$50,000		
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 = \$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	\$300,000	0

**4. Designated industry type – maximum points = 3**

Range	Industry	Score
3 = manufacturing		
2 = targeted = (life science/biotech)		
0 = non-targeted		0

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
Business Retention and Relocation Assistance Grant of Tax Credits  
SCORESHEET – 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 = <50	10	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.	PA 1	4
0 = non- growth area		

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

		Score
2 = yes	X	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		
2 = 15-19 years		
1 = 10-14 years	1994	1

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

**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	92	1

**9. Urban Enterprise Zone – maximum points = 3**

		Score
3= if relocating from non-UEZ site to a site within an UEZ		
0 = no	X	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		
13-18 = \$1,200		
7-12 = \$1,100	\$1,100	12
0-6 = \$1,000		

**UEZ/SALEM SALES TAX EXEMPTION**



MEMORANDUM

To: Members of the Authority

From: Caren Franzini  
Chief Executive Officer

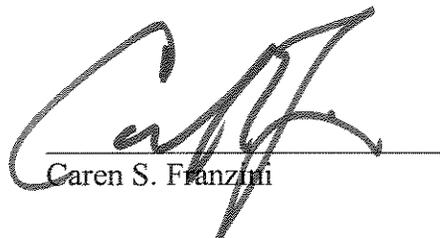
Date: October 15, 2008

Subject: Alcan Global Pharmaceutical Packaging, Inc. - Urban Enterprise Zone Energy Sales Tax Exemption Renewal

The members are asked approve the Urban Enterprise Zone (UEZ) Energy Sales Tax Exemption (U-STX) Renewal Application of Alcan Global Pharmaceutical Packaging, Inc., a manufacturer of glass tubes/vials and plastic bottles/caps for pharmaceutical, personal care and food customers, located in the Millville/Vineland UEZ. The estimated annualized U-STX benefit to Alcan Global Pharmaceutical Packaging, Inc. is \$780,000.

To qualify for a U-STX, a company must be a UEZ-certified manufacturer with at least 250 full-time employees, at least 50% of whom are involved in the manufacturing process. In addition, the company must certify that it is not in default under any other State program.

Alcan Global Pharmaceutical Packaging, Inc. has a three UEZ-certified facilities in Millville, Cumberland County, with 475 full-time employees, 85.1% of whom are involved in the manufacturing process. In addition, the company has certified that it is not in default under any State program and LWD and the Division of Taxation attest that they are not aware of any defaults. Having met all statutory and regulatory requirements, Authority staff recommends that Alcan Global Pharmaceutical Packaging, Inc. be granted a renewal, which would continue through September 24, 2009.



Caren S. Franzini

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**NEW JERSEY COMMERCE COMMISSION**  
**URBAN ENTERPRISE ZONE ENERGY SALES TAX EXEMPTION PROGRAM**  
**PROJECT SUMMARY**  
**OCTOBER 15, 2008**

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**Company**

- Alcan Global Pharmaceutical Packaging, Inc., 625 Sharp Street, 1200 N. Tenth Street, and 1633 Wheaton Avenue in Millville, NJ 08332.
- Alcan Global Pharmaceutical Packaging, Inc. is a manufacturer of glass tubes/vials and plastic bottles/caps for pharmaceutical, personal care and food customers.
- Alcan Global Pharmaceutical Packaging, Inc. was UEZ-Certified on September 24, 2004, and was initially approved for the energy sales tax exemption effective October 29, 2004.
- Alcan Global Pharmaceutical Packaging has invested \$30.6 million thus far into these three facilities, \$8.7 million in the past year. They plan to invest another \$15.0 million over the next 12 months.

**Exemption Eligibility**

Alcan Global Pharmaceutical Packaging, Inc.'s Millville/Vineland operation meets the eligibility requirements as follows:

- Alcan Global Pharmaceutical Packaging, Inc. has submitted its fourth Renewal Application for the U-STX to continue through September 24, 2009. Its application for UEZ Re-Certification has been approved.
- Alcan Global Pharmaceutical Packaging, Inc. has a workforce of 475, (85.1% of whom are involved in the manufacturing process (exceeding the 50% required)).
- Alcan Global Pharmaceutical Packaging, Inc. has certified that it is not in default under any State other program and LWD and Taxation attest that they are not aware of any defaults.

**Benefit**

The estimated annual value of the U-STX tax exemption is **\$780,000**, based on an estimated energy consumption of \$3,417,000 in natural gas and \$7,750,000 in electricity, an increase over the prior year's benefit of \$690,000, due both increased consumption and a projected increases in the cost of electricity.

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## MEMORANDUM

To: Members of the Authority

From: Caren Franzini  
Chief Executive Officer

Date: October 15, 2008

Subject: Phoenix Glass LLC – Annual Renewal Application for the Energy Sales Tax Exemption Program (Salem County)

### Request:

The Members are asked to approve the annual renewal application of Phoenix Glass LLC, Upper Pittsgrove Township, Salem County, for the Energy Sales Tax Exemption.

### Background:

Under the Energy Sales Tax Exemption Program, transferred to the NJEDA under the recently signed Commerce Reorganization Bill, P.L. 2008, c27, Salem County manufacturers with 50 or more employees, at least 50 percent of whom are directly involved in the manufacturing process, are eligible for a sales tax exemption on electric and gas purchases.

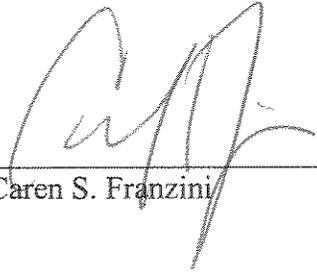
Phoenix Glass is a full service manufacturer and provider of glass containers, decorating services, plastic closures and screen making.

This is the company's second renewal. The estimated value of the exemption benefit is \$33,040, based on company estimates of \$472,000 in electric and gas purchases for the coming year, utilizing the 7 percent sales tax exemption. Phoenix employs 60 people, 60 of whom are directly involved in manufacturing.

The Department of Labor and Workforce Development and the New Jersey Division of Taxation have indicated that there are no delinquencies or outstanding issues associated with Phoenix Glass LLC. In addition, the company's legal disclosures reveal no cause for disqualification or debarment from participation in this program. Having met program eligibility requirements, staff recommends approving Phoenix Glass LLC's renewal application.

**Recommendation:**

The Members are asked to approve the Energy Sales and Use Tax Exemption Program Renewal application of Phoenix Glass LLC, which continues the exemption through November 22, 2009, pursuant to P.L. 2005 c 374



Caren S. Franzini

Prepared by: Joseph Constance

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**  
**Energy Sales Tax Exemption Program - (Salem County)**  
**Applicant/Project Summary**  
**October 15, 2008**

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**Applicant:**

- Phoenix Glass LLC, 615 Alvine Road, Pittsgrove, Salem County, NJ.
  - Phoenix Glass is a full service manufacturer and provider of glass containers, decorating services, plastic closures and screen making.
  - Phoenix employs 60 people, 60 of whom are directly involved in the manufacturing process.

**Applying for:**

- Energy Sales and Use Tax Exemption Program (Salem County), Annual Renewal. Under the Energy Sales Tax Exemption Program, manufacturers in Salem County with 50 or more employees, at least 50 percent of whom are directly involved in the manufacturing process, are eligible for a sales tax exemption on electric and gas purchases.

**Qualification:**

The renewal application satisfies the program eligibility criteria as follows:

- Phoenix Glass LLC is a manufacturing business located in Salem County with 50 employees or more, at least 50 percent of whom are directly involved in the manufacturing process. Specifically, Phoenix employs 60 people, 60 of whom are directly involved in manufacturing.
- Phoenix certifies that it is not in default of any other program administered by the State of New Jersey.
- The Department of Labor and Workforce Development and the New Jersey Division of Taxation have indicated that there are no delinquencies or outstanding issues associated with Phoenix Glass LLC. In addition, the company's legal disclosures reveal no cause for disqualification or debarment from participation in this program.

**Benefit:**

- Board approval would renew the Phoenix Glass LLC's sales tax exemption for another year or through November 22, 2009.
- The estimated value of the Energy Sales Tax Exemption benefit is 33,040. This estimate is based on the company's projected annual gas charge of \$212,000 and projected annual electric charge of \$260,000, less 7 percent sales tax.

## **BOARD MEMORANDUMS**



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

**TO:** Members of the Board  
**FROM:** Caren Franzini, Chief Executive Officer  
**DATE:** October 15, 2008  
**RE:** Urban Transit Hub Tax Credit Program

**Request:**

The Members are requested to approve an additional change to the draft rule proposal for the Urban Transit Hub Tax Credit Program.

At the September 8, 2008 board meeting, the Members approved draft regulations implementing the "Urban Transit Hub Tax Credit Act", P.L. 2007, c. 346. Upon review by staff, it has been learned that a section of the rule, specifically, 19:31-9.3(g) (Eligibility Criteria) below, was inadvertently left in the draft and should be removed in the final draft submitted to the Office of Administrative Law:

19:31-9.3(g) In order to meet the employment eligibility requirement, the 250 full-time employees shall be new to the site of the qualified business facility.

**Recommendation:**

The Members approve the change to the draft rule proposal and authorize staff to submit to the Office of Administrative Law for publication in the New Jersey Register. The Authority will initiate the processing of applications with applicants at risk if the rules are not adopted as proposed herein.

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

Caren S. Franzini

Prepared By: Jacob Genovay



**MEMORANDUM**

**TO:** Members of the Authority  
**FROM:** Caren S. Franzini, Chief Executive Officer  
**DATE:** October 15, 2008  
**SUBJECT:** PNC Business Growth Fund

On September 14, 2004, the Board approved the "New Jersey Business Growth Fund" (BGF) that expanded the relationship between PNC Bank and the Authority. Through the Business Growth Fund, PNC agreed to make \$100 million in low interest loans available to fund New Jersey companies committed to job creation or retention. PNC anticipated making approximately 400 loans over a two-year period. Capital made available by PNC Bank is offered at below market interest rates, with a fixed or variable rate option. EDA provides either a 25% or 50% guarantee on loans of up to \$2 million for qualified projects under the program.

Since program inception, 155 projects have been closed for approximately \$72 million in loans with approximately \$22.4 million in Authority guarantees. There are also 10 additional projects that have been approved for approximately \$4.1 million in loans with approximately \$1 million in guarantees that have not yet closed. All closed projects are current, and there have been no calls on any guarantees. In October 2007, Credit Compliance completed an audit of the BGF portfolio and found no material issues.

On September 11, 2007, the program was extended by the Board for an additional two years and is scheduled to expire on September 30, 2009. PNC has indicated their desire to continue the program, however they have requested three changes: 1) The program expiration date will be amended to December 30, 2009 to be consistent with their fiscal year. 2) Program loan volume will be limited to \$20 million for the 2009 calendar year. The cap on loan volume is new this year. However, it is not expected to negatively affect the success of the program, as it is consistent with the level of activity for the past two years. 3) Due to current economic conditions, as of October 1, 2008, the interest rate will increase by 50 bp, which results in a fixed rate of the 5 year treasury + 150 bp or a variable rate of Prime -150 bp. It is requested that the CEO continue to have authority to negotiate alternative interest rates as may be requested by PNC.

To effectuate these revisions, the Memorandum of Understanding with PNC Bank will be amended subject to DAG review.

**Prepared by: S. Mania**



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Technology Business Tax Certificate Transfer Program - Appeals

### BACKGROUND

At the September 9, 2008 Board Meeting, the Members considered 135 benefit requests from 107 companies to participate in the Technology Business Tax Certificate Transfer Program. A total of 91 benefits requests were recommended for approval and 44 benefits requests were disapproved. Following the September Board meeting, 28 disapproved applicants submitted appeals with information for the Authority to evaluate.

I. Authority staff has reviewed the information submitted with the appeals in consultation with the New Jersey Commission on Science & Technology and the Attorney General's office. A brief review (with the original reason for denial) of each of the 6 appeals being recommended for approval is listed below.

**Exclaim, Inc. - (Creation of Full-Time Jobs in NJ)**

Based on clarifying information provided by the applicant, when the effect of a recent divestiture of a portion of the applicant's business is factored in, the applicant has been creating jobs in NJ and will likely continue in the future.

**Factor Systems, Inc. - (Protected Proprietary IP, Tech. Viability, Not a Tech. Company)**

Based on clarifying information provided by the applicant, the New Jersey Commission on Science & Technology found that the applicant does have Protected Proprietary Intellectual Property in the form of a copyright, is Scientifically and Technologically Viable, and is a Technology Company.

**Ivivi Technologies, Inc. - (Protected Proprietary IP, Tech. Viability, 75% NJ Employment)**

Based on clarifying information provided by the applicant, the applicant had recently changed its name and the New Jersey Commission on Science & Technology has found that the applicant does have Protected Proprietary IP and the applicant is therefore, Scientifically and Technologically Viable. The company also provided clarifying information that demonstrated 3 out of state residents should be considered full-time NJ employees.

**Orthocon, Inc. - (Independent CPA Prepared Financial Statements)**

Based on clarifying information provided by the applicant, the auditor confirmed the compilation prepared by a CPA that provided bookkeeping services to the company, though not an employee of Orthocon, that was provided with the application is not materially different from the audited financial statements that will be issued in the near future.

**Tetragenex Pharmaceuticals Inc. - (Creation of Full-Time Jobs in NJ)**

Based on clarifying information provided by the applicant, the application had been completed incorrectly. When the corrected information was reviewed, the applicant has been creating jobs in NJ and will likely continue in the future.

**VioQuest Pharmaceuticals, Inc. - (Creation of Full-Time Jobs in NJ, Documentation on 75% NJ Employment)**

Based on clarifying information provided by the applicant, more than 75% of its employees work in NJ. Applicant provided documentation demonstrating its lead product is near completion and additional NJ employees will be needed to produce the product.

- I. The following companies either withdrew their application, did not appeal or did not provide sufficient clarifying information in their appeal as to warrant a reversal:

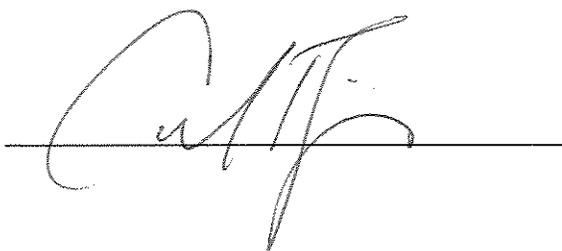
	<u>New Applicants</u>	<u>Recertification Applicants</u>
1	Accoona Corporation	American Beryllia, Inc.
2	Avance Connections, Inc.	Bioarray Solutions
3	Dor Biopharma	Bullrun Financial, Inc.
4	IPP of America, Inc.	CMWare (Withdrew application)
5	Novel Laboratories	Coates International, LTD.
6	Sapphire Therapeutics	Elusys Therapeutics, Inc.
7	Silicon Wafer Technologies	Epv Solar, Inc.
8	Vaxxinate Corp.	ExSar Corporation
9		Globalprint Systems, Inc.
10		iVoice Technology, Inc.
11	<u>Returning Applicant:</u>	Kirusa, Inc. *
12	Airtrax	Knite Inc *
13	Lamina	Lamina
14		Lumeta Corporation
15		Magnolia

16	NetForensics
17	New Jersey Microsystems
18	NovaDel Pharma, Inc.
19	Palatin Technologies
20	Pharmos Corporation
21	Phytomedics, Inc.
22	Princeton Optronics
23	StrikeForce Technologies, Inc.
24	Synthemed, Inc.
25	Transave, Inc.
26	Vpisystems Corporation
27	VYTERIS
28	X-Cell Medical, Inc

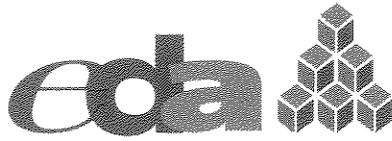
\*The application fees for KIRUSA and Knite are recommended to be returned as the applications were not received by the Statutory deadline.

**RECOMMENDATION**

As a result of careful consideration of the above appeals by Authority staff, the New Jersey Commission on Science & Technology, and having consulted with the Attorney General's Office, the following appeals are recommended for approval: Exclaim Inc., Factor Systems, Inc., IVIVI Technology, Inc., Orthocon, Inc., Tetragenix Pharmaceuticals, Inc., and VioQuest Pharmaceuticals.



Prepared by: John J. Rosenfeld



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini, Chief Executive Officer

**DATE:** October 15, 2008

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

The following projects were approved under Delegated Authority in September 2008:

### **New Jersey Business Growth Fund:**

- 1) Taylor Made Custom Cabinetry Inc. (P23733), located in Cinnaminson Township, Burlington County, was formed in 1989 to specialize in the design and fabrication of custom cabinetry and architectural woodworking. PNC Bank has approved a \$630,000 loan with a five-year, 25% guarantee, not to exceed \$157,500. Loan proceeds will be used to purchase property for relocation. The company currently has twelve employees and plans to create six new jobs within the next two years.

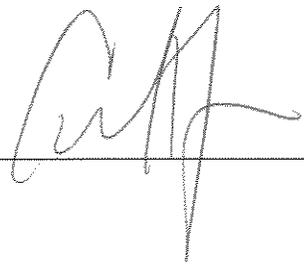
### **Fast Start Direct Loan Program:**

- 1) Coastal Broadcasting Systems, Inc. (P23619), located in Wildwood City, Cape May County, was formed in 1990 as owner and operator of three radio stations. Sturdy Bank approved a \$382,965 loan with a five-year, 50% guarantee, not to exceed \$191,483. Loan proceeds will be used to consolidate three existing loans. The company currently has fifteen employees and plans to create two additional jobs over the next two years.
- 2) ECL Properties, LLC (P23611), located in Harrison Township, Gloucester County, is a real estate holding company that was formed for the acquisition of the project property. Envision Consultants, Ltd., the project user, was established in 1995 as a provider of consulting and project management services for large-scale construction projects. Sun National Bank has approved a \$562,500 loan contingent upon a \$187,500 NJEDA loan. Loan proceeds will be used to purchase and renovate the project property. The company currently has fifteen employees and plans to create 4 new jobs within the next two years.

- 3) Selected Arrow Enterprises, Inc. (P22597), located in Newark City, Essex County, is a full service oil company. The NJEDA approved a \$300,000 loan to be used for working capital including expansion, marketing and advertising expenses, and additional staffing needs. The company currently has 30 employees and plans to create an additional six new positions over the next two years.
- 4) Tony Pallet, Inc. (P23436), located in Newark City, Essex County, was established in 1979 to manufacture, recondition and recycle wood pallets. The NJEDA approved a \$100,000 loan to be used to purchase equipment. The company currently has 48 employees and plans to create two additional positions over the next two years.

**Camden ERB - Modification:**

- 1) Heaven's Little Angels Learning Center (P21114) is located in Camden City, Camden County. The applicant, a non-profit provider of childcare services, was approved for a \$36,900 Business Lease Incentive Grant on 8/26/08. The approval was subsequently modified to increase the grant from \$36,900 to \$61,500 to cover additional space leasing costs. The project remains in compliance with program requirements.



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**Prepared by: S. Mania**



MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**RE:** Right of Entry Agreement  
Authority Owned Property  
SE Avenue and Pamphylia, Bridgeton, NJ

**DATE:** October 15, 2008

Summary

I am requesting the Members' approval to enter into the Authority's standard form of Right of Entry Agreement to allow Tri-County Community Action Partnership to undertake further environmental investigation of Authority-owned property in Bridgeton, New Jersey.

Background

Tri-County Community Action Partnership (TCCAP) is a federally-designated Community Action Program (CAP) for Cumberland, Gloucester and Salem counties in southern New Jersey. The agency's mission is to provide services that improve the quality of life and promote self-sufficiency. Since becoming a CAP in 1987, Tri-County has worked with residents, governments, other agencies and private sector institutions to help tens of thousands of local residents identify and overcome barriers to self-sufficiency. TCCAP is presently interested in purchasing and developing a parcel of vacant land the Authority owns in Bridgeton as a result of a defaulted bond project.

