



## **MEMORANDUM**

**TO:** Members of the Authority  
**FROM:** Caren S. Franzini  
Chief Executive Officer  
**DATE:** October 12, 2010  
**SUBJECT:** Agenda for Board Meeting of the Authority October 12, 2010

### **Notice of Public Meeting**

#### **Roll Call**

#### **Approval of Previous Month's Minutes**

#### **Chief Executive Officer's Monthly Report to the Board**

#### **Authority Matters**

#### **Bond Projects**

#### **Loans/Grants/Guarantees**

#### **Incentive Programs**

#### **Board Memorandums**

#### **Real Estate**

#### **Executive Session – OPMA Exemption N.J.S.A. 10:4-12b(7)**

#### **Public Comment**

#### **Adjournment**

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**September 16, 2010**

**MINUTES OF THE MEETING**

Members of the Authority present: Al Koepp, Chairman; Steve Petrecca representing the State Treasurer; Joe Latoof representing the Commissioner of the Department of Labor and Workforce Development; Magdalena Padilla representing the Commissioner of the Department of Environment Protection; Public Members: Joseph McNamara, Vice Chairman; Laurence Downes, Marjorie Perry, Raymond Burke, First Alternate Public Member; Elliot M. Kosoffsky, Second Alternate Public Member; Kevin Brown, Third Alternate Public Member; and Rodney Sadler, Non-Voting Member.

Present via conference call: Richard Poliner representing the Commissioner of the Department of Banking and Insurance, and Public Members Timothy Carden, and Steve Plofker.

Absent: John Hutchison representing the Lt. Governor's office, and Public Members Charles Sarlo, and Richard Tolson.

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

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

Pursuant to the Internal Revenue Code of 1986, Ms. Franzini announced that this was a public hearing and comments are invited on any Private Activity bond projects presented today.

In accordance with the Open Public Meetings Act, Ms. Franzini announced that notice of this meeting has been sent to the *Star Ledger* and the *Trenton Times* at least 48 hours prior to the meeting, and that a meeting notice has been duly posted on the Secretary of State's bulletin board at the State House.

**MINUTES OF AUTHORITY MEETING**

The next item of business was the approval of the August 10, 2010 meeting minutes. A motion was made to approve the minutes by Mr. Latoof, seconded by Mr. Burke, and was approved by the 12 voting members present.

Mr. Sadler entered the meeting at this time.

Ms Padilla entered the meeting at this time.

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 is to approve the committee appointments, appointment of the assistant secretaries, election of a vice chair and treasurer, and adopt a schedule for monthly Board meetings through September 2011.

**MOTION TO APPROVE: Mr. McNamara      SECOND: Mr. Brown AYES: 13  
RESOLUTION ATTACHED AND MARKED EXHIBIT:1**

The next item is to approve a Memorandum of Understanding between the Authority and the Department of State to assign staff from the EDA's Business Retention and Attraction Division to the Department of State.

**MOTION TO APPROVE: Mr. Downes SECOND: Mr. McNamara AYES: 13  
RESOLUTION ATTACHED AND MARKED EXHIBIT: 2**

The next item is to approve the Authority's independent auditor for fiscal years 2010-2012 (2010-RFQ/P-001).

**MOTION TO APPROVE: Mr. Latoof SECOND: Ms. Perry AYES: 13  
RESOLUTION ATTACHED AND MARKED EXHIBIT: 3**

The next item is a chart outlining the resolved executive session items from the past calendar year. **(For informational purposes only)**

### **AMENDED BOND RESOLUTIONS**

The next item is to approve supplemental loan agreements and trust indentures for each of the three series of tax exempt bonds for Pivotal Utility Holdings, Inc. to terminate and cancel the insurance policies provided by the insurers insuring the payment of the series bonds at the request of the sole bondholder and the remarketing of the bonds with the new letter of credit. As the Modification Request provides for the remarketing of each bond series at the same time with new credit enhancement and without the distressed bond insurers; staff recommends and requests the adoption of three (3) separate amended bond resolutions as follows:

The adoption of an Amended Bond Resolution for the 1996 Bonds (Appl. # P08623) to approve (i) the termination and cancellation of the insurance policy provided by Ambac; (ii) the addition of a new letter provided by JPMorgan Chase Bank, N.A. to secure the 1996 Bonds; (iii) the subsequent remarketing of the bonds by J.P. Morgan Securities LLC with the new letter of credit; and (iv) other necessary action that may be required to accomplish the foregoing.