In 1986 the Authority guaranteed a \$1,081,435 Industrial Development Bond to Corpac Industries, Inc. The bond was secured by a mortgage on the subject property. Corpac was never able to get the business operational and ultimately filed bankruptcy, and the Authority acquired ownership of the property.

TCCAP is now considering developing the 4.75 acre vacant property with a 24,000 square foot neighborhood shopping center. TCCAP has completed a Preliminary Environmental Assessment of the property which identified several areas of concern. In order to more fully investigate those

concerns, TCCAP is now requesting that the Authority authorize it, and its environmental consultant, to access the property under a Right of Entry Agreement. The Right of Entry Agreement will authorize TCCAP and its consultant to enter the property to perform environmental testing activities as described in the attached Scope of Work for a twelve month period. TCCAP will indemnify the Authority and provide insurance coverage naming the Authority as an additional insured. Copies of reports generated by TCCAP's investigation will be shared with the Authority. The final terms of the Right of Entry Agreement will be subject to the approval of the Chief Executive Officer and the Attorney General's Office.

Recommendation

In summary, I am requesting the Members' approval to enter into the Authority's standard form of Right of Entry Agreement with Tri-County Community Action Partnership authorizing them to enter and perform environmental investigation activities on the subject property, on terms acceptable to the Chief Executive Officer and the Attorney General's Office.

  
\_\_\_\_\_  
Caren S. Franzini

Attachment

Prepared by: Jon Maticka

**Detailed Scope of Work  
Sampling Plan for the Property  
And  
Cost Estimate**

## Scope of Work Proposed Southeast Gateway Plaza

**1- Landfilled Material:** There were areas of the property which contained Landfilled materials. These materials need to be characterized, and delineated. The proposed scope of work for the Landfilled materials is to use geophysical techniques, aerial imagery, and test pitting to delineate the extent of the landfilled materials.

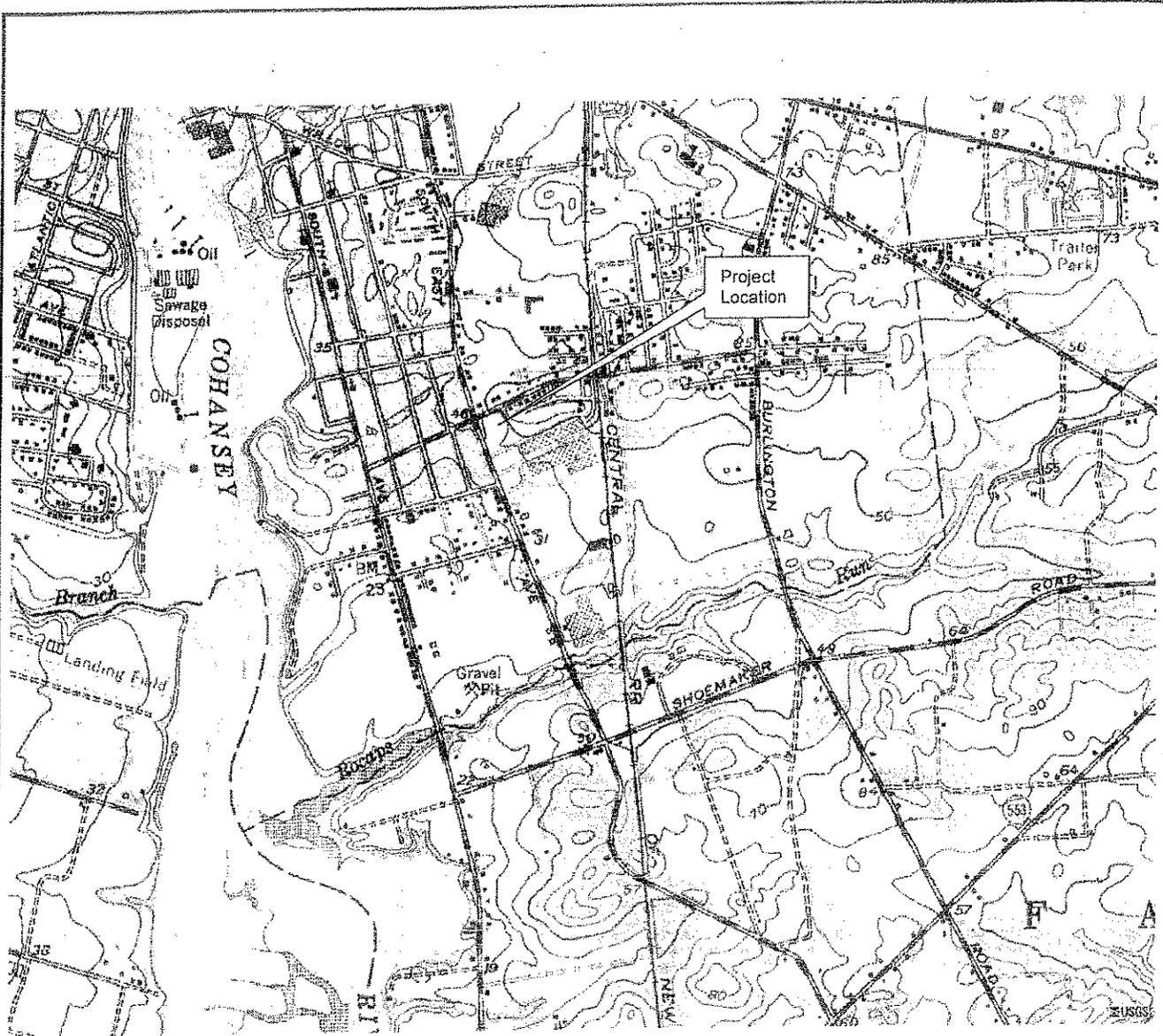
**2- Landfilled Material Characterization:** The landfilled material will be characterized by sampling the material and testing for Priority Pollutants plus 40 highest peaks (PP+40). Samples will be taken at the rate of four (4) per acre in areas where the material is found.

**3- Groundwater:** Three (3) ground water samples will be collected from temporary well points within the filled area and sampled for PP+40. If ground water contamination is detected, four (4) ground water monitoring wells will be installed to confirm contamination and surveyed to determine ground water flow direction. Additional wells may be indicated at a later date. Ground water will be sampled for PP+40.

**4- Storage Pad:** The existing storage pad will be sampled on the three (3) available sides. Samples will be analyzed for PP+40.

**4-Reporting:** Following the guidelines presented in NJAC 7:26E a *Preliminary Assessment, Site Investigation and Remedial Investigation Report(s)* will be prepared. Several reports may be combined for expediency. Reports will be submitted to the appropriate agency(s).

**5- Remedial Action Plans:** From the above information acquired, a cost effective plan for remediation or closure of the landfill materials and potentially the groundwater will be developed. This plan will include all regulatory requirements and registrations, and will be issued as a *Remedial Action Workplan*.



## Regional Topography and Project Location



From: USGS 7.5 Minute Topographic Quadrangle Titled Bridgeton, NJ



Proposed Southeast Gateway Plaza  
 South East Ave. and Pamphylia Ave.  
 City of Bridgeton, Cumberland County, NJ

11 Tindall Road Middletown, NJ 07748 732-671-6400

SCALE:

NTS

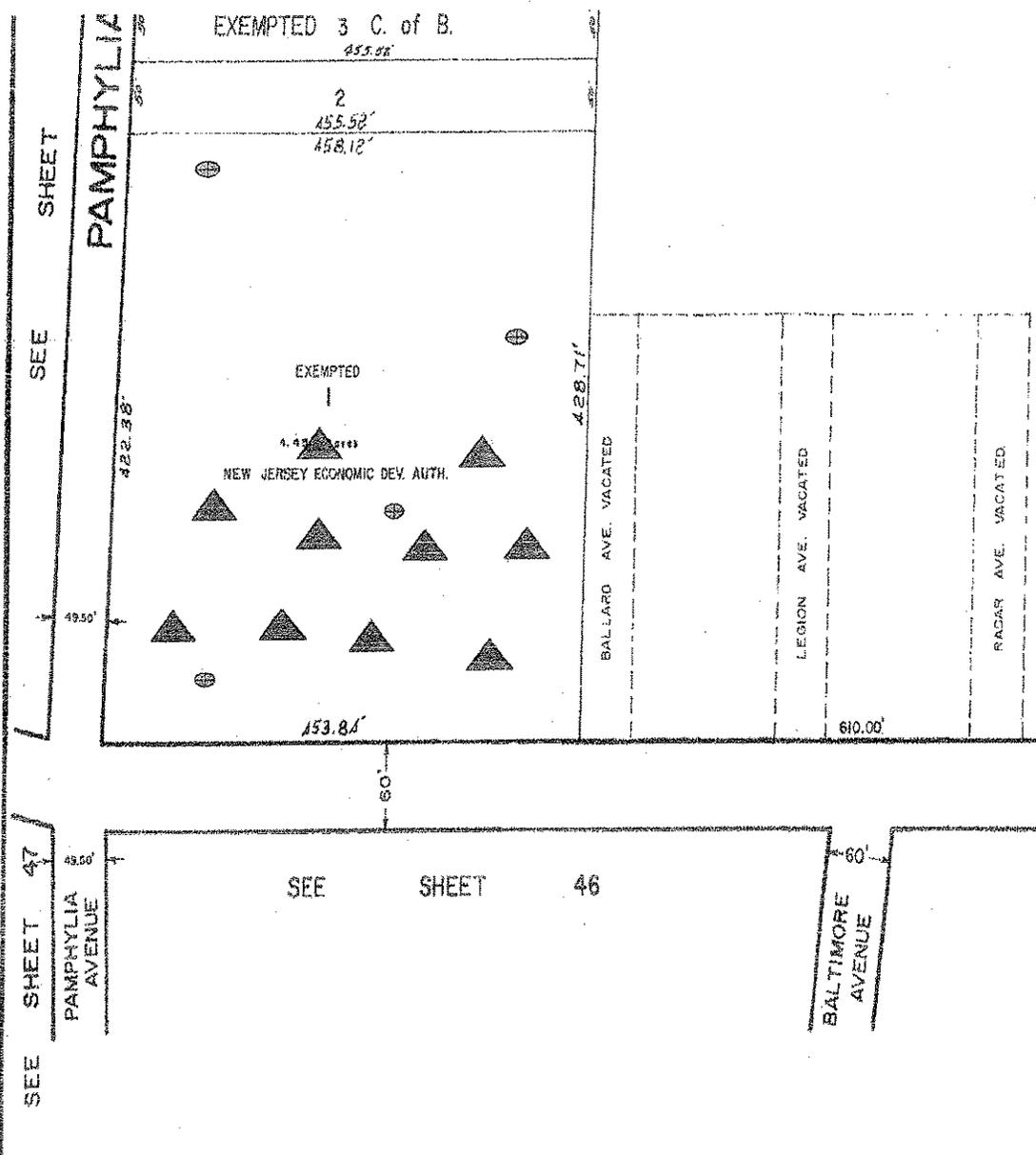
DATE:

May 12, 2008

JOB No.

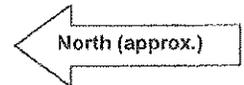
TCOP00010

FIGURE No.



### Sample Location Plan

-  Proposed Well Location
-  Proposed Soil Sample Location



From: City of Bridgeton Tax Maps



Proposed Southeast Gateway Plaza  
 South East Ave. and Pamphylia Ave.  
 City of Bridgeton, Cumberland County, NJ

11 Tindall Road Middletown, NJ 07748 732-671-6400

SCALE: 1"=120'	DATE: 5/19/08	JOB No. TCAP00010	FIGURE No. 2
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# South East Gateway Plaza Costs Estimate

Item No.	Item	description	units	Cost per Unit	Price per Unit	total cost
1	Preliminary Assessment	Preliminary Assessment (PA) of site	1	\$5,500.00	\$5,500.00	\$5,500.00
2	Site Investigation	Investigate AOCs Identified in PA	1	\$19,500.00	\$19,500.00	\$19,500.00
3	Soil Samples	For the landfilled Materials, TPHC	10	\$65.00	\$74.75	\$747.50
4	Soil Samples	For the landfilled Materials, PP+40	3	\$565.00	\$649.75	\$1,949.25
5	Soil Samples	Trip Blank ( VO+15)	1	\$120.00	\$138.00	\$138.00
6	Soil Samples	Field Blank ( TPHC and PP+40)	1	\$630.00	\$724.50	\$724.50
7	Backhoe	Backhoe for Acquiring Samples	1	\$1,200.00	\$1,200.00	\$1,380.00
8	Test Pit Observation	Observation Test pits and logging materials, taking Samples	27	\$130.00/hour	\$130.00/hour	\$3,510.00
9	Soil Samples	Samples from the pad area, PP+40	3	\$565.00	\$649.75	\$1,949.25
10	Soil Samples	Field Blank, PP+40	1	\$565.00	\$649.75	\$649.75
11	Soil Samples	Trip Blank, VO+15	1	\$120.00	\$138.00	\$138.00
12	Sample Acquisition	Geoprobe for Pad Samples	1	\$824.35	\$948.75	\$948.75
13	Geoprobe Observation	Observe, log and sample the Geoprobe Borings	4 Hrs.	\$130.00/hour	\$130.00/hour	\$520.00
14	Temp Well Installation	Install Temporary Wells for Well Placement	3	\$981.53	\$1,128.75	\$1,128.75
15	Observation	Observation of Installation and Sample of Temporary Well	4 Hrs.	\$130.00/hour	\$130.00/hour	\$520.00
16	Groundwater Samples	3 Groundwater Samples- PP+40	3	\$565.00	\$649.75	\$1,949.25
17	Groundwater Samples	Field Blank for GW Samples	1	\$565.00	\$649.75	\$649.75
18	Groundwater Samples	Trip Blank for GW Samples	1	\$120.00	\$138.00	\$138.00
19	Well Installation	Install 4 wells to Characterize Ground Water	4	\$2,033.75	\$2,338.80/well	\$9,355.25
20	Observation	Observe Well Installation and Development, log holes,	18Hrs	\$130.00/hour	\$130.00/hour	\$2,340.00
21	Survey	Locate and Acquire Elevations of the Wells	1	\$2,800.00	\$2,800.00	\$2,800.00
22	Groundwater Samples	4 Groundwater Samples- PP+40	4	\$565.00	\$649.75	\$2,599.00
23	Groundwater Samples	Field Blank for GW Samples	1	\$565.00	\$649.75	\$649.75
24	Groundwater Samples	Trip Blank for GW Samples	1	\$120.00	\$138.00	\$138.00
25	Sample Groundwater	Sample Groundwater	2	\$1,350.00	\$1,552.50	\$3,105.00
26	Reporting	Prepare Remedial Investigation Report	50Hrs	\$130.00/hour	\$130.00/hour	\$6,500.00
27	Register Landfill	Prepare and Submit Registration for Landfill	20hrs	\$130.00/hour	\$130.00/hour	\$2,600.00
28	Closure Plan	Prepare and Submit Landfill Closure Plan	50Hrs	\$130.00/hour	\$130.00/hour	\$6,500.00
29	Management	Oversight and Management of Project	40Hrs	\$150.00/Hour	\$150.00/Hour	\$6,000.00
30	HASP	Health and Safety Plan Prep	27 Hrs	130.00/hour	130.00/hour	\$3,500.00
		Total				\$88,127.75

MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** The Community YMCA  
Red Bank, Matawan and Marlboro, Monmouth County, NJ  
\$2,736,502 Tax Exempt Bond (P18112 & P18168)

**Modification Request:**

Consent to extending the amortization on the above captioned conduit bond financing from 10 years to 30 years, creating a balloon payment due in 2017.

**Background:**

The Community YMCA (YMCA) is a 501(c)(3), not for profit organization that was founded in 1875. The YMCA currently operates a fitness and aquatics center in Red Bank, as well as day camps and social services in other locations in Monmouth County.

In October 2007, the Members approved a \$2,736,502 tax-exempt bond issue to enable the YMCA to refinance existing debt originally used for capital improvements. The bond was structured with a 10-year term, at an interest rate of 4.77%, and purchased by Two River Community Bank. This bond is a conduit financing for which the Authority has no credit exposure.

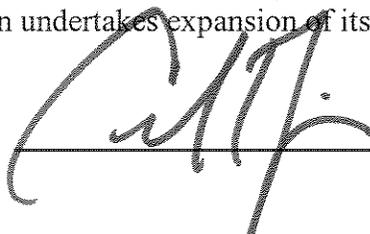
The borrower is planning an expansion and renovation to its Red Bank facility in 2010. To assist the borrower with reducing monthly costs and to aid in building cash reserves for this expansion, Two River Community Bank and the YMCA have agreed to extend the amortization of bond from 10 years to 30 years. Under the new structure annual debt service on the bond will be reduced by approximately \$188,000. A balloon loan payment of \$2.1million will be due at maturity in October 2017.

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. The project is also being presented at the Board meeting for a public hearing.

**Recommendation:**

Consent to the extension of the bond amortization from 10 to 30 years to provide cash flow support to this not for profit YMCA as the organization undertakes expansion of its facility and services.

Prepared By: Nancy C. Meyers



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## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Tompkins Point Industrial Park, LLC  
Newark City, Essex County, NJ  
\$1,857,000 Tax Exempt Bond (P8526)

**Request:**

1. Consent to an interest rate reduction from 7.0% to 6.0% and modification of the interest rate reset provisions of the conduit Bond;
2. Ratify a prior reduction in the interest rate; and
3. Consent to the related late filing of form 8038 with the Internal Revenue Service.

**Background:**

Tompkins Point Industrial Park – Urban Renewal, L.L.C. (Tompkins) is the real estate holding company for ABCO Die Casters, Inc. (ABCO). ABCO, formed in 1971, manufactures zinc die-casting and powder coatings used by a varied group of industries.

On April 8, 1997, the Members approved a stand-alone tax-exempt bond for Tompkins in the original principal amount of \$1,857,000 (the Bond). Proceeds were used to finance the acquisition of land and an existing 105,000 sq. ft. manufacturing facility in Newark. In conjunction with the Bond, EDA provided a \$700,000 LDF loan to Tompkins in order to fill a funding gap to acquire the facility. The LDF loan has an outstanding balance of \$353,000.

The twenty (20) year Bond was purchased by City National Bank of New Jersey at a fixed rate of 6.723% for ten (10) years. The Bond was to reset at 50 basis points over Bank's Base Rate, or 7.75%, in June 2007. However, the Bank and Borrower lowered the interest rate on the Bond to 7%, but did not advise EDA of this change. As a result, Authority approval of the modification was not obtained and an 8038 was not filed with the Internal Revenue Service. Members are being asked to ratify these changes presently.

On July 8, 2008, the Authority approved a \$1,225,000 refunding of the Bond with Commerce Bank (P22346) plus additional monies to purchase equipment. The Borrower subsequently decided not to go forward with the Commerce Bank proposal.

The Bank and Borrower have presently agreed to further reduce the interest rate of the Bond to 6% for the next three years, with a rate reset each succeeding three year period until maturity based upon the prevailing three year U.S. Treasuries rate plus 2%, with a floor of 5%. The

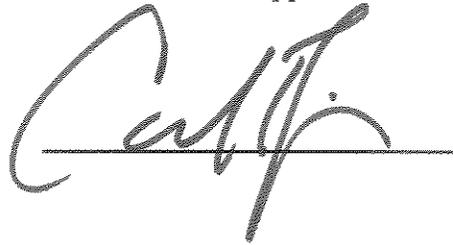
interest rate reduction will result in improved cash flow for the company, as well as improved debt service coverage for the LDFP loan.

McManimon & Scotland, L.L.C., bond counsel to the Authority, has advised that this modification will trigger a reissuance for tax purposes. Bond counsel also recommends that the Authority file a late 8038 with the Internal Revenue Service in order preserve the tax-exempt status of the Bond, as modified in 2007.

The Borrower has requested EDA's consent to this modification, which has been approved by the Bank and Bond counsel.

**Recommendation:**

It is recommended that the Board approve the reduction of interest rate and reset provisions and the ratification of the 2007 interest rate reduction and the filing of a late 8038. Approval will reduce debt service and interest expense for the Borrower and support a New Jersey-based manufacturing company.

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

Prepared By: Nancy C. Meyers



**MEMORANDUM**

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**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-Operations or Director - Portfolio Services 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 September 30, 2008:

<u>Name</u>	<u>Application #</u>	<u>Modification</u>
Harbour Mechanical Corporation	P21837	Added Harbour Technical Services, Inc. as a co-applicant to the grant.  Harbour Technical Services, Inc. was inadvertently omitted as a grantee on the project summary presented to the May 13, 2008 Board meeting.
Verizon Communications Inc., etal	P16419	Added Verizon Business Network Services, Inc. to the grant.  There will be no additional job growth as a result of the approval. The majority of the employees that will be reported under Verizon Business were previously employees of the original Grantees, and were subsequently transferred to Verizon Business for operational reasons.



**MEMORANDUM**

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Delegated Authority Approvals - 3<sup>rd</sup> Quarter 2008  
*For Informational Purposes Only*

Below is a summary of the Delegated Authority approvals prepared by the Portfolio Services Division for the 3<sup>rd</sup> Quarter of 2008:

<u>Project Name</u>	<u>Balance</u>	<u>Action</u>
Carlin Realty	\$464,532	Extend loan amortization from 5 years to a 5/10 year payout.
1100 Dental, LLC	\$203,577	Extend balloon loan maturity for five years with a reduced (8 year) amortization and release mortgages on primary residences taken as additional collateral.
A-1 Uniforms, Inc./Susie's Enterprise, LLC	\$68,217	Extend balloon loan maturity for 5 years with 8 year amortization.

**Prepared by:** Daniel Weick



**MEMORANDUM**

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**SUBJECT:** Delegated Authority Approvals - Third Quarter of 2008  
*For Informational Purposes Only*

Below is a summary of the Delegated Authority approvals prepared by the Portfolio Services Division/Special Loan Management for the Third Quarter of 2008.

<b><u>Project Name</u></b>	<b><u>Balance</u></b>	<b><u>Action</u></b>
Carousel Motel Associates, LP	\$97,364	Accept \$25,000 from personal guarantor as full settlement. Carousel Motel closed and filed bankruptcy in 1996. Loan was written off in 2001. Personal guarantor has limited assets.

Prepared by: Jon Maticka

**REAL ESTATE**



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**RE:** Amendment to Letter of Intent between University Heights Science Park, Inc. and the New Jersey Economic Development Authority (“LOI”)

**DATE:** October 15, 2008

### **Summary:**

I am requesting that the Members authorize an amendment to the Letter of Intent with University Heights Science Park, Inc. (“UHSP”) to outline the respective roles of the parties during future phases of the project.

### **Background:**

In January 2004, the Authority entered into a Letter of Intent with UHSP to conduct a feasibility analysis of the Digital Century Center Project, a 100,000± square foot speculative, multi-tenanted, high technology facility including first floor retail/commercial space, associated parking, and related site improvements (the “Project”). The development of this Project is consistent with the Authority’s Innovation Zone Initiatives and is intended to provide needed technology space in the Central Ward of the City of Newark to house companies looking to collaborate with the State’s Research Universities in Newark.

The Letter of Intent has been previously amended to proceed with the Design Development and Construction Document Phases of the Project. These phases have been completed. As outlined in the LOI, upon completion of the Construction Document Phase, the parties would jointly decide how to proceed with the development, construction, and operation of the Project.

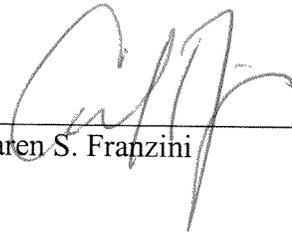
At this time, the Authority and UHSP have decided that a private developer should be solicited to finance, construct and operate the Project. As outlined in the attached Amendment, UHSP will lead and be responsible for the development of the Project and the developer selection process, and the Authority will provide some assistance, if requested by UHSP. The Authority will not have an ownership interest in the Project and will attempt to seek recovery of some or all of the fees paid during the Feasibility, Design Development and Construction Document Phases.

It is contemplated that the Authority may master and sublease a portion of the building, provide Project financing, and assign its rights to the Project documents to the selected developer. All of the above will be on terms and conditions acceptable to the Members, which approval(s) will be sought at future meetings. Any Project financing will be subject to the Authority's standard application and underwriting policies and procedures.

The attached LOI Amendment is in substantially final form. The final document may be subject to revision, although the basic terms and conditions will remain generally consistent with those in the attachment. The final terms of the LOI Amendment will be subject to the approval of the Chief Executive Officer and the Attorney General's Office.

**Recommendation:**

I am requesting the Members' approval to amend the LOI with UHSP to outline the roles of the parties during the development, construction and operation of the Project, as generally outlined in the attached LOI Amendment.

  
Caren S. Franzini

**Prepared by:** Donna T. Sullivan  
Development Manager

\_\_\_\_\_, 2008

Jeanette F. Brummell, Executive Director  
University Heights Science Park  
111 Lock Street  
Newark, NJ 07103

Re: Amendment to Letter of Intent dated January 30, 2004, as amended  
Digital Century Center Project

Dear Jeanette:

In accordance with our recent discussions, please allow this letter to amend and extend the terms of the above captioned Letter of Intent, as amended, (the "LOI") between the New Jersey Economic Development Authority ("NJEDA") and University Heights Science Park, Inc. ("UHSP") regarding the Digital Century Center Project (the "Project"). To date, the obligations of UHSP and NJEDA under the LOI have been met. This letter sets forth the general understandings of the Parties regarding future actions to develop, construct, own and operate the Project.

**PROJECT**

**DESCRIPTION:** Phase 2 - Development and Construction: The Feasibility Work and the Design Development and Construction Document Phases of the Project have been completed. The Parties have jointly decided that UHSP will lead and be responsible for the development of the Project by soliciting a private developer (the "Developer") to finance, develop, construct and operate the Project (the "Development Phase") through a Request for Qualifications/Proposal ("RFP") process.

**UHSP'S ROLE:** During the Development Phase of the Project, UHSP will:

- Through the UHSP Subcommittee (described below), structure the Project and decide all development and financial aspects for the Project,
- Identify services to be performed by UHSP or by consultant(s),
- Develop criteria for Developer selection,
- Issue a Developer RFP,
- Be solely responsible for selecting the Developer,

- Subject to acceptable terms, conditions and UHSP Board approval, negotiate and enter into a development agreement and ground lease with the Developer,
- Approve building plans consist with the UHSP master plan,
- Subject to UHSP Board approval, determine a financing structure and options for the Project,
- Assemble financial subsidies for the Project, including USEDPA & PNC grants,
- Facilitate the City's designation of the Project site as a Redevelopment Area, if necessary,
- Subject to acceptable terms, conditions and UHSP Board approval, lease back UHSP office and educational space from the Developer,
- Subject to acceptable terms, conditions and UHSP Board approval, lease off-site parking to the Developer, and
- Assist the Developer in marketing the Project.

**NJEDA'S ROLE:** During the Development Phase of the Project, NJEDA will:

- If requested by UHSP, assist in RFP preparation,
- If requested by UHSP, provide guidance in the proposal review process (NJEDA will not be a member of the Selection Committee),
- If requested by UHSP, provide suggestions in deal structuring (NJEDA will not negotiate with prospective developers),
- Subject to Developer's request and NJEDA Board approval, use best efforts to assign A/E and CM contracts to the Developer,
- Receive recovery of fees paid for pre-construction costs (no profit),
- Subject to acceptable terms, conditions, NJEDA Board approval and required compliance, enter into master lease for space (no ownership interest),
- Subject to standard application and underwriting process and NJEDA Board approval, provide financing assistance to the Developer,
- Subject to standard application process and City of Newark, NJEDA Board, and DCA/LGS approvals, issue RAB financing on the City's behalf, and

- Subject to acceptable terms, conditions, NJEDA Board approval and required compliance, sublease space to high-technology companies.
- NJEDA will **not** have an ownership interest in the Project.

**DEVELOPER'S  
ROLE:**

During the Development Phase of the Project, it is intended that the Developer will:

- Execute a ground lease, parking lease and development agreement with UHSP,
- Compensate UHSP & NJEDA for pre-construction costs,
- Obtain equity and private financing,
- Execute a PILOT Agreement with the City of Newark,
- Retain (or take assignment of contracts for) A/E and CM services,
- Obtain all required permits and approvals,
- Manage grant compliance,
- Retain a real estate broker,
- Enter into space leases with UHSP and NJEDA,
- Complete required compliance documentation for NJEDA lease, and
- Develop, operate and manage the facility.

**UHSP SUB-  
COMMITTEE:**

The UHSP Chairman has appointed a sub-committee of the UHSP Board of Directors (the "UHSP Subcommittee") to administer the Development Phase of the Project. The membership of the UHSP Subcommittee is comprised of: Jeanette Brummell, Chip Hallock, Henry Mauermeyer, Gene Vincenti and Stefan Prior.

**OWNERSHIP  
OF WORK  
PRODUCT:**

Upon compensation paid by the Developer that is mutually acceptable to the Parties, NJEDA and UHSP intend to use best efforts to assign their interest in the Project plans, specifications, and A/E and CM contracts to the Developer.

**GOOD FAITH  
COOPERATION:**

Each Party will act with reasonable diligence and in good faith for the purpose of satisfying the understandings set forth herein.

**TERM OF THE  
AGREEMENT:**

This Amendment to the LOI will commence immediately upon execution by the Parties and may be extended in writing by both parties. Unless terminated by either party, this LOI shall remain in effect for two (2) years from the date and year first written above.

**FURTHER ACTIONS  
SUBJECT TO NJEDA  
BOARD APPROVAL:**

This letter is not intended to create an offer or a binding agreement by NJEDA: (i) to assign the A/E and CM contracts to the Developer, (ii) to enter into a master lease for space at the Project, (iii) to provide financing for the Project, (iv) to issue RAB bonds; or (v) to sub-lease space to high technology companies. No such agreement or contract shall exist or be binding against NJEDA unless and until such agreements are approved by the NJEDA Board of members in its sole discretion and final forms of documents are signed by NJEDA and all other parties to such agreements. This letter does not bind NJEDA to enter into any further agreement.

**MISCELLANEOUS:**

Except as amended or extended herein, all of the terms of the LOI, as amended, shall remain in full force and effect and are hereby ratified and confirmed by the Parties. Capitalized terms used in the within letter but not otherwise defined herein shall have the meanings ascribed to them in the LOI.

If UHSP is in agreement with amending and extending the terms of the LOI as described above, please have this letter counter-signed on behalf of UHSP in the space provided below and return a fully signed copy. Thank you for your

attention to this matter. Please feel free to contact me if you have any questions.

Sincerely,

---

AGREED AND ACCEPTED:

UNIVERSITY HEIGHTS SCIENCE PARK, INC.

By: \_\_\_\_\_



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**RE:** Camden Waterfront  
Conveyance of Existing Park Improvements to the County of Camden

### Summary:

The Members are asked to approve a transaction that is not contemplated by two agreements – the Development and Option Agreement (D&O Agreement) between the Authority and Camden Town Center, L.L.C. (CTC), and the Transfer of Interest Agreement (Transfer Agreement) between the Authority and the Delaware River Port Authority (DRPA) – to permit the transfer, for nominal consideration, of existing park improvements to the County of Camden.

### Background:

Prior to the Authority taking title to approximately 13 acres on the Camden City waterfront from DRPA for waterfront development, Campbell Soup Company (Campbell) owned Block 81 Lot 2, which was part of the 13 acres. In February 1993, Campbell provided the County of Camden (County) with a license to construct park improvements on .578 acres of Lot 2 (also known as the Market Street Park Extension). Attached as Exhibit A is a map showing the location of the parcel. The County constructed the Market Street Park Extension with New Jersey Department of Environmental Protection (NJDEP) Green Acres funds. In November 1993, a Green Trust Project Agreement (Project Agreement) between NJDEP and the County was executed which included the .578 acres; the Project Agreement is publicly recorded.

In September 1994, the County passed a resolution authorizing a deed of easement for the Market Street Park Extension between the County and Campbell. In October 1994, a draft easement agreement for the Market Street Park Extension was forwarded to Campbell, but it appears that the agreement was not executed or recorded. Subsequently, Campbell sold Block 81 Lot 2 to the DRPA and Block 81 Lot 2 became part of the waterfront development and was included in the Transfer Agreement between the Authority and DRPA when the Authority took title of the DRPA parcels in 2003.

The Market Street Extension Park is adjacent to the proposed hotel parcel that will be developed by PRA Development and Management Corporation under the D&O Agreement. PRA does not want to take ownership of the park. The County is the appropriate owner of the parcel because it constructed the improvements and currently maintains them under the County's existing open space program. The Authority's transfer of the Market Street Extension Park to the County would be contingent upon the following conditions: (1) the County Board of Chosen Freeholders pass a resolution accepting a deed for the park; (2) that the deed contain a restriction that the County maintain the parcel as walkway or park in perpetuity, and (3) the DRPA and CTC provide written consent to the transfer the parcel to the County.

Because the D&O and Transfer Agreements do not contemplate a parcel transfer for nominal consideration that would not result in a development project, the Members' approval is needed to transfer the parcel to the County.

The Real Estate Division will prepare a deed with the required deed restriction to effectuate the transfer. The final deed will be subject to the approval of the Chief Executive Officer and the Attorney General's Office.

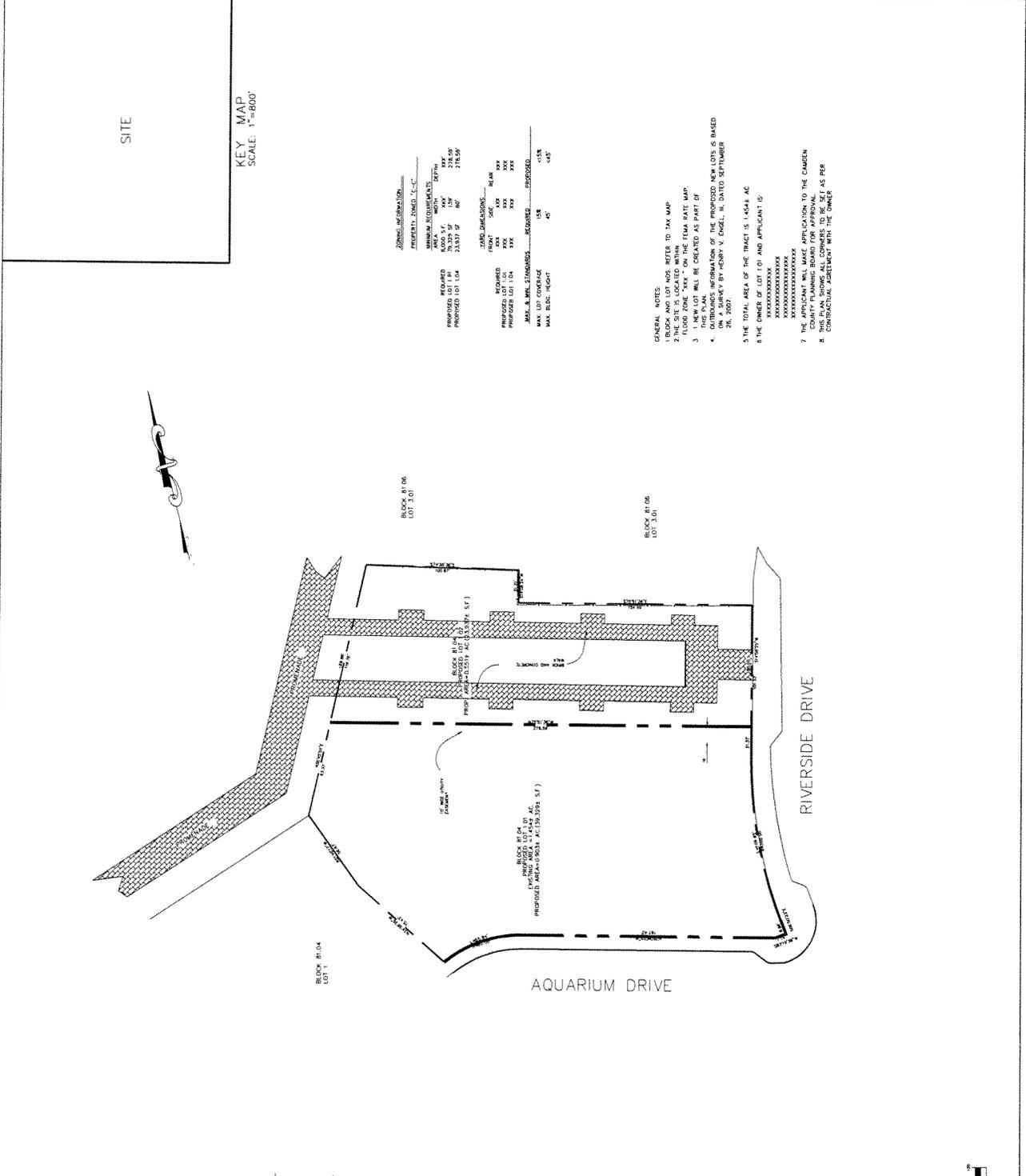
**Recommendation:**

In summary, I am requesting that the Members' approve the transfer, for nominal consideration, of the Market Street Park Extension to the County of Camden with the restriction that it will be maintained as a park in perpetuity.

  
\_\_\_\_\_  
Caren S. Franzini  
Chief Executive Officer

Attachments

**Prepared by:** David E. Nuse  
Juan Burgos



PLANNING BOARD APPROVAL  
THIS MAP IS HEREBY APPROVED BY THE PLANNING BOARD OF THE CITY OF CAMDEN

PLANNING BOARD CHAIRMAN DATE  
I CERTIFY THAT THIS MAP WAS DULY APPROVED BY RESOLUTION AND SHALL BE FILED ON OR BEFORE THE DATE INDICATED HEREON AND THAT THE PLANNING BOARD IS THE COMPETENT PROFESSIONAL AUTHORITY.

SEVERALTY OF THE PLANNING BOARD DATE

UNLESS OTHERWISE SPECIFIED, THIS LAND SURVEYED BY THIS SURVEYOR HAS BEEN FOUND TO BE ACCURATE AND WAS CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLANNING BOARD OF THE CITY OF CAMDEN.