**MOTION TO APPROVE: Mr. Latoof SECOND: Ms. Perry AYES: 13  
RESOLUTION ATTACHED AND MARKED EXHIBIT: 4**

The adoption of an Amended Bond Resolution for the 2005 Bonds (Appl. P16448) to approve (i) the termination and cancellation of the insurance policy provided by Ambac; (ii) the addition of a new letter provided by Bank of Tokyo-Mitsubishi UFJ, Ltd. to secure the 2005 Bonds; (iii) the subsequent remarketing of the bonds by SunTrust Robinson Humphrey with the new letter of credit; and (iv) other necessary action that may be required to accomplish the foregoing.

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

The adoption of an Amended Bond Resolution for the 2007 Bonds (Appl. P 18067) to approve (i) the termination and cancellation of the insurance policy provided by FGIC; (ii) the addition of a new letter provided by JPMorgan Chase Bank, N.A. to secure the 2007 Bonds; (iii) the subsequent remarketing of the bonds by J.P. Morgan Securities LLC with the new letter of credit; and (iv) other necessary action that may be required to accomplish the foregoing.

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

**PROJECT:** Public Service Electric and Gas Company **APPL.#33052**

**LOCATION:** Various

**PROCEEDS FOR:** refinance existing debt

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

**MOTION TO APPROVE: Mr. Petrecca      SECOND: Mr. Latoof      AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 7**

**Chairman Koeppe abstained due to his prior association with PSEG.**

**COMBINATION PRELIMINARY AND BOND RESOLUTIONS**

**PROJECT:** Bnos Bais Yaakov, Inc. **APPL.#33146**

**LOCATION:** Lakewood/Ocean Cty.

**PROCEEDS FOR:** refinance existing debt

**FINANCING:** \$3,800,000 Tax-Exempt Bond

**MOTION TO APPROVE: Mr. Latoof      SECOND: Mr. Kosoffsky      AYES: 13**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 8**

**PUBLIC HEARING:** Yes

**PUBLIC COMMENT:** None

**PROJECT:** Children's Aid and Family Services, Inc. **APPL.#32828**

**LOCATION:** Paramus/Bergen Cty.

**PROCEEDS FOR:** refinance existing debt

**FINANCING:** \$2,000,000 Tax-Exempt Bank Qualified Bond

**MOTION TO APPROVE: Ms. Perry      SECOND: Mr. Burke      AYES: 13**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 9**

**PUBLIC HEARING:** Yes

**PUBLIC COMMENT:** None

**PROJECT:** Children's Aid and Family Services, Inc. **APPL.#32829**  
**LOCATION:** Paramus/Bergen Cty.  
**PROCEEDS FOR:** refinance existing debt  
**FINANCING:** \$1,975,000 Tax-Exempt Bank Qualified Bond  
**MOTION TO APPROVE: Mr. Latoof SECOND: Ms. Perry AYES: 13**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 9**  
**PUBLIC HEARING:** Yes  
**PUBLIC COMMENT:** None

**PRELIMINARY RESOLUTIONS**

**PROJECT:** Intermodal Materials Management, LLC **APPL.#32874**  
**LOCATION:** North Bergen/Hudson Cty.  
**PROCEEDS FOR:** building construction  
**MOTION TO APPROVE: Mr. Downes SECOND: Mr. Latoof AYES: 13**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 10**

**PROJECT:** Weiss-Aug Co., Inc. **APPL.#33025**  
**LOCATION:** East Hanover/Morris Cty.  
**PROCEEDS FOR:** equipment & machinery purchase  
**MOTION TO APPROVE: Mr. Brown SECOND: Ms. Perry AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 11**  
**Mr. Carden left the call at this time.**

**DIRECT LOANS**

**PROJECT:** Fantasy Furniture, Inc. or Nominee **APPL.#32851**  
**LOCATION:** Hillside/Union Cty.  
**PROCEEDS FOR:** building acquisition  
**FINANCING:** \$350,000 direct loan  
**MOTION TO APPROVE: Mr. Kosoffsky SECOND: Mr. Latoof AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:12**

**PETROLEUM UNDERGROUND STORAGE TANK PROGRAM**

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

**MOTION TO APPROVE: Ms. Perry SECOND: Mr. Latoof AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 13**

**PROJECT:** Linda Mahland Ballantine **APPL.#32750**  
**LOCATION:** Eatontown/Monmouth Cty.  
**PROCEEDS FOR:** upgrade, closure and site remediation  
**FINANCING:** \$163,403 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

**PROJECT:** Solomon's Service Station **APPL.#32026**  
**LOCATION:** Ewing/Mercer Cty.  
**PROCEEDS FOR:** upgrade, closure and site remediation  
**FINANCING:** \$175,894 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

**PROJECT:** Helen Tweed **APPL.#31141**  
**LOCATION:** Shrewsbury/Monmouth Cty.  
**PROCEEDS FOR:** upgrade, closure and site remediation  
**FINANCING:** \$121,770 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

**PROJECT:** Katie Wright **APPL.#32319**  
**LOCATION:** Princeton/Mercer Cty.  
**PROCEEDS FOR:** upgrade, closure and site remediation  
**FINANCING:** \$140,704 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 2010. **(For Informational Purposes Only)**

### **HAZARDOUS DISCHARGE SITE REMEDIATION FUND PROGRAM**

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

**MOTION TO APPROVE: Ms. Perry      SECOND: Mr. Latoof      AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 14**

**PROJECT:** Borough of National Park (Hawthorne Sanitary Landfill) **APPL.#32343**  
**LOCATION:** National Park/Gloucester Cty.  
**PROCEEDS FOR:** remedial investigation  
**FINANCING:** \$104,946 Hazardous Discharge Site Remediation Fund

**PROJECT:** Township of Woodbridge (Fifth District Park) **APPL.#32209**  
**LOCATION:** Woodbridge/Middlesex Cty.  
**PROCEEDS FOR:** remedial action  
**FINANCING:** \$287,087 Hazardous Discharge Site Remediation Fund

**PROJECT:** Teaneck Community Charter School **APPL.#32621**  
**LOCATION:** Teaneck/Bergen Cty.  
**PROCEEDS FOR:** remedial investigation  
**FINANCING:** \$102,116 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 2010. **(For Informational Purposes Only)**

### INCENTIVE PROGRAMS

#### BUSINESS INCENTIVE EMPLOYMENT PROGRAM

**PROJECT:** Amneal Pharmaceuticals LLC and affiliates **APPL.#32941**  
**LOCATION:** Piscataway/Middlesex Cty. **BUSINESS:** pharmaceuticals  
**GRANT AWARD:** 80% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Latoof **SECOND:** Mr. Downes **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 15

**PROJECT:** Flaum Appetizing Corp. **APPL.#32737**  
**LOCATION:** TBD **BUSINESS:** food products  
**GRANT AWARD:** 35% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Petrecca **SECOND:** Ms. Perry **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 15

**PROJECT:** FlightSafety International Inc. **APPL.#33007**  
**LOCATION:** Teterboro/Bergen Cty. **BUSINESS:** educational services  
**GRANT AWARD:** 55% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Petrecca **SECOND:** Ms. Perry **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 15

**PROJECT:** MedNet Healthcare Technologies, Inc. and affiliate **APPL.#32855**  
**LOCATION:** TBD **BUSINESS:** health care  
**GRANT AWARD:** 30% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Latoof **SECOND:** Ms. Perry **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 15

**PROJECT:** MedNet Healthcare Technologies, Inc. and affiliate **APPL.#32855**  
**LOCATION:** TBD **BUSINESS:** health care  
**GRANT AWARD:** \$72,600 (estimate), 5 years Business Retention and Relocation Assistance Grant  
**MOTION TO APPROVE:** Mr. Latoof **SECOND:** Ms. Perry **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 16

**PROJECT:** Schar USA, Inc. **APPL.#32906**  
**LOCATION:** Logan Twp./Gloucester Cty. **BUSINESS:** food products  
**GRANT AWARD:** 50% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Latoof **SECOND:** Mr. Kosoffsky **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 15

The next item was a request from Pfizer, Inc.  
*This item was withheld from consideration.*

### **BUSINESS RETENTION AND RELOCATION ASSISTANCE GRANT**

The next item was to approve the BRRAG Tax Credit Certificate Transfer Program application of Direct Cabinet Sales to transfer unused tax credits to Susquehanna Bank.  
**MOTION TO APPROVE:** Mr. Latoof **SECOND:** Ms. Perry **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 17

The next item was to approve the BRRAG Tax Credit Certificate Transfer Program application of Wyndham Worldwide Operations to transfer unused tax credits to Susquehanna Bank, Susquehanna Trust & Investment Company, and Susquehanna Commercial Finance.  
**MOTION TO APPROVE:** Mr. Latoof **SECOND:** Ms. Perry **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 18