OWNER DATE  
PLANNING BOARD CHAIRMAN DATE  
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DATE

KEY MAP  
SCALE: 1"=800'

ZONING INFORMATION	
ZONING DISTRICT	INDUSTRIAL, I-1-C
MINIMUM REQUIREMENTS	MIN. LOT AREA 10,000 S.F. MIN. LOT WIDTH 100' MIN. LOT DEPTH 250' MIN. SETBACKS 25' FRONT 25' SIDE 25' REAR
REQUIRED	20,000 S.F.
PROPOSED LOT 1.04	23,337 S.F.
PROPOSED LOT 1.05	21,659 S.F.
PROPOSED LOT 1.06	21,659 S.F.
PROPOSED LOT 1.07	21,659 S.F.
PROPOSED LOT 1.08	21,659 S.F.
PROPOSED LOT 1.09	21,659 S.F.
PROPOSED LOT 1.10	21,659 S.F.
PROPOSED LOT 1.11	21,659 S.F.
PROPOSED LOT 1.12	21,659 S.F.
PROPOSED LOT 1.13	21,659 S.F.
PROPOSED LOT 1.14	21,659 S.F.
PROPOSED LOT 1.15	21,659 S.F.
PROPOSED LOT 1.16	21,659 S.F.
PROPOSED LOT 1.17	21,659 S.F.
PROPOSED LOT 1.18	21,659 S.F.
PROPOSED LOT 1.19	21,659 S.F.
PROPOSED LOT 1.20	21,659 S.F.
PROPOSED LOT 1.21	21,659 S.F.
PROPOSED LOT 1.22	21,659 S.F.
PROPOSED LOT 1.23	21,659 S.F.
PROPOSED LOT 1.24	21,659 S.F.
PROPOSED LOT 1.25	21,659 S.F.
PROPOSED LOT 1.26	21,659 S.F.
PROPOSED LOT 1.27	21,659 S.F.
PROPOSED LOT 1.28	21,659 S.F.
PROPOSED LOT 1.29	21,659 S.F.
PROPOSED LOT 1.30	21,659 S.F.
PROPOSED LOT 1.31	21,659 S.F.
PROPOSED LOT 1.32	21,659 S.F.
PROPOSED LOT 1.33	21,659 S.F.
PROPOSED LOT 1.34	21,659 S.F.
PROPOSED LOT 1.35	21,659 S.F.
PROPOSED LOT 1.36	21,659 S.F.
PROPOSED LOT 1.37	21,659 S.F.
PROPOSED LOT 1.38	21,659 S.F.
PROPOSED LOT 1.39	21,659 S.F.
PROPOSED LOT 1.40	21,659 S.F.
PROPOSED LOT 1.41	21,659 S.F.
PROPOSED LOT 1.42	21,659 S.F.
PROPOSED LOT 1.43	21,659 S.F.
PROPOSED LOT 1.44	21,659 S.F.
PROPOSED LOT 1.45	21,659 S.F.
PROPOSED LOT 1.46	21,659 S.F.
PROPOSED LOT 1.47	21,659 S.F.
PROPOSED LOT 1.48	21,659 S.F.
PROPOSED LOT 1.49	21,659 S.F.
PROPOSED LOT 1.50	21,659 S.F.

- GENERAL NOTES
1. ALL DIMENSIONS ARE TO THE FACE UNLESS OTHERWISE NOTED.
  2. THE SITE IS LOCATED WITHIN FLOOD ZONE "XXX" ON THE FEMA RATE MAP.
  3. A NEW LOT WILL BE CREATED AS PART OF THIS SUBDIVISION.
  4. OUTBOUND INFORMATION OF THE PROPOSED NEW LOTS IS BASED ON A SURVEY BY HENRY V. ENGEL, PL, DATED SEPTEMBER 20, 2007.
  5. THE TOTAL AREA OF THE TRACT IS 1,454.4 AC.
  6. THE OWNER OF LOT 1.01 AND APPLICANT IS: XXXXXXXXXXXXXXXX
  7. THE APPLICANT WILL MAKE APPLICATION TO THE CAMDEN COUNTY PLANNING BOARD FOR APPROVAL.
  8. CONTRACTING, INSTALLATION, AND MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE APPLICANT.

PLANNING BOARD APPROVAL  
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PLANNING BOARD CHAIRMAN DATE  
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DATE



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**DATE:** October 15, 2008

**RE:** Camden Waterfront  
Waiver of Section 2(vv) of the Development and Option Agreement  
for the Development of a 140-room Hotel

### Summary:

The Members are asked to make a one-time waiver of a portion of Section 2(vv) of the Development and Option Agreement between the Authority and Camden Town Center, L.L.C. (CTC) which requires that when the Authority conveys a project site to a "Permitted Assignee", CTC (or a related entity named in the Agreement): (1) retains control of the development, and (2) maintains at least a twenty-five percent (25%) interest in the ownership entity of the project.

### Background:

On September 14, 2004, the Members approved execution of the Development and Option Agreement (Agreement) between the Authority and CTC to facilitate the development of 30 acres adjacent to the Camden Aquarium. The Agreement requires that within 15 years CTC cause to occur approximately \$135 million of development on the 30 acres. To date, CTC has completed the Ferry Terminal Building, which totals approximately \$21 million in development. CTC is currently ahead of the Agreement's milestone requirements (see Exhibit A attached to this memo).

As the next project, CTC has proposed that PRA Development and Management Corporation (PRA) develop a 140-room hotel. PRA is a Philadelphia based real estate firm, owned by Joseph Pacitti, that has developed approximately \$563 million of residential and commercial projects (condominiums, hotels, manufacturing, office, retail, theater, warehouse). PRA has completed two hotels and currently has three hotels under construction. PRA estimates that the proposed hotel will have a development cost of approximately \$28 million. Besides providing the land, PRA does not need or require CTC's participation to complete the hotel.

Section 2(vv) of the Agreement provides, in part, the following:

“Permitted Assignee” shall mean . . . an end user of a Subproject on a particular parcel or Subparcel, provided that the end-user shall construct (or have constructed) its own building and other improvements as and for the Subproject and shall own the tract of land upon which they are to be constructed . . . and whose sole asset is (or shall be upon Closing) the Parcel/Subparcel and Subproject in question, provided that either CTC [or other related entity named in the Agreement] retains control of the development of the Subproject and retains at least a twenty-five percent (25%) ownership interest (direct or indirect) in such entity.

Based on PRA’s history of developing commercial projects, which includes hotel development, The Authority’s Real Estate and Business Development Staff believe that a one-time waiver of the CTC control and ownership requirements in Section 2(vv) would not adversely affect the intent of the Agreement (i.e., completing of \$135 million of development on the Camden Waterfront).

The Authority will require that the Permitted Assignee enter into the Authority’s standard form of agreement to complete the project in accordance with the Agreement and CTC’s proposal and record a deed restriction against the property to secure compliance with the terms of the Agreement. Also, the Authority will not convey title to PRA until it obtains construction financing and building permits for the hotel project. The remaining terms of the agreement will remain the same.

**Recommendation:**

In summary, I am requesting the Members’ approval for a one-time waiver of the Permitted Assignee ownership and control provisions in the Agreement to allow PRA Development and Management Corporation to develop a 140-room hotel on the Camden Waterfront.

  
\_\_\_\_\_  
Caren S. Franzini  
Chief Executive Officer

Attachments

**Prepared by:** David E. Nuse  
Juan Burgos

**Exhibit A**  
**Development and Option Agreement**  
**Camden Town Center and NJ EDA**

7/1/2008



**Agreement Milestones and Status**

Page(s)	Paragraph	Item	Agreement Timeframe	Calculated Time Frame	Status
<b>Master Plans</b>					
14	7(a)	Filing of First Master Plan (Camden Square)	45 days after execution of Agreement (10/19/04)	12/3/2004	completed
15	7(b)	Filing of Second Master Plan (remaining portions not including Camden Square)	12/31/2004	12/31/2004	completed
<b>\$7 Million Milestone (Aquarium Expansion)</b>					
26	13(a)(i)	Complete all due diligence (e.g., survey, geotechnical, title, environmental reports)	within 18 months prior to Trigger Date*	11/23/2006	completed
27	13(a)(ii)	ID project; complete schematic design for buildings, complete plans and specs for infrastructure	within 12 months prior to Trigger Date	5/25/2007	completed
27	13(a)(iii)	Complete all plans and specifications for buildings	within 6 months prior to Trigger Date	11/23/2007	completed
25	12(b)(i)	Spend or incur \$7 million	on or before Trigger Date	5/24/2008	completed
<b>\$13 Million Milestone (Ferry Terminal Building)</b>					
27	13(b)(i)	Complete all due diligence (e.g., survey, geotechnical, title, environmental reports)	within 18 months after Trigger Date	11/22/2009	completed
27	13(b)(ii)	ID project; complete schematic design for buildings, complete plans and specs for infrastructure	within 24 months after Trigger Date	5/24/2010	completed
27	13(b)(iii)	Complete all plans and specifications for buildings	within 30 months after Trigger Date	11/22/2010	completed
25	12(b)(ii)	spend or incur an additional \$13 million (subtotal \$20 million) (subject to completion of required governmental infrastructure, see paragraphs 14(a) and (b)**)	within 3 years (36 mos.) after Trigger Date	5/24/2011	completed
<b>\$40 Million Milestone (Proposed Hotel)</b>					
27-28	13(c)(i)	Complete all due diligence (e.g., survey, geotechnical, title, environmental reports)	within 42 months after Trigger Date	11/22/2011	
27-28	13(c)(ii)	ID project; complete schematic design for buildings, complete plans and specs for infrastructure	within 48 Months after Trigger Date	5/23/2012	
27-28	13(c)(iii)	Complete all plans and specifications for buildings	within 54 Months after Trigger Date	11/21/2012	
25	12(b)(iii)	spend or incur an additional \$40 million (subtotal \$60 million) (subject to completion of required governmental infrastructure, see paragraphs 14(a) and (b)**)	within 5 years (60 mos.) after Trigger Date	5/23/2013	

**Development and Option Agreement  
Camden Town Center and NJ EDA**

7/1/2008



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

**Agreement Milestones and Status**

Page(s)	Paragraph	Item	Agreement Timeframe	Calculated Time Frame	Status
<b>\$75 Million Milestone</b>					
29	13(d)(i)	Complete all due diligence (e.g., survey, geotechnical, title, environmental reports)	within 84 months after Trigger Date	5/23/2015	
29	13(d)(ii)	ID project; complete schematic design for buildings, complete plans and specs for infrastructure	within 90 months after Trigger Date	11/21/2015	
29	13(d)(iii)	Complete all plans and specifications for buildings spend or incur an additional \$75 million (subtotal \$135 million)	within 96 months after Trigger Date	5/22/2016	
25	12(b)(iv)	(subject to completion of required governmental infrastructure, see paragraphs 14(a) and (b)**)	within 10 years (120 mos.) after Trigger Date	5/22/2018	

**Exercise of Last Option**

9-10	3	Option to purchase or lease all of NJEDA's right, title and interest in any parcel or subparcel (except Tract 2)	Last option must be exercised within 9 years after Trigger Date	5/22/2017	
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Page(s)	Paragraph	Item	Agreement Timeframe	Calculated Time Frame	Status
<b>Notes</b>					
9	2(www)	**Trigger Date: 3 years after the opening of Aquarium Expansion Project (but not prior to 5/1/05 or after 5/31/09) [aquarium opened 5/25/05]	Opening of Aquarium expansion	5/24/2008	completed
28-29	14(a)	**Governmental infrastructure includes: all loops roads, all potable water, fire water, sewer, electricity, telephone, cable and other communications, drainage facilities, and all other utilities to the locations at or within the Property, all parking facilities comprising "Available Parking", and all public improvements agreed to NJEDA and CTC as part of the 2nd Master Plan	n/a	n/a	
29	14(b)	All Minimum Threshold expenditures in subparagraphs 12(b)(ii),(iii),(iv) are subject to completion of Required Governmental Infrastructure	n/a	n/a	n/a



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**RE:** Technology Centre of New Jersey  
Lease Agreement with Chromocell Corporation

**DATE:** October 15, 2008

### Summary:

I will request the Members' approval for the Authority to enter into a five-year lease with Chromocell Corporation ("Chromocell") for 14,662 +/- square feet at the Technology Centre of New Jersey in the generic wet lab space being constructed on the first floor of the Tech IV building.

### Background:

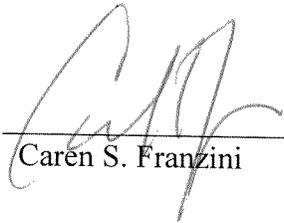
At the September, 2007 meeting, the Members approved funding for the construction of generic lab space for incubator graduates. Design of the space on the first floor of the Tech IV building began in the fall of 2007, and construction is expected to be complete by the end of 2008.

Formed in 2001, Chromocell is a biotechnology company that employs its proprietary technology to conduct drug discovery programs up to Phase 1 clinical trials. The company primarily operates in three areas, which include therapeutics, flavors, and technology. Chromocell was one of the first tenants to occupy space at the Commercialization Centre for Innovative Technologies (the "CCIT") when it first opened in 2002. Chromocell has grown from just two employees in 2002 to over 40 employees, mostly scientists. They currently occupy seven lab spaces and two offices in CCIT.

The Authority's Credit Underwriting Division performed a risk analysis for Chromocell to determine the level of security deposit required to mitigate the Authority's loss exposure. Based on information contained in Chromocell's 2005-2007 historical financial statements and 2008-2010 business plan, the company was assessed at Low Risk, using a rating scale comparable to that used for Edison financing applicants. As a result, it was determined that a security deposit equivalent to three months' rent would be adequate.

**Recommendation:**

In summary, I am requesting the Members' approval of a lease with Chromocell Corporation for 14,662 +/- square feet of generic wet lab space at the Technology Centre of New Jersey in the Tech IV building on terms generally consistent with the attached, to terminate Chromocell's CCIT lease contemporaneously with its occupancy of its new space and to execute documents to complete these transactions on final terms acceptable to the Attorney General's Office and the Authority's Chief Executive Officer .



---

Caren S. Franzini

Attachment

**Prepared By:** Christine Roberts

**LANDLORD:** New Jersey Economic Development Authority

**TENANT:** Chromocell Corporation ("Tenant")

**BUILDING:** 685 US Route One South  
Tech IV Building

**LEASED PREMISES:** Approximately 14,662 s.f. on the first floor.

**COMMENCEMENT:** Upon execution and delivery of a mutually satisfactory lease agreement.

**TERM:** Five (5) years from delivery of a C/O and exclusive possession of the Leased Premises to Tenant. C/O is currently estimated to be issued within two (2) months of Commencement Date.

**RENT COMMENCEMENT:** Rent shall commence to accrue two (2) months after the issuance of a temporary or permanent C/O from the proper authorities (the "Rent Commencement Date").

**SECURITY DEPOSIT:** Equal to three months' rent, or \$137,500.

**BASE RENTAL RATE:** \$37.50 NNN per annum

**TAXES AND OPERATING EXPENSES (CAM):** This lease is a triple net lease. Tenant shall pay for all utilities used within the Leased Premises, maintenance, janitorial services, any taxes (PILOT) related solely to the Leased Premises and its pro-rata share of common area maintenance ("CAM") charges based on the rentable square feet of the Lease Premises as compared to the total rentable square feet of the Building or Technology Centre, as applicable.

**TENANT IMPROVEMENT ALLOWANCE:** None

**TRANSFERABILITY:** Tenant may sublease, assign, license or permit the use or occupancy of all or any portion of the Leased Premises, without Landlord's written consent, to an affiliate of Tenant. Tenant may not sublease, assign, license or permit the use or occupancy of all or any portion of the Leased Premises, without Landlord's written consent, which consent shall not be unreasonably withheld, or conditioned. In no event will Tenant be relieved of its payment and performance obligations under the lease.

**RENEWAL OPTIONS:**

One (1) five (5) year option at 95% Fair Market Value upon six (6) months prior written notice to Landlord. In no event will the renewal option rental rate be less than the then current Base Rent.

**BROKER**

The Authority will give Chromocell a credit against rent for the full amount of brokerage commission paid by Chromocell. This amount is anticipated to be approximately \$137,500.

In addition, under an existing contract with CB Richard Ellis, the Authority will pay a commission of approximately \$38,500.

## **AUTHORITY MATTERS**



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**RE:** Administrative Operating Authority

**DATE:** October 15, 2008

The Authority's last significant revision to staff level Administrative Operating Authority occurred at its meeting of June 10, 2003. It is a sound practice to view routine ways of conducting business with a "fresh eye"; accordingly, we propose a revised set of operating authorities as attached. Primarily, the revisions are of a "housekeeping" nature summarized as follows:

- Operating Scope applicable to specific positions based on responsibility, not title
- Formalizes historical administrative practices; e.g. account establishment
- Extends internal wire transfers to accountants
- Authorizes singular check signatory and raises specific amounts

Summary of significant authorities that are unchanged:

- Adherence to Enabling Act, By-laws, EO's, defined policy and procedures, all compliance mandates
- Outgoing wire transfers require dual authorization
- Expenditure level commitments (above \$150,000 require Finance Committee deliberation)

We reviewed the proposed revisions with the Attorney General's office and they concur they align with existing authoritative mandates, procedures and controls. Our independent auditor also has reviewed the proposed revisions and assert the proposed changes do not impact the existing controls. In addition, the revisions have been reviewed by the Governor's Authorities Unit.

Management has demonstrated it has sufficient procedures in place to ensure that internal control remains strong. During the annual financial audit, the independent auditors conduct an internal control review. Negative findings, if any, are reported to the Audit committee. There were no such findings during the 2007 annual financial audit. In addition, the State Auditor conducted a 5 month audit that covered the operations of the authority for the period July 1, 2006 through March 20, 2008. They found that EDA is in compliance with applicable laws, regulations, policies and procedures.

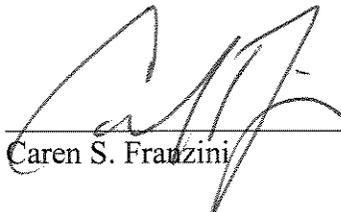
On its August 12, 2008 meeting, the Authority approved the temporary continuance of the former Commerce Commission's operating authority for the Authority's Division of Business Assistance, Marketing and International Trade. Now that this Division is fully assimilated into the Authority's operations, their operations have been incorporated in the proposed operating authority presented for your approval.

Attached are the following:

- Proposed NJEDA Administrative Operating Authority by Level
- Summary of Proposed Changes to Administrative Operating Authority
- Existing NJEDA Administrative Operating Authority by Level

Recommendation:

We recommend the Members of the Authority approve the proposed comprehensive Operating Authority detailed as attached and rescind the operating authority granted at the August 12, 2008 meeting.

  
Caren S. Frauzini

Prepared by: Gregory Ritz, CPA



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

ADMINISTRATIVE OPERATING AUTHORITY BY LEVEL

Staff level authority necessary to execute business transactions that support personnel and the various office facilities, not program initiatives or specific projects

**Operating Scope:**  
(applicable to the extent Operating Scope and execution of authority conforms to the Enabling Act, By-laws, EO's, defined policy and procedure, and any other authoritative compliance mandate)

**Cash Management Functions:**

Account Establishment:	Position	Level of Authority		Controls in Place
authority to establish in any and all applicable financial institutions accounts necessary to fulfill the cash management functions of EDA, to include Agency Administration. Example accounts follow: checking, deposit, lock-box, investment, asset management, custody, trust, etc.	Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Dir Acct'ng & Financial Rptng	Any one individual has authority to establish accounts as necessary		Segregation of Duties: account establishment, deposits, account reconciliation, journal entires, etc. performed by various individuals. Controls tested by independent and State auditor.
<b>Check Signatory</b>	<b>Position</b>	<b>Disbursement Type</b>	<b>Any one individual authorized to sign for the following amounts:</b>	<b>Controls in Place</b>
authority to sign checks subject to prior approval by the Board or pursuant to delegated authority as approved by the Board	Chief Executive Officer Chief Operating Officer Chief Financial Officer Dir Acct'ng & Financial Rptng Ass't Dir Acct'ng & Financial Rptng Dir Internal Process Management Dir Closing Services Dir Program Services Dir Portfolio Services  VP Business Assistance Commerce, Real Estate Asset Manager, and Business Assistance Operations Mgr	Any check Any check Any check Any check Any check Any administrative check checks for project financings checks for project financings checks for project financings	Unlimited Unlimited Unlimited \$1,500,000 \$1,000,000 \$500,000 \$250,000 \$250,000 \$250,000  \$250,000	blank checks secured check sequence maintained segregation of duties  check requests verified for proper authority level conformance with policy and procedures supporting documentation
<b>Outgoing Wire Transfers</b>	<b>Position</b>	<b>Disbursement Type</b>	<b>Any one individual may:</b>	<b>Controls in Place</b>
authority to initiate or confirm transfer of funds whereby monies leave control of EDA and are transferred to a 3rd party beneficiary account  Note: the initiation of a wire transfer is not authorized to confirm that wire transfer	Chief Executive Officer Chief Operating Officer Chief Financial Officer Dir Acct'ng & Financial Rptng Ass't Dir Acct'ng & Financial Rptng Dir Closing Services Dir Program Services Dir Portfolio Services Dir Real Estate Development Dir Internal Process Management Real Estate Asset Manager	any transaction any transaction	initiate or confirm initiate or confirm initiate or confirm initiate or confirm initiate or confirm confirm only confirm only confirm only confirm only confirm only confirm only	segregation of duties  all wires must be confirmed by someone else other than the initiator  confirmer is randomly selected by wire room personnel  initiator and confirmer is provided supporting documentation for the transfer request
<b>Internal Wire Transfers</b>	<b>Position</b>	<b>Disbursement Type</b>	<b>Any one individual may:</b>	<b>Controls in Place</b>
authority to transfer funds whereby monies do not leave control of EDA; funds are transferred between and among various EDA controlled accounts  Note: the initiator of a non-repetitive wire transfer is not authorized to confirm that same wire transfer	Chief Executive Officer Chief Operating Officer Chief Financial Officer Dir Acct'ng & Financial Rptng Ass't Dir Acct'ng & Financial Rptng Accountants	any transaction any transaction any transaction any transaction any transaction any transaction	initiate, or confirm if necessary initiate, or confirm if necessary	segregation of duties  repetitive code is established with wire room, EDA deposit account is predetermined and fixed  all wires without a repetitive code must be confirmed by someone else other than the initiator
<b>Establishment of Investment Policy and Practice</b>	<b>Position</b>	<b>Level of Authority</b>		<b>Controls in Place</b>
pursuant to established Asset Allocation Guidelines and Practice, authority to make or implement investment decisions independently or in concurrence with appointed investment manager as to management of "idle" funds; not specific financing initiatives or project financings	Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Dir Acct'ng & Financial Rptng	Any one individual authorized to initiate investment instructions pursuant to guidelines or established policy or practice. When policy and guidelines do not exist, authority to place funds with the NJCMF		segregation of duties, guidelines provided and adhered to by portfolio asset manager, CMF is State administered fund within Treasury

## SUMMARY OF PROPOSED CHANGES TO ADMINISTRATIVE OPERATING AUTHORITY

### Premise Change

Current: Operating Scope applicable to all titles within the same level

Proposed: Operating Scope applicable to specific titles based on responsibility

### Operating Scope

Oversight: all functions defined and executed within this Administrative Operating Authority are subject to the Authority's Enabling Legislation, By-laws, applicable Executive Orders, defined policy and procedures, established internal control practice and any other authoritative compliance mandate.