### **BROWNFIELD REIMBURSEMENT PROGRAM**

**PROJECT:** Quick Chek Corporation  
**LOCATION:** Bayonne/Hudson Cty.  
**REIMBURSEMENT GRANT:** Up to \$447,527  
**MOTION TO APPROVE:** Ms. Perry **SECOND:** Mr. Kosoffsky **AYES:** 12  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:** 19

### **URAN TRANSIT HUB TAX CREDIT PROGRAM**

The next item was a request from Wakefern.  
*This item was withheld from consideration.*

**TECHNOLOGY BUSINESS TAX CERTIFICATE TRANSFER PROGRAM**

The next item was to approve a total of 68 benefit requests 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 21 benefit requests that failed any of the threshold criteria. These companies have not met the criteria for approval as described in the Project Score sheets.

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

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 20**

**ECONOMIC REDEVELOPMENT AND GROWTH (ERG) GRANT PROGRAM**

**PROJECT:** 810 Broad Street, LLC

**LOCATION:** Newark/Essex Cty.

**REIMBURSEMENT GRANT:** Up to \$4,700,238

**MOTION TO APPROVE: Mr. Latoof SECOND: Mr. Burke AYES: 12**

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 21**

**BOARD MEMORANDUMS**

**PROJECT:** Tompkins Point Industrial Park, LLC

**:APPL.#08526**

**LOCATION:** Newark/Essex Cty.

**FINANCING:** \$1,857,000 Tax-Exempt Bond

**REQUEST;** Consent to an interest rate reduction from 6.0% to 4.0% and modification of the interest rate provisions of the conduit Bond

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

**RESOLUTION ATTACHED AND MARKED EXHIBIT:22**

The next item was a request from HK Buzby & Sons, Inc.

*This item was withheld from consideration.*

**PROJECT:** NRG Thermal LLC

**APPL.#29072 & 30386**

**LOCATION:** Plainsboro/Middlesex Cty.

**FINANCING:** \$3,000,000 CESCOI loan and \$2,000,000 CESCOI grant

**REQUEST;** (1) modify the board approval to reflect the additional indebtedness and base the cash flow analysis on the projected performance of NRG Princeton, NRG Thermal, and Northwind Phoenix; (2) approve the Authority to enter into a six month standstill agreement and (3) decrease the loan term from 10 years fully amortizing to five years fully amortizing.

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

**RESOLUTION ATTACHED AND MARKED EXHIBIT: 23**

The next item is a summary of projects approved under Delegated Authority in August 2010.  
**(For Informational Purposes Only)**

**New Jersey Business Growth Fund:** Joy Holding LLC or Nominee; Karatonis Realty, LLC;  
Knock-out Graphics, Inc. or Nominee

**PNC Business Growth Fund: Modification:** Knockout Graphics, Inc.

**Statewide Loan Pool Program Modification:** Metro 130 Equities, LLC

### **REAL ESTATE**

The next item is to approve (1) entering into a lease agreement with DCM Architecture and Engineering, LLC for approximately 2,548 square feet of fourth floor office space at the Waterfront Technology Center at Camden and (2) a Business Lease Incentive Grant for approximately \$22,932 payable over two years.

**MOTION TO APPROVE: Mr. Brown    SECOND: Ms. Perry            AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 24**

The next item is to grant Laboratory Corporation of America (LabCorp), a current tenant at the Trenton Office Complex's retail space, a Lease extension of three years.

**MOTION TO APPROVE: Mr. Latoof    SECOND: Ms. Perry            AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT:25**

The next item is to add a termination option to the pending five-year lease execution with Sophion Bioscience, Inc. for 5,125 square feet of generic wet lab space in the Tech III building.

**MOTION TO APPROVE: Mr. Petrecca    SECOND: Ms. Perry            AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 26**

**PUBLIC COMMENT**

There was no comment from the public.

There being no further business, on a motion by Mr. Petrecca, and seconded by Ms. Perry, the meeting was adjourned at 11:35am.

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 24, 2010**

**MINUTES OF THE SPECIAL MEETING**

Members of the Authority present: Steve Petrecca representing the State Treasurer; Joe Latoof representing the Commissioner of the Department of Labor and Workforce Development; John Hutchison representing the Lt. Governor's office.

Present via conference call: Al Koepp, Chairman; Richard Poliner representing the Commissioner of the Department of Banking and Insurance; Michele Siekerka representing the Commissioner of the Department of Environment Protection; Public Members Joseph McNamara, Vice Chairman; Timothy Carden, Laurence Downes, Charles Sarlo, Raymond Burke, First Alternate Public Member, Kevin Brown, Third Alternate Public Member

Absent: Public Members: Marjorie Perry, Richard Tolson, Elliot M. Kosoffsky, Second Alternate Public Member, Rodney Sadler, Non-Voting Member.