#### 1) Account Establishment

**Addition/Revision:** Formalizes an historical administrative practice of the Office of the CFO/Controller. Previous scope was limited to establishment of investment accounts for funds held in trust. Proposed authority limited to 4 financial members of management.

#### 2) Check Signatory

**Revision:** From every level from Program Manager up to CEO having check signing authority to those individuals that have a functional responsibility that may necessitate their signature. Practice of co-signing is eliminated. CEO, COO and CFO may sign for any amount. Remaining range increased from \$250,000 to \$1,500,000 for the Director of A&FR. In practice, the majority of checks are signed by accounting personnel.

Check signing is a mechanical function. Signatory levels based on a dollar amount is not an integral component of internal control; accordingly, a singular signatory for any amount promotes efficiency without compromising control. Controls come into play during the expenditure (program and administrative) commitment process.

Note: disbursement type and levels are internally controlled by accounting staff

#### 3) Outgoing Wire Transfers (Cash leaves EDA and EDA controlled accounts)

**Revision:** From every level from Director up to CEO having initiating and confirmation authority to those individuals that have a functional responsibility that may necessitate initiation or confirmation. Proposal incorporates a significant decrease in number of wire initiators.

Note: All such wire transfers require randomly selected confirmation from someone other than the

initiator.

**4) Internal Wire Transfers (Cash remains within EDA and EDA controlled accounts)**

**Revision:** From every level from Program Manager up to CEO having execution authority to individuals that have functional cash management responsibilities.

Note: These wire transfers are repetitive in nature and are pre-established as such with the bank. Withdrawals from an account are preset to be deposited into an EDA or EDA controlled account.

**5) Grant Awards (Federal, State, Municipal, Local, Inter-Agency)**

**Eliminated:** Historical practice is to seek Board approval for all grants, as they are an integral component of a project/program initiative.

**6) Establishment of Investment Policy and Practice**

**Addition:** Formalizes an historical administrative practice of the Office of the CFO/Controller. Proposed authority limited to 4 financial members of management.

**7) Expenditure Commitments for Goods and Services**

**Revision:** Program Managers not authorized to procure. No change to dollar limits.

NOTE: a single cost commitment of \$150,000 and above requires Finance Committee approval

**8) Disposition of Administrative Assets**

**Revision:** DAG approval not required. No change to dollar limits.

**9) Prepayment of debt**

**No Change** , refined scope

**10) Financing Documents-all inclusive**

(Encompasses specific program, singular project, and Agency financings)

**Revision:** Authority granted to individuals directly (financially and programmatically) involved in the financing initiatives. Eliminates Program Managers, Assistant Directors. Board approval of the financing required for SVP, VP, and Director levels (in previous authority scope, Board approval was implicit). Note: signing authority specifically granted to CEO and Secretary, COO and 3 Assistant Secretaries through By-laws and resolution.

**Note:** the scope of this operating authority is considered to be programmatic in nature;

accordingly, it will be transferred to the Lending and R/E operating authority when they are revised.

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
ADMINISTRATIVE OPERATING AUTHORITY BY LEVEL**

		<b>OPERATING LEVELS</b>			
		<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>
		Chief Executive Officer (CEO)	Chief Operating Officer (COO) Chief Financial Officer (CFO) SVP -Programs	Division Director VP-Strategic Partnerships	Assistant Director <b>Program Managers</b>
<b>Operating Scope:</b>					
Check Signatory		Sign \$250,000 or less; co-sign any amount with Levels 2, 3 or 4	Sign \$150,000 or less; co-sign any amount with Levels 1, 3 or 4	Sign \$100,000 or less; co-sign any amount with Levels 1, 2 or 4	Sign \$50,000 or less; co-sign any amount with Levels 1, 2 or 3
Wire transfers between cash and investment accounts		Execute any transaction	Execute any transaction	Execute any transaction	Execute any transaction
Wire transfer from cash and investment accounts to non-EDA, 3rd party beneficiary account		Execute any transaction with confirmation from Levels 2, 3	Execute any transaction with confirmation from Levels 1, 3 or another level 2	Execute any transaction with confirmation from Levels 1, 2 or another level 3	
Investment accounts for funds held in trust		Establish as necessary; execute any transaction	Establish as necessary and execute any transaction consistent with authorizing or financing documents	Establish as necessary and execute any transaction consistent with authorizing or financing documents	
Grants: (Federal, State, Municipal, Local, Inter/Intra-Agency)		Sign application and acceptance of award up to \$1,000,000; over \$1,000,000 with Board approval of award	Sign application and acceptance of award up to \$500,000; over \$500,000 with Board approval of award	Sign application and acceptance of award up to \$100,000; over \$100,000 with Board approval of award	
Contracts for procurement for goods & services (expenditure commitments)		Execute contracts \$250,000 or less; over \$250,000 after Board approval of specific contract	Execute contracts \$150,000 or less; over \$150,000 after Board approval of specific contract	Execute contracts \$50,000 or less; over \$50,000 after Board approval of specific contract	Execute contracts \$25,000 or less; over \$25,000 after Board approval of specific contract
Direct, no-contract, expenditures for goods and services (expenditure commitments)		Request and authorize for \$100,000 or less; over \$100,000 with Board approval of specific expenditure	Request and authorize for \$50,000 or less; over \$50,000 with Board approval of specific expenditure	Request and authorize for \$10,000 or less; over \$10,000 with Board approval of specific expenditure	Request and authorize for \$10,000 or less; over \$10,000 with Board approval of specific expenditure
Financing documents - all inclusive: programs, projects, and Agency administration		Sign or attest	Sign or attest	Sign or attest	Attest authorized signatures
Write-off of physical assets (excludes program and project assets)		With approval of AG's office, amount of specific asset not exceeding \$100,000	With approval of AG's office, amount of specific asset not exceeding \$100,000		

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
ADMINISTRATIVE OPERATING AUTHORITY BY LEVEL**

OPERATING LEVELS				
	Level 1	Level 2	Level 3	Level 4
	Chief Executive Officer (CEO)	Chief Operating Officer (COO) Chief Financial Officer (CFO) SVP -Programs	Division Director VP-Strategic Partnerships	Assistant Director <b>Program Managers</b>
Sale of physical assets (excludes program and project assets)	With book value up to \$25,000; over \$25,000 with Board approval or per financing documents	With book value up to \$25,000; over \$25,000 with Board approval or per financing documents		
Prepayment of debt-any type, any purpose	Any amount with concurrence of Level 2	Any amount with concurrence of Level 1		



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**RE:** Operating Authority - Real Estate Development Division

**DATE:** October 15, 2008

### Summary

I am requesting the Members modify the Real Estate Development Operating Authority to: (i) allow delegated authority for staff to enter into Right of Entry and License Agreements; (ii) increase the amount of space potential CCIT high tech tenants can lease under delegated authority from 1,500 sq. ft. to 2,000 sq. ft.; and (iii) revise procurement procedures to include additional staff and for adherence to State procurement policies, as outlined on the attached chart entitled Real Estate Development Program Procurement Operating Authority By Level.

### Background

Right of Entry / License Agreements: In the general course of business, the Authority receives varied requests from third parties for use of its real estate either through right of entry or license agreements. Some examples are parking, public recreational events, and construction staging. Other scenarios where right of entry agreements are required to and from the Authority are in connection with due diligence activities related to the potential sale/acquisition of property and for construction-related activities in connection with the normal course of business of the Real Estate Development Division.

Currently, Board approval has been sought for transactional license agreements such as the use of Authority owned vacant land in Camden for Susquehanna Bank Center (formerly Tweeter) parking. In these scenarios, the Authority was paid for the use of the property and Board approval was granted prior to entering into the license agreement.

In order to establish a cohesive approval process for right of entry and license agreements, delegated authority is being requested for staff to approve and execute right of entry and license agreements for the following purposes: (i) to grant limited use of real estate owned by or leased by the Authority to a third party (non-monetary/up to 90 day term); (ii) to acquire the rights for the Authority to enter upon property owned by a third party related to a Real Estate Development Division project or program (non-monetary/short-term); and (iii) for transactional agreements, which would be defined as a right of entry or license agreement in which the Authority receives a fee in relation to the use (payments up to and including \$100,000/up to 1 year term). Board approval would be sought for non-transactional and transactional agreements that do not comply with the attached Policy Outline.

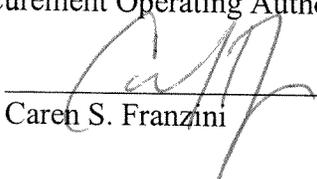
Under this delegation, licenses and rights of entry will be granted by the Authority only when the grantee provides indemnification and proof of adequate insurance and only to other governmental entities or enterprises that promote employment in New Jersey. In any case, licenses and rights of entry will be granted or received only when the other party enters into the Authority's standard form of Right of Entry Agreement or License Agreement. Final terms of the document will be subject to the approval of the Chief Executive Officer and the Attorney General's Office.

CCIT Leases: In February of 2005, the Board approved authorization for high tech tenants to lease office or dry labs up to 1,500 sq. ft. at CCIT. This 1,500 sq. ft. approval was based on two 750 sq. ft. labs. The labs in the CCIT expansion area are 1,000 sq. ft. each, therefore, approval for up to 2,000 sq. ft. is requested for consistency between original labs and expansion area labs.

Procurement Procedures: In June of 2001, the Board approved procurement procedures for the Real Estate Development Division. Since that time, State procurement procedures have been implemented requiring modification to the existing procedures, in addition, staff has been added and titles revised since 2001. Therefore, slight revisions to the procurement procedures are recommended to adhere to State policy, improve procurement process efficiencies, and to include additional staff in the procurement process.

### **Recommendation**

In summary, I am asking the Members to: (i) allow delegated authority for staff to enter into Right of Entry and License Agreements in accordance with the Policy Outline; (ii) increase the amount of office or dry lab space potential CCIT high tech tenants can lease under delegated authority from 1,500 sq. ft. to 2,000 sq. ft.; and (iii) revise procurement procedures as outlined on the attached Real Estate Development Program Procurement Operating Authority By Level chart.

  
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Caren S. Franzini

**Prepared by:** Donna Sullivan  
Development Manager

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
REAL ESTATE DEVELOPMENT PROGRAM PROCUREMENT OPERATING AUTHORITY BY LEVEL**

OPERATING LEVELS							
	Level 1	Level 2	Level 3	Level 4	Level 5		
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	REVISION(S) FROM CURRENT OPERATING AUTHORITY	
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	REVISION(S) FROM CURRENT OPERATING AUTHORITY	
Operating Scope: R/E Development contracts \$25,000 and under Subject to 6/12/01 Board Approval Complies with S-2194 & EO 37 (2006) [Refer to Note 4]	Authorized to approve, execute and attest contract.	NONE	NONE	NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$300,000.			
R/E Development contracts A/E/Survey/related professional services subject to S-2194 over \$25,000 up to & including \$300,000 Subject to 6/12/01 Board Approval Complies with S-2194 & EO 37 (2006) [Refer to Note 4]	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Authorized to be a participant of Evaluation Committee to make recommendation of vendor with any 3 of Level 1, 2, 3 or 4 (1 member must be Level 2 or above).	Revised members of Evaluation Committee.	NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$300,000.
R/E Development contracts A/E/Survey/related professional services subject to S-2194 over \$25,000 with no limit Subject to 6/12/01 Board Approval Complies with S-2194 & EO 37 (2006) [Refer to Note 4]	Any 3 of Level 1, 2 or 3 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 3 of Level 1, 2 or 3 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 3 of Level 1, 2 or 3 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 3 of Level 1, 2 or 3 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	"CEO" replaced with "Any 3 of Level 1, 2 or 3". Execution of contracts revised to include "Level 2" in addition to Level 1 and 3. Establishes limit for Board approval at \$150,000.	Requirement of EO 37 (2006) for team of 3 to declare an emergency. Inclusion of "Level 2" in addition to Level 1 and 3 [Refer to Note 1]. Enhances oversight of emergency procurements.	BOARD RATIFICATION REQUIRED IF PROCUREMENT IS OVER \$150,000. BOARD AT NEXT MEETING OR AS SOON AS PRACTICABLE.

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
REAL ESTATE DEVELOPMENT PROGRAM PROCUREMENT OPERATING AUTHORITY BY LEVEL**

OPERATING LEVELS							
	Level 1	Level 2	Level 3	Level 4	Level 5		
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	REVISION(S) FROM CURRENT OPERATING AUTHORITY	
	BOARD APPROVAL REQUIREMENT					RATIONALE OR REQUIREMENT	
						BOARD APPROVAL REQUIREMENT	
/2008 R/E Development contracts for professional services subject to S-2194 over \$300,000 Subject to 6/12/01 Board Approval Complies with S-2194 & EO 37 (2006) [Refer to Note 4]	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Authorized to be a participant of Evaluation Committee to make recommendation of vendor with any 3 of Level 1, 2, 3 or 4 (1 member must be Level 2 or above).	Revised members of Evaluation Committee.	Eliminated CEO as required member of Evaluation Committee to enhance efficiency of procurement process and availability of appropriately qualified staff expertise.
R/E Development contracts for professional services not subject to S-2194 over \$25,000 and up to and including \$300,000 Subject to 6/12/01 Board Approval Complies with EO 37 (2006) [Refer to Note 4]	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Authorized to be a participant of Evaluation Committee to make recommendation of vendor with any 3 of Level 1, 2, 3 or 4 (1 member must be Level 2 or above).	Revised members of Evaluation Committee.	Eliminated CEO as required member of Evaluation Committee to enhance efficiency of procurement process and availability of appropriately qualified staff expertise.
R/E Development contracts for professional services not subject to S-2194 over \$300,000 Subject to 6/12/01 Board Approval Complies with EO 37 (2006) [Refer to Note 4]	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Authorized to be a participant of Evaluation Committee to make recommendation of vendor with any 3 of Level 1, 2, 3 or 4 (1 member must be Level 2 or above).	Revised members of Evaluation Committee.	Eliminated CEO as required member of Evaluation Committee to enhance efficiency of procurement process and availability of appropriately qualified staff expertise.

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
REAL ESTATE DEVELOPMENT PROGRAM PROCUREMENT AUTHORITY BY LEVEL**

OPERATING LEVELS							
	Level 1	Level 2	Level 3	Level 4	Level 5		
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	REVISION(S) FROM CURRENT OPERATING AUTHORITY	
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	RATIONALE OR REQUIREMENT	
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	BOARD APPROVAL REQUIREMENT	
<p>/2008</p> <p>R/E Development contracts for construction related services not subject to S-2194 up to and including \$300,000</p> <p>Subject to 6/12/01 Board Approval Complies with EO 37 (2006) [Refer to Note 4]</p>	<p>Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).</p>	<p>Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).</p>	<p>Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).</p>	<p>Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).</p>	<p>Authorized to be a participant of Evaluation Committee to make recommendation of vendor with any 3 of Level 1, 2, 3 or 4 (1 member must be Level 2 or above).</p>	<p>Eliminated CEO as required member of Evaluation Committee to enhance efficiency of procurement process and availability of appropriately qualified staff expertise.</p>	<p>NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$300,000.</p>
<p>R/E Development contracts for construction related services not subject to S-2194 over \$300,000</p> <p>Subject to 6/12/01 Board Approval Complies with EO 37 (2006) [Refer to Note 4]</p>	<p>Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.</p>	<p>Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.</p>	<p>Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.</p>	<p>Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.</p>	<p>Authorized to be a participant of Evaluation Committee to make recommendation of vendor with any 3 of Level 1, 2, 3 or 4 (1 member must be Level 2 or above).</p>	<p>Eliminated CEO as required member of Evaluation Committee to enhance efficiency of procurement process and availability of appropriately qualified staff expertise.</p>	<p>BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS OVER \$300,000.</p>
<p>R/E Development contracts (sole source) up to and including \$25,000</p> <p>Subject to 6/12/01 Board Approval Complies with EO 37 (2006) [Refer to Note 6]</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services.</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services.</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services.</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services.</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to select a vendor, execute and attest contract on a sole source basis if there is only one vendor capable or available to provide the services.</p>	<p>Inclusion of "Level 2" in addition to Level 1 and 3 [Refer to Note 1]. Enhances oversight of sole source procurements.</p>	<p>NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$150,000.</p>

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
REAL ESTATE DEVELOPMENT PROGRAM PROCUREMENT AUTHORITY BY LEVEL**

OPERATING LEVELS							
	Level 1	Level 2	Level 3	Level 4	Level 5		
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	REVISION(S) FROM CURRENT OPERATING AUTHORITY	
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	RATIONALE OR REQUIREMENT	
	CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	BOARD APPROVAL REQUIREMENT	
2008	R/E Development contracts (sole source) over \$25,000 up to and including \$150,000 Subject to 6/12/01 Board Approval Complies with EO 37 (2006) [Refer to Note 6]	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Any 4 of Level 1, 2, 3, 4 or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor, execute and attest contract (1 member must be Level 2 or above).	Authorized to be a participant of Evaluation Committee to make recommendation of vendor with any 3 of Level 1, 2, 3 or 4 (1 member must be Level 2 or above).	Enhances oversight of sole source procurements.	NO BOARD APPROVAL REQUIRED SINCE PROCUREMENT IS UNDER \$150,000.
	R/E Development contracts (sole source) over \$150,000 Subject to 6/12/01 Board Approval Complies with EO 37 (2006) [Refer to Note 6]	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Any 4 of Level 1, 2, 3, 4, or 5 are authorized to select vendor (1 member must be Level 2 or above). CEO authorized to execute contract after Board approval of specific contract. Level 2, 3, and 4 are authorized to attest contracts.	Authorized to be a participant of Evaluation Committee to make recommendation of vendor with any 3 of Level 1, 2, 3 or 4 (1 member must be Level 2 or above).	Enhances oversight of sole source procurements.	BOARD APPROVAL REQUIRED SINCE MORE THAN \$150,000.
	R/E Development contracts not subject to S-2-194 no dollar limit Subject to 6/12/01 Board Approval Complies with EO 37 (2006) [Refer to Note 4]	Any 3 of Level 1, 2 or 3 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 3 of Level 1, 2 or 3 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	Any 3 of Level 1, 2 or 3 are authorized to declare "an emergency", select vendor, execute and attest contract on sole source basis.	"CEO" replaced with "Any 3 of Level 1, 2 or 3". Execution of contracts revised to include "Level 2" in addition to Level 1 and 3. Establishes limit for Board approval at \$150,000.	Requirement of EO 37 (2006) for team of 3 to declare an emergency. Inclusion of "Level 2" in addition to Level 1 and 3 [Refer to Note 1]. Enhances oversight of emergency procurements.	BOARD RATIFICATION REQUIRED IF PROCUREMENT IS OVER \$150,000. NOTICE TO BOARD AT NEXT MEETING OR AS SOON AS PRACTICABLE.

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
REAL ESTATE DEVELOPMENT PROGRAM PROCUREMENT OPERATING AUTHORITY BY LEVEL**

OPERATING LEVELS							BOARD APPROVAL REQUIREMENT
Level 1	Level 2	Level 3	Level 4	Level 5	REVISION(S) FROM CURRENT OPERATING AUTHORITY	RATIONALE OR REQUIREMENT	
<p>CEO</p> <p>Authorized to select CCIT tenants to lease up to 6,000 sq ft of wet lab and related office space.</p> <p>Subject to 8/9/04 Board Approval [Refer to Note 5]</p>	<p>SVP - Operations or COO</p> <p>Authorized to select CCIT tenants to lease up to 6,000 sq ft of wet lab and related office space.</p>	<p>Director - Real Estate Development, Only ("DRE")</p> <p>Authorized to select CCIT tenants to lease up to 6,000 sq ft of wet lab and related office space.</p>	<p>Asset Manager; Development Manager; Design &amp; Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&amp;CMRE")</p>	<p>Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")</p>	NONE	N/A	NO BOARD APPROVAL REQUIRED IF LEASE IS UNDER 6,000 sq ft.
<p>Authorized to allow service related tenants up to 500 sq ft, high tech tenants up to 2,000 sq ft of office or dry lab space at CCIT</p> <p>Subject to 2/8/05 Board Approval [Refer to Note 5]</p>	<p>Authorized to allow related service provider tenants to lease up to 500 sq ft w/o restrictions of having been in operation less than 5 years and being product development stage company and to allow high tech tenants to lease office or dry labs up to 2,000 sq ft.</p>	<p>Authorized to allow related service provider tenants to lease up to 500 sq ft w/o restrictions of having been in operation less than 5 years and being product development stage company and to allow high tech tenants to lease office or dry labs up to 2,000 sq ft.</p>			"1,500 sq ft" replaced with "2,000 sq ft"	The previous approval authorized the lease of two 750 sq ft CCIT labs (1,500 sq ft total). The labs built at the CCIT Expansion are 1,000 sq ft each, therefore, approval for two labs is equal to 2,000 sq ft and will allow the same level of designation.	NO BOARD APPROVAL REQUIRED IF LEASE IS UNDER 2,000 sq ft.
<p>R/E development right of entry and license agreements from third parties (non-monetary/short term)</p> <p>Subject to ____/08 Board Approval</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>			Approval to execute right of entry and license agreements on property owned by a third party.	Allows due diligence activities to occur for Real Estate Development Division projects. Access to property is occasionally required under short notice during the development, acquisition, and construction phases of projects. The ability to execute these agreements in a timely fashion is crucial to the project schedule.	NO BOARD APPROVAL REQUIRED IF RIGHT OF ENTRY OR LICENSE IS NON-MONETARY AND ONE YEAR OR LESS.

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
REAL ESTATE DEVELOPMENT PROGRAM PROCUREMENT OPERATING AUTHORITY BY LEVEL**

OPERATING LEVELS						BOARD APPROVAL REQUIREMENT	
Level 1	Level 2	Level 3	Level 4	Level 5	REVISION(S) FROM CURRENT OPERATING AUTHORITY		
<p>CEO</p> <p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>	<p>SVP - Operations or COO</p> <p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>	<p>Director - Real Estate Development, Only ("DRE")</p> <p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>	<p>Asset Manager; Development Manager; Design &amp; Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&amp;CMRE")</p>	<p>Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")</p>	<p>Approval to execute right of entry and license agreements to a third party on property owned by NJEDA.</p>	<p>Allows tenants, adjacent property owners, and other third parties the ability to use or access NJEDA property on a short term basis e.g., public recreational events, construction staging, studies and testing. The ability to execute these agreements in a timely fashion can be crucial to a tenant's business or a third party's event scheduling.</p>	<p>NO BOARD APPROVAL REQUIRED IF RIGHT OF ENTRY OR LICENSE IS NON-MONETARAY AND 90 DAYS OR LESS.</p>
<p>R/E development right of entry and license agreements to third parties (non-monetary/up to 90 day term)</p> <p>Subject to ____/08 Board Approval</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>			<p>Approval to execute right of entry and license agreements to a third party on property owned by NJEDA, for a percentage of its receipts, and for a defined time period that is one year or less.</p>	<p>Allows tenants, adjacent property owners, and other third parties the ability to use NJEDA property, for a fee, for up to one year e.g., event parking. The ability to execute these agreements in a timely fashion enables NJEDA to take advantage of economic development opportunities with tenants, adjacent property owners or third parties.</p>	<p>NO BOARD APPROVAL REQUIRED IF RIGHT OF ENTRY OR LICENSE FEES ARE \$100,000 OR LESS AND ONE YEAR OR LESS.</p>
<p>R/E development right of entry and license agreements to third parties (payments up to &amp; including \$100,000/1 year term)</p> <p>Subject to ____/08 Board Approval</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>	<p>Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.</p>			<p>Approval to execute right of entry and license agreements to a third party on property owned by NJEDA, for a percentage of its receipts, and for a defined time period that is one year or less.</p>	<p>Allows tenants, adjacent property owners, and other third parties the ability to use NJEDA property, for a fee, for up to one year e.g., event parking. The ability to execute these agreements in a timely fashion enables NJEDA to take advantage of economic development opportunities with tenants, adjacent property owners or third parties.</p>	<p>NO BOARD APPROVAL REQUIRED IF RIGHT OF ENTRY OR LICENSE FEES ARE \$100,000 OR LESS AND ONE YEAR OR LESS.</p>

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
REAL ESTATE DEVELOPMENT PROGRAM PROCUREMENT OPERATING AUTHORITY BY LEVEL**

OPERATING LEVELS					
Level 1	Level 2	Level 3	Level 4	Level 5	BOARD APPROVAL REQUIREMENT
CEO	SVP - Operations or COO	Director - Real Estate Development, Only ("DRE")	Asset Manager; Development Manager; Design & Construction Manager - Real Estate Development, Only ("AMRE"; "DMRE"; "D&CMRE")	Project Managers/ Project Officers - Real Estate Development, Only ("PMRE")	RATIONALE OR REQUIREMENT

/2008

NOTE 1: Titles and/or positions have been revised/added in accordance with NJEDA Administrative Operating Authority.

NOTE 2: "Attest" has been added to all contract references in accordance with NJEDA Administrative Operating Authority and standard practice.

NOTE 3: Level 4 authority to attest or execute contracts up to \$25,000 is in accordance with existing NJEDA Administrative Operating Authority.

NOTE 4: All procurement approvals are subject to compliance with NJEDA Procurement and Policy Procedures and public bidding requirements, where applicable.

NOTE 5: All tenants are approved in accordance with the CCIT Admission Policy and Procedures.

NOTE 6: Sole source procurements are subject to Section 16 (a) through (g) of Executive Order 37 (2006).

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
REAL ESTATE DEVELOPMENT PROGRAM RIGHT OF ENTRY / LICENSE AGREEMENT POLICY OUTLINE**

/2008

Type of Agreement:	AUTHORITY TO EXECUTE AGREEMENT	FEES PAID / COLLECTED	REQUIREMENTS
R/E development right of entry and license agreements from third parties (non-monetary/short term)	Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.	NONE	Standard Right of Entry/License Agreement. Review of Agreement by Attorney General's Office.
R/E development right of entry and license agreements to third parties (non-monetary/short term)	Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.	NONE	Standard Right of Entry/License Agreement. Review of Agreement by Attorney General's Office. NJEDA indemnification by third party. Insurance coverage naming NJEDA as an additional insured. Defined term up to 90 days. 30 day termination by NJEDA.
R/E development right of entry and license agreements to third parties (payments up to & including \$100,000/1 year term)	Any 2 of Level 1, 2 or 3 are authorized to approve, execute and attest agreement in accordance with approved policy.	20% of the net receipts received by the third party beneficiary.	Standard Right of Entry/License Agreement. Review of Agreement by Attorney General's Office. NJEDA indemnification by third party. Insurance coverage naming NJEDA as an additional insured. Defined term up to 1 year. 30 day termination by NJEDA. Reporting guidelines for fee tracking.
Agreements to/from third parties that do not meet policy guidelines, or have a value over \$100,000, or are longer than 90 days (non-transactional), or longer than 1 year (transactional) require Board approval. Fees to NJEDA may be waived if third party is a government entity, to be determined by any 2 of Level 1, 2 or 3.			



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini  
Chief Executive Officer

**RE:** **Appropriation from NJ Legislature – FY2009  
Small Business Development Centers (SBDCs)**

**DATE:** **October 15, 2008**

### Request:

The Members are requested to authorize the Chief Executive Officer to execute a Grant Agreement with Rutgers, The State University of New Jersey, to provide financial support for the New Jersey Small Business Development Centers (SBDCs) in an amount not to exceed \$500,000.

The funds were appropriated for FY2009 by the Legislature through the Appropriations Act, P.L. 2008, c.35, and are to be allocated to the SBDCs through a Grant Agreement with Rutgers. Historically, this annual appropriation had been administered by the Commerce Commission and becomes the responsibility of the EDA through the implementation of P.L. 2008, c.27 that consolidated economic development programs under the EDA.

The role of the SBDCs is to provide business support services to small, women and minority businesses in New Jersey. The services of the SBDCs are complimentary to the technical assistance services supported by the EDA and are included in the array of assistance available to small businesses growing and expanding in New Jersey.

### Background:

Over 30 years ago, the United States Small Business Administration (SBA) named Rutgers, The State University of New Jersey, as the State's headquarters for the New Jersey Small Business Development Centers (NJSBDCs). The State Legislature annually funds the SBDCs by allocating an appropriation subject to a written agreement.

The NJSBDCs consist of a headquarters and 11 regional centers throughout the State. In 2007 - 2008, counselors advised approximately 6,000 clients and taught over 900 workshops. Primary funding sources for the SBDCs include the federal SBA, State of New Jersey, and New Jersey

colleges and county colleges. The Legislature's Appropriation represents approximately 10% of the total funding.

In accordance with our streamlined economic development strategies, the EDA will be working with The Office on Supplier Diversity (OSD) of the Treasury, the NJSBDCs and other technical assistance providers to identify opportunities to leverage and optimize resources that support services to the business community including those related to procurement, with a focus on small, women and minority owned businesses.

**Key Deliverables:**

Staff from the Authority, OSD and the SBDCs worked together to identify key metrics for FY2009 and developed an enhanced reporting system. Performance against these metrics will be monitored through quarterly reports from the NJSBDC headquarters office.

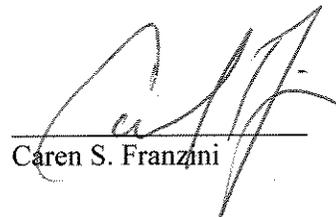
- 13,000 clients - attend at least one topical workshop
- 4,700 clients - receive one-on-one counseling
- 1,300 clients – procurement training and/or counseling
- 40 referrals to EDA for small business financing
- 200 small business registrations
- 225 women and/or minority owned business certifications
- Participate with EDA and OSD in marketing small business services and referrals
- Through SBDC guidance and intervention, secure:
  - \$33,000,000 in total loan amount, including owner's equity
  - \$22,000,000 in total contract value

**Grant Agreement:**

The Grant Agreement is attached in its substantially final form. The terms of the Agreement may be subject to revision, although the basic terms and conditions will remain consistent with those in the attachment. The final Agreement will be subject to approval of the Chief Executive Officer and the Attorney General's Office.

**Recommendation:**

The Members' approval is requested to authorize the Chief Executive Officer to execute a Grant Agreement with Rutgers, The State University of New Jersey, to provide financial support for the New Jersey Small Business Development Centers (SBDCs) in the amount not to exceed \$500,000 as authorized by the FY2009 Appropriations Act, P.L. 2008, c.35.

  
Caren S. Franzini

**GRANT PROVISIONS BETWEEN THE**  
**NEW JERSEY**  
**ECONOMIC DEVELOPMENT AUTHORITY (EDA)**  
**AND**  
**RUTGERS, THE STATE UNIVERSITY**  
**GRANT for FISCAL YEAR 2009 - SMALL BUSINESS**  
**GENERAL TERMS AND CONDITIONS**

- I. Grant Agreement Data
- II. Compliance with Existing Laws
- III. Bonding and Insurance
- IV. Indemnification
- V. Assignability
- VI. Availability of Funds
- VII. Special Grant Conditions for "High Risk" Grantees
- VIII. Financial Management System
- IX. Method of Payment
- X. Allowable Costs
- XI. Period of Availability of Funds
- XII. Matching and Cost Sharing
- XIII. Program Income
- XIV. Audit Requirements
- XV. Budget Revision and Modification
- XVI. Property Management Standards

## **GENERAL TERMS AND CONDITIONS (Continued)**

- XVII. Procurement Standards
- XVIII. Program Performance Monitoring of Program Performance
- XIX. Financial and Performance Reporting
- XX. Access to Records
- XXI. Record Retention
- XXII. Enforcement
- XXIII. Termination and Suspension
- XXIV. Grant Close-out Procedures

## **ATTACHMENTS**

- A. Additional Grant Provisions
- B. Approved Budget
- C. Comparison of Actual Expenditures to Budget
- D. Program Specifications
- E. Authorized Signatories
- F. Statement of Adequacy of Accounting System
- G. Contract Amendment Form
- H. Budget Modification Form
- I. Performance Standards

# GRANT AGREEMENT

## I. Grant Agreement Data:

1. Date Issued 7/01/08
2. Supersedes Award Notice Dated N/A
3. Grant for Fiscal Year 2009 - Small Business

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4. Title of Grant Award: Small Business Development Centers

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5a. Grantor Name: NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
(hereafter referred to as EDA)

Address: P O BOX 990  
Trenton, NJ 08625-0990

5b. Grantee Name: Rutgers, The State University  
Street: Office of Research and Sponsored Programs, ABS III, 3 Rutgers Plaza  
City: New Brunswick, NJ 08901

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6. Grant Period: 7/1/08 – 6/30/09

7. Vendor Identification Number: 226001086

8. Award Computation for Grant:

a. Amount of Financial Assistance	\$500,000
b. Less: Unobligated Balance from Prior Budget Periods	0
c. Less: Cumulative Prior Award(s) this Budget Period	<u>0</u>
d. Amount of this Action	\$500,000

9a. Nature or purpose of program to be funded: To provide Rutgers University, which hosts the New Jersey Small Business Development Center with the financial support necessary to enable it to provide technical assistance/ outreach to the New Jersey small business community.

9b. This Grant is subject to the terms and conditions incorporated either directly or by reference in the following:

- Attachment A – Additional Grant Provisions
- Attachment B – Approved Budget
- Attachment C – Comparison of Actual Expenditures to Budget

- Attachment D – Program Specifications
- Attachment E – Authorized Signatories
- Attachment F – Statement of Adequacy of Accounting System
- Attachment G – Contract Amendment Form
- Attachment H – Budget Modification Form
- Attachment I – Performance Standards

The Grantee's Terms and Conditions for Administration of Grants is referenced in this Grant.

Acceptance of the Grant terms and conditions is acknowledged by the Grantee by:

- (1) Returning a copy of this Grant Agreement with Section I properly completed  
or
- (2) Accepting funds from the State Grantor Agency. This method of acceptance is valid if a Grant application signed by an officer of the Grantee is on file at the State Grantor Agency.

10. Remarks/Other Terms and Conditions attached: Yes X No   

11. EDA and Grantee Agreement Signatures

If this Grant, including all attachments annexed hereto, correctly sets forth your understanding of the terms of the Grant Agreement, please indicate your organization's concurrence with such terms by having the enclosed copy of this Grant signed by an appropriate officer of your organization and returned to the EDA

**ACCEPTED AND AGREED**

**COUNTERSIGNED:**

\_\_\_\_\_  
Rutgers, The State University

\_\_\_\_\_  
New Jersey Economic Development Authority

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## II. Compliance with Existing Laws

The Grantee, in order to induce the EDA to award this Grant, agrees to comply with all Federal, State and municipal laws, rules, and regulations generally applicable to the activities which Grantee engaged in the performance of this Grant.

These laws, rules and regulations include, but are not limited to the following:

Federal Office of Management and Budget (OMB) documents:

- \* Circular A-102, Grants and Cooperative Agreements with State and local Governments
- \* Compliance Supplement for Single Audits of State and Local Governments - Uniform Requirements for Grants to State and local Governments (Compliance Supplement, Revised)
- \* Circular A-110, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations
- \* Circular A-128, Audits of State and Local Governments
- \* Circular A-133, Audits of Institutions of Higher Education, and other nonprofit Organizations (November 10, 1988 Federal Register, Pages 45744 - 45748)
- \* Directory of Generally Applicable Requirements and Administrative Management Standards for Federal Assistance

New Jersey Department of the Treasury, Office of Management and Budget documents:

- \* Treasury Circular Letter 98-07, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid Payments
- \* New Jersey Grants Management Information System, State Grant Compliance Supplement ([www.state.nj.us/treasury/omb/publications/Grant/index](http://www.state.nj.us/treasury/omb/publications/Grant/index))
- \* Treasury's Single Audit Policy Guide for Nonprofit Sub-recipients and Independent Auditors

EDA policies and requirements

The Grantee shall comply with the EDA's prevailing wage requirements for construction contracts if awarded in connection with the Grant, pursuant to P.L. 2007, c. 245; N.J.S.A. 34:1B-5.1; Affirmative Action requirements, pursuant to P.L. 2007, c.245 N.J.S.A. 34:1B-5.4; and any implementing regulations.

Grantee acknowledges and agrees that failure to comply with all applicable Federal and State laws, rules and regulations shall be grounds for termination of this Grant Agreement pursuant to Section XXIIIC.

## III. Bonding and Insurance

Bonding and Insurance of the type described Attachment A, Part VIII, shall be provided.

**IV. Indemnification**

The Grantee shall be solely responsible for and shall keep, save, and hold the EDA and the State of New Jersey harmless from all claims, loss, liability, expense, or damage resulting from all mental or physical injuries or disabilities, including death, to employees or recipients of the Grantee's services or to any other persons, or from any damage to any property sustained in connection with the delivery of the Grantee's services which results from any acts or omissions, including negligence or malpractice, of any of its officers, directors, employees, agents, servants or independent contractors, or from the Grantee's failure to provide for the safety and protection of its employees, whether or not due to negligence, fault or default of the Grantee. The Grantee's liability under this Agreement shall continue after the termination of this Agreement with respect to any liability, loss, expense or damage resulting from acts occurring prior to termination.

**V. Assignability**

The Grantee shall not subcontract any of the work or services covered by this Grant, nor shall any interest be assigned or transferred except as may be provided for in this Grant or with the express written approval of the EDA. This restriction does not apply to Grantee contracts for regional centers.