Also present: Maureen Hassett, Senior Vice President, Governance and Public Information; Bette Renaud, Deputy Attorney Generals, and guests.

Also present by phone: Caren Franzini, Chief Executive Officer of the Authority C

Chairman Koepp called the meeting to order at 12 p.m.

Pursuant to the Internal Revenue Code of 1986, Ms. Hassett 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. 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.

**INCENTIVE PROGRAMS**

**BUSINESS INCENTIVE EMPLOYMENT PROGRAM**

**PROJECT:** Pfizer, Inc. **APPL.#32901**  
**LOCATION:** Madison Borough/Morris Cty. **BUSINESS:** biopharmaceutical  
**GRANT AWARD:** 70% Business Employment Incentive grant, 10 years  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. Latoof **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 1**

**BOARD MEMORANDUMS**

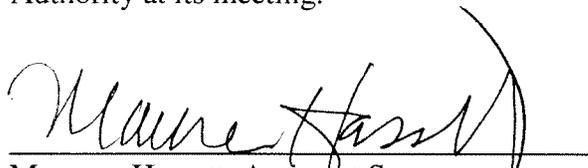
**PROJECT:** Lehman Brothers Holdings, Inc. **APPL.#16324**  
**LOCATION:** Various  
**REQUEST:** Extension of acquisition deadline on structured finance project.  
**MOTION TO APPROVE:** Mr. Carden **SECOND:** Mr. Latoof **AYES: 12**  
**RESOLUTION ATTACHED AND MARKED EXHIBIT: 2**

**PUBLIC COMMENT**

There was no comment from the public.

There being no further business, on a motion by Mr. Latoof, and seconded by Mr. Hutchison, the meeting was adjourned at 12:20 pm.

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

  
Maureen Hassett, Assistant Secretary



## MEMORANDUM

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

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

### EDA NEWS

#### **Coca-Cola Breaks Ground on New Shipping and Distribution Center in South Brunswick**

Governor Chris Christie and Lieutenant Governor Kim Guadagno were among the many dignitaries to join Coca-Cola in breaking ground on its new shipping and distribution center in South Brunswick that will allow New Jersey to retain this Fortune 500 Company and its 1,000 employees. The new 240,000 sq. ft. LEED certified facility will initially employ over 650 drivers, merchandisers, account managers, distribution, sales and warehouse personnel. The construction of this new facility, coupled with an expansion of Coca Cola's existing operations in Carlstadt, will enable the company to consolidate operations from its Asbury Park, North Brunswick, and Parsippany facilities that are each over 50 years old and no longer meet Coca Cola's operational needs. Although Coca Cola chose not to take advantage of any state incentives, the company credits its interaction with the Governor's Office, Lt. Governor's Office, and EDA as being a part of its decision to stay in New Jersey, as opposed to opening a new facility in Philadelphia, which the company had initially considered.

#### **Pinnacle Foods Utilizes BEIP and BRRAG for Cherry Hill Expansion**

Lt. Governor Guadagno and I recently joined Pinnacle Foods Group in celebrating its expansion into a new 57,000 sq. ft. facility in Cherry Hill's Woodcrest Corporate Center. Pinnacle Foods, a leading manufacturer, marketer, and distributor of high quality, convenience food products, received a Business Employment Incentive Program (BEIP) grant for nearly \$920,000 and a Business Retention and Relocation Assistance Grant (BRRAG) for just over \$186,000 to support its growth in this new facility. As part of this expansion, the company announced that it will retain 130 employees and plans to hire an additional 90 employees at the new Cherry Hill facility. In addition, Pinnacle Foods invested over \$4 million into the project.

## **Atlantic Coast Media Group Opens New Headquarters in Jersey City**

Atlantic Coast Media Group (ACMG), a leading multi-channel direct marketer of health and beauty brands such as Hydroxatone, Hydrolyze and Luminique, recently celebrated a ribbon cutting of its new headquarters in Jersey City. Linda Kellner, Director of the Business Action Center, was in attendance representing the State of New Jersey, which provided ACMG with a BEIP grant for just over \$3.6 million that will support the relocation of employees from Hoboken to Jersey City, as well as the creation of new jobs. The company, which was recently named to Inc. Magazine's "2010 Inc. 500," has already hired and retained 153 employees with plans to hire about 140 more as a result of the grant. This BEIP assistance is leveraging over \$1 million in capital investment.