**VI. Availability of Funds**

The parties hereto recognize and agree that both the initial provision of funding and continuation of funding under this Grant Agreement are expressly dependent upon the availability to the EDA of funds appropriated by the State Legislature from State and/or Federal revenue or such other funding sources as may be applicable. A failure of the EDA to make any payment under this Agreement or to observe and perform any condition on its part to be performed under the Agreement as a result of the failure of the Legislature to appropriate shall not in any manner constitute a breach of the Agreement by the EDA. The EDA shall not be held liable for any breach of this Grant Agreement because of the absence of available funding appropriation. In addition, future funding shall not be anticipated from the EDA beyond the duration of the Grant period set forth in the Grant Agreement. In no event shall the Agreement be construed as a commitment by the EDA to expend funds beyond the termination date set forth in this Agreement.

**VII. Special Grant Conditions For "High Risk" Grantees**

A. A Grantee may be considered "high risk" if the EDA determines that a Grantee:

1. Has a history of unsatisfactory performance.
2. Is not financially stable.
3. Has a management system which does not meet the management standards set forth in this part.
4. Has not conformed to terms and conditions of previous awards.
5. Is otherwise not responsible; and if the EDA determines that an award will be made, special conditions and/or restrictions shall correspond to the high risk condition and shall be included in the award.

B. Special conditions or restrictions may include:

1. Payment on a reimbursement basis.
2. Withholding authority to proceed to the next phase until receipt or evidence of acceptable performance within a given funding period.
3. Requiring additional, more detailed financial reports.
4. Additional project monitoring.
5. Requiring the Grantee to obtain technical or management assistance.
6. Establishing additional prior approvals.

- C. If EDA decides to impose such conditions, an EDA official will notify the Grantee as soon as possible, in writing of:
1. The nature of the special conditions/restrictions.
  2. The reason(s) for imposing them.
  3. The corrective actions which must be taken before they will be removed and the time allowed for completing the corrective actions.
  4. The method of requesting reconsideration of the conditions/restrictions imposed.

**VIII. Financial Management System**

- A. The Grantee Financial Officer, as designated in Attachment F of this Grant, shall be responsible for maintaining an adequate financial management system. The Grantee Financial Officer will notify the EDA when the Grantee cannot comply with the requirements established in this Section of the Grant.
- B. The Grantee's financial management system shall provide for:
1. Financial Reporting  

Accurate, current, and complete disclosure of the financial results of each Grant must be made in accordance with the financial reporting requirements of this Grant.
  2. Accounting Records  

Records that adequately identify the source and application of funds for EDA supported activities. These records must contain information pertaining to Grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures and income.
  3. Internal Control  

Effective internal and accounting controls over all funds, property and other assets. The Grantee shall adequately safeguard all such assets and assure that they are used solely for authorized purposes.
  4. Budget Control  

Comparison of actual expenditures or outlays with budgeted amounts for each Grant. Also, relation of financial information with performance or productivity data, including the development of unit cost information required by the EDA.
  5. Allowable Cost  

Procedures for determining reasonableness, allowability, and allocability of costs generally consistent with the provisions of Federal and State requirements.
  6. Source Documentation  

Accounting records that are supported by source documentation.
  7. Cash Management  

Procedures to minimize the time elapsing between the advance of funds from the EDA and the disbursement by the Grantee, whenever funds are advanced by the EDA.

- C. The EDA may require the submission of a, "Statement of Adequacy of the Accounting System," as provided in Attachment A, Section IV of this Grant.
- D. The EDA may review the adequacy of the financial management system of any applicant for financial assistance as part of a pre-award review or at any time subsequent to the award. If the EDA determines that the Grantee's accounting system does not meet the standards described in paragraph B. above, additional information to monitor the Grant may be required by the EDA upon written notice to the Grantee, until such time as the system meets with EDA approval.

**IX. Method of Payment**

- A. At the EDA's discretion, an initial advance payment may be made to the Grantee upon receipt by the EDA of a properly executed copy of this Grant, signed by an appropriate officer of the Grantee organization. Such advances, however, shall not exceed the dollar or percent of the Grant limits established in Attachment A, Section VII of this Grant.

- B. Progress payments shall be made by the EDA on a periodic basis as prescribed in Attachment A, Section VII of this Grant.

Such payments shall be issued upon receipt of the required financial and narrative reports described in Section XIX of this Grant.

- C. Payment may, at the discretion of the EDA, be made either in fixed amounts as determined by the EDA to be reasonable to maintain an appropriate level of Grant services or in the form of reimbursement of actually reported expenditures.
- D. Payment by the EDA is subject to approval of the Director of the Office of Management and Budget and/ the State Treasurer and/or other necessary State official authorizing the release of the funds appropriated by the Legislature as may be required by law.

**X. Allowable Costs**

- A. Limitation on Use of Funds

Grant funds must be used only for allowable costs.

- B. Applicable Cost Principles

For each kind of organization, there is a set of Federal principles for determining allowable costs. Allowable costs will be determined in accordance with applicable Federal cost principles applicable to the organization incurring the costs (e.g., OMB Circulars A-87, A-122, A-21, etc.) and State requirements.

**XI. Period of Availability of Funds**

- A. General

Grantees may charge to the award only costs resulting from obligations of the funding period. Costs incurred by the Grantee prior to a fully executed Grant Agreement between the Grantee and the EDA are at the Grantee's own risk should funding not occur. Carryover of any unobligated balance from one funding period to another funding period requires the written approval of the EDA.

B. Liquidation of Obligations

If a Federal award is a source of this Grant, the EDA must liquidate all obligations incurred under Federal awards not later than 90 days after the end of the funding period (or as specified in a program regulation) to coincide with the submission of Federal financial reports. The Federal agency may extend this deadline at the request of the EDA.

Grantees must ensure compliance with State and Federal liquidation of obligation requirements. In addition, Grantees shall be required to account to the satisfaction of the EDA for the period of availability of funds and liquidation of obligations of Grants in accordance with Federal and State requirements.

**XII. Matching and Cost Sharing**

The Grantee shall be required to account to the satisfaction of the EDA for matching and cost sharing requirements of this Grant in accordance with Federal and State requirements.

**XIII. Program Income**

Program income shall be defined as gross income earned by the Grantee from Grant supported activities. Such earnings include, but will not be limited to, income from service fees, sale of commodities, usage or rental fees, and royalties on patents and copyrights.

- A. Interest earned on advances of Grant funds shall be remitted to the Department of the Treasury through the EDA if a Grantee receives interest earned on advances of Grant funds of \$250 or more in a fiscal year, except for interest earned on advance to instrumentalities of a state as provided in the Intergovernmental Cooperation Act of 1968 (Public Law 90-577).
- B. Unless the Grant provides otherwise, the Grantee shall have no obligation to the EDA with respect to royalties received as a result of copyrights or patents produced under the Grant.

All other program income earned during the Grant period shall be retained by the Grantee and used in accordance with Attachment A, Section VI of this Grant.

**XIV. Audit Requirements**

Grantee shall comply with the requirements set forth in Attachment A, Section III.

**XV. Budget Revision and Modification**

- A. This section sets forth criteria and procedures to be followed by the Grantee in reporting deviations from the approved budget and in requesting approvals for budget revisions and modification. Revisions and modifications to this Grant must be requested by the Grantee and approved by the EDA in writing.
- B. Grantee shall request in writing, approval of the EDA when there is reason to believe a revision or modification will be necessary for the following reasons:
  - 1. Changes in the scope, objective, financial assistance, key personnel, timing of the project or program or providing financial assistance to a third party by sub-granting (if authorized by law) or by other means or obtaining the services of a third party to perform activities which are central to the purpose of the award.

2. The need for additional funding or to extend the period of availability of funds.
3. The revisions involve the transfer of amounts budgeted for indirect costs to absorb increases in direct costs.

For the purpose of this Grant, indirect costs are defined as those incurred for a common or joint purpose benefiting more than one cost objective and not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved.

Direct costs are defined as those which can be identified specifically with a particular cost objective. These costs may be charged directly to Grants, contracts or to other programs against which costs are finally lodged.

4. Grantee's plans to transfer funds allotted for training allowance (direct payments to trainees) to other categories of expense.
- C. The EDA may also, at its option, establish policy to restrict transfers of funds among direct cost categories and must require Grantees to comply with applicable Federal and State requirements concerning prior approval for certain budget changes.
  - D. All other changes to budget, except as described in paragraphs B and C do not require approval.
  - E. When requesting approval for budget revisions, the Grantee shall clearly show the change in cost categories and may use the budget form provided in Attachment B of this Grant.
  - F. The EDA may request changes in the scope of services of the Grantee to be performed thereunder. Such changes, including any increase or decrease in the amount of the Grantee's compensation, which are mutually agreed upon by and between the EDA and the Grantee must be incorporated in written amendments to this Grant.
  - G. If the Grantee is making program expenditures or providing Grant services at a rate which, in the judgment of the EDA, will result in substantial failure to expend the Grant amount or provide Grant services, the EDA may so notify the Grantee. If, after consultation, the Grantee is unable to develop to the satisfaction of the EDA a plan to rectify its low level of program expenditures or Grant services, the EDA may upon thirty (30) days notice to the Grantee, reduce the Grant amount by a sum so that the revised Grant amount fairly projects program expenditures over the Grant period. This reduction shall take into account the Grantee's fixed costs and shall establish the committed level of services for each program element of the Grant services at the reduced Grant amount.
  - H. If the revision requested will result in a change to the Grantee's approved project which requires Federal prior approval, the EDA will obtain the Federal agency's approval before approving the Grantee's request.

#### **XVI. Property Management Standards**

Property furnished by the EDA or acquired in whole or in part with Federal or EDA funds or whose cost was charged to a project supported by Federal or EDA funds shall be utilized and disposed of in a manner generally consistent with State and Federal requirements.

#### **XVII. Procurement Standards**

Procurement of supplies, equipment, and other services with funds provided by this Grant shall be accomplished in a manner generally consistent with Federal, State, and EDA requirements.

Adherence to the standards contained in the applicable Federal and State laws and regulations does not relieve the Grantee of the contractual responsibilities arising under its procurement. The Grantee is the responsible authority, without recourse to the EDA, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurement entered in support of a Grant.

#### **XVIII. Program Performance and Monitoring of Program Performance**

- A. The Grantee shall perform the services and be subject to the performance standards set forth in Attachments A and I of this Grant Agreement.
- B. The Grantee must assure compliance with applicable State requirements and that performance standards are being achieved. Grantee monitoring must cover each program, function or activity to monitor performance under Grant supported activities to assure time schedules and objectives are being met, projected work units by time periods are being accomplished, and other performance standards are being achieved as applicable and as defined in Attachments A and D of this Grant Agreement.
- C. The Grantee shall inform the EDA of the following types of conditions which affect program objectives and performance as soon as they become known:
  - 1. Problems, delays, or adverse conditions which will materially impair the ability to attain program objectives, prevent meeting time schedules and standards, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any EDA assistance required to resolve the situation.
  - 2. Favorable developments or events which enable meeting time schedules and standards sooner than anticipated or at less cost or producing more beneficial results than originally planned.
- D. The EDA may, at its discretion, make site visits to:
  - 1. Review program accomplishments and management control systems.
  - 2. Provide such technical assistance as may be required.
- E. The EDA, the Grantee, and the United States Small Business Administration, which are the three major funding sources of the Small Business Development Centers, may hold quarterly meetings to review the program at agreed upon dates.

#### **XIX. Financial and Performance Reporting**

- A. The Grant budget as used in this Section means the approved financial plan to carry out the purpose of the Grant. This plan is the financial expression of the project or program as approved during the Grant application and award process. The Approved Budget is contained in Attachment B. It should be related to performance for program evaluation purposes and disclose all sources (Grant, other State funding, federal, other) used by the Grantee to support this program.

- B. The Grantee shall submit interim revenue and expenditure reports comparing actual expenditures from all funding sources (categorized by type of source) with the approved budget as shown in Attachment C. These reports shall be submitted on a periodic basis, as prescribed in Attachment A of this Grant.
- C. The Grantee shall submit a Performance Report on an interim basis as prescribed by the EDA, and specifically, reports on metrics as described in Attachments A and I of this Grant. However, reports shall not be required more frequently than quarterly or less frequently than annually. Performance Reports shall be submitted as prescribed in Attachment A of this Grant. The Performance Report shall present the following information for each program function or activity involved:
  - 1. A comparison of actual accomplishments to the goals established in Program Specifications (Attachment D) for the period. Where the output of Grant programs can be readily quantified, such quantitative data should be related to cost data for computation of unit costs.
  - 2. Reasons established goals were not met.
  - 3. Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.
  - 4. Metrics reports as described in Attachments A and I.
- D. The Grantee shall submit final reports as prescribed in Attachment A of this Grant.

In addition, a comparison of actual with budget expenditures and a written narrative Performance Report, signed by an appropriate officer of the organization, of what was accomplished by the expenditure of funds towards achieving the purpose(s) of this Grant. The Grantee must submit a final narrative Performance Report.
- E. Extensions to reporting due dates may be requested upon written notification to the EDA.
- F. If reports are not submitted as required, the EDA may, at its discretion, suspend payments on this Grant. The State of New Jersey may, at its discretion, take such action to withhold payments on this or any Grant with the EDA or with other State agencies until the required reports have been submitted.

**XX. Access to Records**

- A. The Grantee in accepting this Grant agrees to make available to the EDA and to any State or Federal agency whose funds are expended in the course of this Grant, or any of their duly authorized representatives, pertinent accounting records, books, documents and papers as may be necessary to monitor and audit Grantee's operations.
- B. All visitations, inspections and audits, including visits and requests for documentation in discharge of the EDA's responsibilities, shall as a general rule provide for prior notice when reasonable and practical to do so. However, the EDA retains the right to make unannounced visitations, inspections, and audits as deemed necessary.
- C. The EDA reserves the right to have access to records of any sub-Grantees and requires the Grantee to provide for EDA access to such records in any Grant with the sub-Grantee.

- D. The EDA reserves the right to have access to all work papers produced in connection with audits made by the Grantee or independent certified public accountants, registered municipal accountants or licensed public accountants hired by the Grantee to perform such audits.

## **XXI. Record Retention**

- A. Except as otherwise provided, financial and programmatic records, supporting documents, statistical records and all other records pertinent to the Grant shall be retained for a period of three years, unless Federal or State funding statutes requires longer periods (e.g., the five-year record retention requirements for the Federal Commission of Education programs under the General Education Provisions Act, GEPA.)
  - 1. If any litigation, claim, negotiation, action or audit involving the records is started before the expiration of the three-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular three-year period, whichever is later.
  - 2. Records for non-expendable property acquired with EDA funds shall be retained for three years after its final disposition, unless otherwise provided.
- B. For Federal and State purposes (unless otherwise provided):
  - 1. General - The retention period starts from the date of submission of the final expenditure report, or for Grants that are renewed annually, from the date of submission of the annual financial report.
  - 2. Real Property and Equipment - The retention period for real property and equipment records starts from the date of the disposition, replacement or transfer at the direction of the awarding EDA.
- C. The EDA may request transfer of certain records to its custody from the Grantee when it determines that the records possess long-term retention value and will make arrangements with the Grantee to retain any records that are continuously needed for the joint use.

## **XXII. Enforcement**

### **A. Remedies for Noncompliance**

If a Grantee materially fails to comply with any term of an award, whether stated in a State or Federal statute or regulation, an assurance, in a State plan or application, a notice of award, or elsewhere, the EDA may take one or more of the following actions, as appropriate in the circumstances:

- 1. Withhold payments under the Grant pending correction of the deficiency by the Grantee or more severe enforcement action by the EDA.
- 2. Disallow payment or reimbursement for all or part of the cost of the activity or action not in compliance.
- 3. Suspend or terminate the current award for the Grantee's program.
- 4. Withhold further awards for the Grantee's program.

5. Obtain return of the balance of Grant funds held by the Grantee or seek reimbursement for funds expended that were not in compliance with the terms and conditions of the Grant Agreement.
6. Deem the Grantee high risk and impose special conditions.
7. Take other remedies that may be legally available.

B. Hearings, Appeals

In taking an enforcement action, the EDA will provide the Grantee an opportunity for such hearing, appeal, or other administrative proceeding to which the Grantee is entitled under any statute or regulation applicable to the action involved.

C. Effects of Suspension and Termination

Costs of Grantee, resulting from obligations incurred by the Grantee during a suspension or after termination of an award, are not allowable unless the EDA expressly authorizes them in the notice of suspension or termination or subsequently. Other Grantee costs during suspension or after termination which are necessary and not reasonably avoidable are allowable if:

1. The costs result from obligations which were properly incurred by the Grantee before the effective date of suspension or termination, and non-cancelable, and,
2. The costs would be allowable if the award were not suspended or expired normally at the end of the funding period in which the termination takes effect.

D. Relationship to Debarment and Suspension

The enforcement remedies identified in this Section, including suspension and termination, do not preclude the Grantee from being subject to Federal debarment and suspension procedures, or from EDA debarment regulations at N.J.A.C. 12A: 4-2.1 et seq.

### **XXIII. Termination and Suspension**

A. The following definitions shall apply for the purposes of this section:

1. Termination

The termination of a Grant means the cancellation of assistance, in whole or part, under a Grant at any time prior to the date of completion.

2. Suspension

The suspension of a Grant is an action by the EDA which temporarily suspends assistance under the Grant pending corrective action by the Grantee or pending a decision to terminate the Grant by the EDA.

3. Disallowed Costs

Disallowed costs are those charges to the Grant which the EDA or its representatives determine to be beyond the scope of the purpose of the Grant, excessive, or otherwise unallowable.

- B. When the Grantee has failed to comply with Grant award stipulations, standards, or conditions, the EDA may suspend the Grant and withhold further payments; prohibit the Grantee from incurring additional obligations of Grant funds pending corrective action by the Grantee; or decide to terminate the Grant in accordance with paragraph C below. The EDA shall allow all necessary and proper costs, which the Grantee could not reasonably avoid during the period of suspension, provided they meet Federal and State requirements.
- C. The EDA may terminate the Grant in whole or in part whenever it is determined that the Grantee has failed to comply with the conditions of the Grant. The EDA shall promptly notify the Grantee in writing of the determination and the reasons for the termination together with the effective date. Payments made to the Grantee or recoveries by the EDA under the Grant terminated for cause shall be in accord with the legal right and liability of the parties.
- D. The EDA and the Grantee may terminate the Grant in whole, or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and in case of partial terminations, the portion to be terminated. The Grantee shall not incur new obligations for the terminated portion after the effective date and shall cancel as many outstanding obligations as possible.
- E. The Grant Close-out procedures in Section XXIV of the Grant shall apply in all cases of termination of the Grant.

#### **XXIV. Grant Close-out Procedures**

- A. The following definitions shall apply for the purpose of this section:
  - 1. Grant Close-out  

The close-out of a Grant is the process by which the EDA determines that all applicable administrative actions and all required work of the Grant have been completed by the Grantee.
  - 2. Date of Completion  

The date when all activities under the Grant are completed or the expiration date in the award document, or any supplement or amendment thereto.
- B. The Grantee shall submit a final report upon completion of the Grant period or termination of the Grant. This final report shall be in accordance with Section XIX of this Grant.  

The EDA may permit extensions when requested in writing by the Grantee.
- C. The Grantee will, together with the submission of the final report, refund to the EDA any unexpended funds or unobligated (unencumbered) cash advanced, except such sums that have been otherwise authorized in writing by the EDA to be retained.
- D. Within the limits of the Grant amount, the EDA may make a settlement for any upward or downward adjustments of costs after these reports are received.

- E. In the event a final audit has not been performed prior to the close-out of the Grant, the EDA retains the right to recover any appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.
- F. The Grantee shall account for any property acquired with Grant funds or received from the EDA in accordance with the provisions of Section XVI of this Grant.

**A GRANT BETWEEN THE  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**AND**

**RUTGERS, THE STATE UNIVERSITY**

**ADDITIONAL GRANT PROVISIONS – ATTACHMENT A**

**Grant No. FY2009 Small Business**

Attachment A is hereby annexed to and provides for additional Grant provisions and conditions between the EDA (“Grantor” or “EDA”) and Rutgers, The State University (“Grantee”) as detailed below.

**I. Performance of Services**

A. On behalf of the EDA in cooperation with the Office of Supplier Diversity (OSD), within Treasury, and other state agencies, the Grantee shall provide the services to small, women and minority businesses (SWMB) statewide. The categories of services to be provided include but are not limited to business operations, financing, procurement and referrals to expertise and resources to enable the businesses to start-up and expand in New Jersey. Examples of services are listed below. Metrics are attached as Attachment I.

1. Conduct a loan referral and packaging program
2. Coordinate managerial and technical assistance programs in the State
3. Serve as a liaison to businesses with the agencies and departments of state, federal and local governments
4. Assist in obtaining legal counsel
5. Provide financial analysis and accounting assistance
6. Assist in obtaining business and employee insurance
7. Assist in arranging contracts with franchisees
8. Assist in arranging for loans from commercial banks
9. Assist with license agreement negotiations
10. Assist with procuring business bonding
11. Make referrals to private consultants, institutions, and other business services
12. Assist in finding sources of financing from federal, state and local providers
13. Provide an accessible resource location for businesses in their dealings with various levels of government

14. Initiate and encourage education programs for eligible businesses
15. Conduct workshops and seminars related to topics recommended by EDA and OSD from time to time
16. Distribute promotional material and information on behalf of the EDA, OSD and State of New Jersey
17. Make available to the EDA and OSD all surveys and studies conducted relating to all of the services provided by Grantee
18. Compile statistical data from registered/certifies businesses, as the EDA and OSD deem appropriate
19. Support EDA in outreach to ethnic and other chambers of commerce to educate their members on EDA financing and services opportunities
20. Verify SWMB information necessary for updating and expanding the systems of the EDA and OSD
21. Grantee shall partner with EDA and appropriate state agencies, including OSD, in outreach and marketing programs to increase procurement opportunity awareness in the SWMB community as follows:
  - a) Support and promote the OSD training for set-aside, certification and procurement with the State.
  - b) Partner with OSD and other state agencies in the planning and marketing of a statewide procurement conference.
  - c) Assist in the creation of partnership opportunities with New Jersey private corporate offices to promote procurement with certified MBEs and WBEs as well as registered SBE businesses.
  - d) Support the identification of and communication to small, women and minority business organizations.
  - e) Support outreach to ethnic and other chambers of commerce to educate their members on the State's SWMBE database for procurement and other promotional opportunities.
  - f) Aid in meetings with small business, women and minority trade organizations to educate their members.
  - g) Identify and provide joint information to home-based businesses about obtaining government contracts.
  - h) Counsel clients on State bidding opportunities and processes.
  - i) Identify subcontracting opportunities for the affected community.
  - j) Arrange for staff at all centers to attend OSD procurement training.

22. Grantee shall also provide the following services:

- a) Maximize referrals between state and federal agencies regarding all subjects of interest to the small business community.
- b) Offer resources and services to the electronic commerce industry.

## II. Performance Standards

- A. Grantee shall meet performance standards as outlined in Attachment I under this Grant Agreement.
- B. Client contact information on activities in Attachment A, Section I shall be provided by the Grantee to the EDA in a format to be agreed upon by the parties.

## III. Audit Requirements

- A. Any audit required under Section XIII of this Grant Agreement will be conducted on an organization-wide basis and on the Grantee's fiscal year. It is the EDA's understanding the Grantee's fiscal year ends on June 30 of each calendar year.
- B. Any changes in the fiscal year must be reported immediately to the EDA.
- C. Copies of audit reports must be submitted to the EDA.
- D. Grantees must assure the EDA that auditors satisfactorily comply with the General Accounting Office's Government Auditing Standards (Yellow Book) for internal and external quality control review program requirements.
- E. The Grant is subject to audit as part of the normal annual audit of the Grantee institution. The audit must comply with the applicable Federal OMB circular, the Department of the Treasury, Circular Letter 98-07, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid Payments, and New Jersey Grant Compliance Supplement. In addition to these audit requirements, the Grant may also be subject to audit and/or programmatic review by the EDA.
- F. The following method has been designated in performing audits.
  - State auditors
  - EDA internal auditors
  - CPA firm appointed by the EDA
  - CPA firm appointed by the Grantee
  - To be included in the Grantee's organization-wide audit
- G. Grants which are basically procurement in nature and less than \$ NA shall not be subject to the audit requirements contained in Section XIII of this Grant.

**IV. Statement to Adequacy of Accounting System**

A statement attesting to the adequacy of the Grantee's accounting system in accordance with the standards set forth in Section VIII, Financial Management System of this Grant.

Must be completed by the Chief Financial Officer

Is not required

**V. Budget Revision and Modification**

All budget revisions and modifications must be in writing and approved by the EDA using Attachment H. The following procedures will be required for budget revisions and modifications:

- A. For all Grants refer to Section XV.
- B. The budget variance request must be submitted in writing by the Grantee and must include an explanation of reasons for the variance request.

Since the Grantee is not to incur expenditures over and above the limits set for budget variances, it is incumbent on the Grantee to request budget variance approval whenever it is anticipated that spending will exceed the limits.

**VI. Program Income**

Other program income, if any, as defined in Section XIII, shall be treated by the Grantee in the following manner:

Added to funds committed to the project by the Commission and be used to further eligible program objectives; or

Deducted from the total project costs for the purpose of determining the net costs on which the Commission Grant payments shall be based.

Cost sharing or matching method (Using program income to meet cost sharing or matching requirements.)

Not Applicable.

**VII. Reporting and Payment (See Sections IX and XIX of this Grant)**

- A. Reports and payments shall be made by the EDA to the Grantee on a quarterly basis.
- B. The Grantee shall provide to the EDA the following metrics on a quarterly basis. All of the metrics shall be broken out by individual SBDC location.
  - 1. A quarterly report the measuring the activity and achievements against the Performance Standards agreed upon by both parties prior to the commencement of the granting period (Attachment I).

- a) Clients serviced through 1) counseling, 2) training and/or 3) information during marketing and outreach, reported under these three categories of services received:
    - i. Number of distinct businesses serviced
    - ii. Percentage of SBE/MBE/WBE serviced, based upon the State designation NOTE: This metric specifically relates to the total number of small business counseled clients who fall within the State's definition of "small business;" the total number of business clients who are "minority-owned businesses;" and the total number of small business clients that are "women-owned businesses" (regardless of SBE registration or MBE/WBE certification status at the OSD).
    - iii. Percentage of type of business via lifecycle (e.g., start-up, in business between 1-5 years, between 5-10 years, more than 10 years, etc.)
    - iv. Percentage of all businesses served still in operation at the close of the FY by type (based on a survey of the relative sample population) *Note: This metrics indicator applies to all existing businesses, start-ups and pre-ventures.*
  - b) Jobs created and retained among SBDC clients (by quarter and relative to previous years)
  - c) Loans facilitated
    - i. Average loan value
    - ii. Type of assistance provided (e.g., packaging loan application, etc.)
  - d) State procurement contracts in alignment with OSD
    - i. Average value of contracts
    - ii. Percentage SBE/MBE/WBE *Note: This metrics indicator relates to the percentage of all those small businesses or small business owners who received assistance in the procurement specialty area who have consummated procurement contracts.*
    - iii. Type of counseling provided (e.g., help with MBE/WBE certification application, etc.)
  - e) Revenue/Expenses (including state funding all sources of revenue & solely state funding), as further set forth at Attachment C.
2. Based upon the fiscal year of July 1, 2008 through July 30, 2009, quarterly periods of work are defined as:

Quarter	Months	Reports due
First	July 1 through September 30	within 45 days
Second	October 1 through December 31	after close of
Third	January 1 through March 30	quarter
Fourth	April 1 through June 30	

- 3. An invoice of budgeted expenditures per quarter, certified by the Grantee's designated Financial Officer or their representative, shall be submitted to the EDA within 45 days of the end of each quarterly reporting period. See Attachment C for a sample invoice.
- C. The Grantee's financial reports shall be prepared in a manner consistent with the Grantee's normal accounting records, which is:
- Cash Basis     Accrual Basis     Other (Specify)
- D. Revenue (including state funding and all sources of revenue) and Expenses are to be projected for FY2009 in a format established in Attachment B and submitted to EDA by a date established by EDA.

**VIII. Bonding and Insurance**

N/A  
**Type of Insurance Required:**  
N/A

**IX. Interest**

A. Charges for Unresolved Audit Findings

An interest charge on unallowable costs that are not repaid by the Grantee shall begin to accrue 30 days from the date the Grantee is notified of the debt. The interest shall continue to accrue while any appeal of the audit findings is underway. In the event the Grantee is successful in its appeal, the accrued interest will be eliminated.

B. Interest Earned on Advanced Payments

Under OMB Circular A-110, Grants and Cooperative Agreements, Grantees or Sub-Grantees are required to maintain advances of Federal grant funds (if any) in interest bearing accounts, unless an exception applies (advances received are less than \$120,000; interest would not earn in excess of \$250 per year).

In addition, Grantees must deposit advances of State Grants and State Aid payments in interest bearing accounts. However, the Commission shall determine if interest on advanced State payments exceeding \$250 shall be remitted to the Commission or applied to the Grant.

In accordance with Terms and Conditions of the award, interest earned on advanced payments shall be reported.

**X. Other Grant Provisions**

- A. It is the Commission's understanding that the Grantee's fiscal year ends on 6/30. Any changes in the fiscal year must be reported immediately to the Commission.

GRANT AGREEMENT BETWEEN THE  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

AND

RUTGERS, THE STATE UNIVERSITY

APPROVED BUDGET – ATTACHMENT B

Grant No. FY2009 Small Business  
FOR THE PERIOD 7/1/08 - 6/30/09

<u>Budget Categories</u>	<u>Grant</u>	<u>Other State</u>	<u>Other Funds</u>	<u>Federal</u>	<u>Total Budget</u>
Revenue by category	\$	\$	\$	\$	\$
Total revenue	\$	\$	\$	\$	\$
Expenditures by category	\$	\$	\$	\$	\$
Total budgeted costs	\$	\$	\$	\$	\$

**GRANT AGREEMENT BETWEEN THE  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**AND**

**RUTGERS, THE STATE UNIVERSITY**

**COMPARISON OF ACTUAL EXPENDITURES TO BUDGET – ATTACHMENT C**

**Grant No. FY2009 Small Business**

Grantee Name: Rutgers, The State University  
Address: Office of Research & Sponsored Prgms.  
New Brunswick, NJ 08901

Grant No. Fiscal Year 2009 Small Business  
Grant Term: 7/1/08 - 6/30/09  
Report Period: \_\_\_\_\_

<u>BUDGET CATEGORY</u>	<u>APPROVED BUDGET</u>	<u>EXPENDITURES THIS PERIOD</u>		<u>CUMULATIVE EXPENDITURES</u>		<u>BALANCE</u>	
		GRANT	ALL OTHER FUNDS	GRANT	ALL OTHER FUNDS	GRANT	ALL OTHER FUNDS

TOTAL EXPENDED

LESS: GRANTEE SHARE

REIMBURSABLE AMOUNT

Certification

I hereby certify that under the penalties of the law that the information contained herein is correct that it corresponds to books and records at this agency; the expenditures reported were made solely for the purposes specified in the contract for this project and that all applicable charges are just and due.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature-Financial Officer

**GRANT AGREEMENT BETWEEN THE  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**AND**

**RUTGERS, THE STATE UNIVERSITY**

**PROGRAM SPECIFICATIONS – ATTACHMENT D**

**Grant No. FY2009 Small Business**

Briefly describe the services the EDA is acquiring. Specify the products or reports on services to be generated, the dates such must be completed and delivered to the EDA and OSD, the target population to be serviced, and the expected result.

**I Services Acquired by the EDA**

The New Jersey Small Business Development Center (SBDC) network, headquartered at Rutgers Business School Graduate Programs, partners with EDA, OSD and other service providers to assist the Small, Women and Minority Business community on behalf of the State.

The SBDC network is part of a national partnership between the federal and state governments, college and universities and the private sector. Specifically, NJSBDC HQ receives funding from the State through EDA, host educational and business institutions and corporate sources, which is then leveraged to bring in matching dollars from the U.S. Small Business Administration on a 2:1 basis.

NJSBDC HQ manages eleven full-time regional centers and eighteen affiliated offices throughout the State. The Network also includes specialty counseling and training programs for entrepreneurs involved in international trade, government procurement, technology commercialization and manufacturing. A variety of educational and business resources, including the latest Internet and online technologies are used to counsel and train small business owners as they deal with financing, marketing and managing their companies.

**II Grant Terms Relating to EDA Goals**

See Attachment A, Sections I and II “Performance of Services” and “Performance Standards” and Attachment I, “Performance Standards”.

GRANT AGREEMENT BETWEEN THE  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

AND

RUTGERS, THE STATE UNIVERSITY

AUTHORIZED SIGNATORIES – ATTACHMENT E

Grant No. FY2009 Small Business

The following Grantee representatives are authorized to approve actions noted below on behalf of Grantee.

CONTRACT AMENDMENT

Jacqueline Cornelius, Director For Research  
and Sponsored Programs

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

BUDGET MODIFICATION

Jacqueline Cornelius, Director For Research  
and Sponsored Programs

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

EXPENDITURE REPORT DOCUMENTS

Guyaram Narine, Manager for Grant Accounting  
\_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

**GRANT AGREEMENT BETWEEN THE  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**AND**

**RUTGERS, THE STATE UNIVERSITY**

**STATEMENT OF ADEQUACY OF ACCOUNTING SYSTEM – ATTACHMENT F**

**Grant No. FY2009 Small Business**

Caren Franzini, Chief Executive Officer  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
P O Box 990  
Trenton, New Jersey 08625-0990

Ms. Franzini:

I am the Manager, Grant Accounting of the Rutgers, The State University - Newark and in this capacity, I will be responsible for establishing and maintaining the financial accounts for NJSBDC. The accounting system that will be established and maintained for the purposes of this Grant will be adequate to:

1. provide for accurate identification of the receipts and expenditures of funds provided by EDA per the approved budget cost categories.
2. provide for documentation supporting each book entry, filed in such a way that it can be readily located.
3. provide accurate and current financial reporting information.
4. be integrated with a strong system of internal controls.
5. provide accurate and identifiable records of any required match portion of this Grant, and
6. will conform to any and all requirements of guidelines that the Federal Government and State of New Jersey may issue.

Date

\_\_\_\_\_  
Guyaram Narine, Mgr., Grant Accounting  
Rutgers, The State University

GRANT AGREEMENT BETWEEN THE  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

AND

RUTGERS, THE STATE UNIVERSITY

CONTRACT AMENDMENT FORM – ATTACHMENT G

Grant No. FY2009 Small Business

Recipient's Name: \_\_\_\_\_ Project No.: \_\_\_\_\_

Budget Period: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Section I: Reason for Amendment

- \_\_\_\_\_ 1. Change in Contract Term (New Term \_\_\_\_\_ to \_\_\_\_\_)
- \_\_\_\_\_ 2. Change in Type of Service
- \_\_\_\_\_ 3. Change in Level of Service
- \_\_\_\_\_ 4. Change in Program Methodology
- \_\_\_\_\_ 5. Other - Please Explain Below
- \_\_\_\_\_ 6. Change in Total Contract Amount

Section II: Justification

Section III: Approvals

Grantee  
Representative: \_\_\_\_\_ Date: \_\_\_\_\_

EDA  
Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**GRANT AGREEMENT BETWEEN THE  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**AND**

**RUTGERS, THE STATE UNIVERSITY**

**BUDGET MODIFICATION FORM – ATTACHMENT H**

**Grant No. FY2009 Small Business**

Recipient's Name: \_\_\_\_\_ Project No: \_\_\_\_\_

Budget Period: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

<b>Budget Category</b>	<b>Present Budget</b>	<b>Proposed Increase (+)</b>	<b>Proposed Decrease (-)</b>	<b>Revised Budget</b>
Salaries				
Fringe Benefits				
Contractual				
Other				
Total Direct Cost				
Less: Grantee Share				
<b>TOTAL AMOUNT</b>				

**Justification for Budget Modification:** (Please attach a separate sheet detailing the reasons)

- \_\_\_\_\_ 1. Change in Total Contract Amount
- \_\_\_\_\_ 2. Addition or Deletion of a Budget Category

Grantee Representative: \_\_\_\_\_ Date: \_\_\_\_\_

EDA Representative: \_\_\_\_\_ Date: \_\_\_\_\_

## Attachment I - Performance Standards

ACTIVITY Clients	FY2008		FY2009		EDA Agreement*** rounded	Reporting Structure Agreement quarterly reports
	Plan	Actual	Adjustment* % decrease	SBDC Proposal rounded		
<b>Service Categories</b> Description business lifecycle Note: participants counted more than once		40% in business				business sector - suggested categories: auto/transportation care-day & adult cleaning/facility maintenance consulting contracting design/fabrication e-commerce entertainment food franchise graphics/video production health&beauty human resources lawn/property maintenance manufacturing marketing pet care printing/publishing real estate retail security/safety technology training and education wholesale/export & import Other - please specify sector
Training	16,109 800	16,889 942	25% 25%	12,667 707	13,000 700	training topic - suggested categories Readiness Assessments Start-up Business Planning Sales & Marketing Business Operations Workforce/HR # of participants trained who move into counseling
Counseled	6,033	6,290	25%	4,718	4,700	mentoring area - same categories as above hours invested (range) suggested ranges: 1-3, 4-8, 9-12 and additional hours
Marketing/Outreach Procurement Events					1 11	participate with OSD OSD to participate with SBDC regions
Clients					900	OSD and SBDC in partnership; OSD - state contracting; SBDC - federal and corporate contracting
EDA Open Door Day SB forums Open Door Day					1-2 12-16	participate, market and refer clients

## Attachment I - Performance Standards

Delivery Procurement Clients	Service Categories Description <i>Note: participants counted more than once</i>	FY2008		Adjustment*	FY2009	EDA Agreement***	Reporting Structure Agreement
		Plan	Actual				
Training		1,900	1,220	25%	915	900	categorize - S, W, M-owned enterprises business sector categories suggested above
	Counseled		495	25%	371	400	
			1,715		1,287	1,300	reciprocal referral relationship between OSD and SBDC categorize by topic - suggested categories listed above match expertise to RFP business focus hours invested (range) - suggested ranges listed above

## Attachment I - Performance Standards

Delivery Results	Service Categories Description	FY2008		Adjustment*	FY2009 EDA Agreement***	Reporting Structure Agreement
		Plan	Actual			
Jobs Created Retained			2,226 8,573			include results in report
Loan Packaging	financing including equity average loan size # of loans/value	\$32 million	\$41,478,661 \$220,524 120 / \$26,462,929	20%	\$33 million	loan data - total loan amount, city/county, financial institution, business sector, etc. measure by range: up to \$100,000 \$100,000 - 500,000 \$500,000 - \$1,000,000 over \$1,000,000
EDA loan referrals					40	list firms 10 closed loans including 3 SWMBE - EDA tracks indicate which financial institution is participating
Procurement Registrations Certifications	SBE MBE WBE		210 123 95		200 125 100	list recipients
Contracts	Total value	\$22,000,000	\$22,000,000	\$22,000,000	\$22,000,000	amount of State, federal and corporate measure by range - ranges defined above categorize by S, W, M-owned enterprises business sector - categories suggested above
	State Federal Corporate		\$7,662,000	\$7,662,000	\$6,750,000	
Success Stories	narrative of how the SBDC assistance impacted a small business (one page)					5 success stories per quarter including 2 related to procurement

**NOTES**

\*50% reduction in state funding

\*\*Office of Supplier Diversity

\*\*\*based upon Legislative appropriation for FY2009