## **FINANCING ACTIVITY**

The EDA closed financing and incentives totaling over \$413 million for 213 projects through the end of September. These projects are expected to spur the creation of more than 3,300 new, full-time jobs and more than 3,000 construction jobs and involve total investment of over \$680 million in New Jersey's economy. About half of the closings were with projects in New Jersey's urban communities. Among the financings that closed in September:

**Aricent US Inc.**, which closed a BEIP grant for just over \$2.7 million to support the relocation of 100 employees from New York to East Brunswick. Aricent provides communications software and related services for the communications industry as its software engineering technology and services focuses exclusively on communications. Aricent products support the development of mobile devices and applications, wireless and wireline infrastructure, and carrier operational and business systems, and count nine of the ten largest global service providers and eight of the top ten mobile handset manufacturers as customers. This BEIP assistance is expected to leverage \$1.6 million in private investment.

**Carfaro, Inc.**, which finalized a \$300,000 loan under the Small Business Fund to support the purchase of a 32,000 sq. ft. facility. Carfaro designs, manufactures, and installs metal railings, fencing, columns, and architectural and ornamental metalwork for residential and commercial properties. The company expects to create 20 new jobs within two years as a result of this assistance.

**Family Service of Burlington County, New Jersey** finalized a tax-exempt bond for just over \$4.3 million to refinance existing debt. Family Service of Burlington County is a 501(c)(3) organization that provides behavioral health and wellness services to adults, children and families in nine counties throughout southern and central New Jersey. Family Service has over 60 programs that focus on community integration, integrated substance abuse treatment, strengthening families, preventing hospitalization and improving long term outcomes. EDA has assisted Family Service in the past via a \$1.6 million tax-exempt bond that enabled the organization to acquire a 43,188 sq. ft. facility. The organization will create 10 new jobs as a result of this assistance.

## **EVENTS/SPEAKING ENGAGEMENTS/PROACTIVE OUTREACH**

EDA representatives participated as attendees or exhibitors at 28 events in September. These included the New Jersey Life Science Vendor Alliance Fall Procurement Conference in Woodbridge, Southern Jersey Chamber of Commerce Business Expo in Cherry Hill, Rutgers Life Sciences Venture Breakfast in Piscataway, the 4th Annual New Jersey Real Estate Conference in Newark, Bankers Legislative Day in Trenton, and ribbon cutting/groundbreaking events for Pinnacle Foods in Cherry Hill, ThorLabs in Newton, and Eden Autism Services in Princeton.

Additionally, EDA staff spoke at several events including the New Jersey - China Trade and Investment Networking Luncheon in Trenton that was attended by China's Vice Minister of Commerce and Lt. Governor Guadagno, Energy Master Plan Stakeholder Panel Discussion: Energy, Environment, & Economic Development in Bordentown, and a general meeting of Building Owners and Managers Association to discuss the State of New Jersey's policies to foster economic growth and how it will accrue to the commercial real estate sector.



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## **AUTHORITY MATTERS**



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren Franzini  
Chief Executive Officer

**RE:** Memorandum of Understanding Between EDA and FMERA  
Deferred Payment from FMERA

**DATE:** October 12, 2010

### Summary

The Members are requested to approve the Memorandum of Understanding (MOU) between New Jersey Economic Development Authority (EDA) and the Fort Monmouth Economic Revitalization Authority (FMERA). On September 28, 2010, at its organizational meeting, the FMERA Board voted to approve the MOU. The MOU outlines the roles and responsibilities of the two organizations concerning the Fort Monmouth Office and related support services. As part of the approval of the MOU, the Members are requested to approve a delegation of administrative powers to the Fort Monmouth Office and other EDA personnel.

The Members are further requested to accept a deferment of payment from Fort Monmouth Economic Revitalization Authority (FMERA) to EDA for Support Services for the first 3 months of operations of the Fort Monmouth Office from October 1, 2010 through December 31, 2010 in the amount of \$62,500. Payments will accrue quarterly and have a 3%, annual interest rate.

### Background

On August 17, 2010, the Governor enacted P.L. 2010, c.51, the Fort Monmouth Economic Revitalization Authority Act (Act). Section 6 of the Act states that an office (Fort Monmouth Office) will be established, staffed and managed by EDA to carry out the policies of FMERA and to cooperatively perform the necessary tasks to redevelop Fort Monmouth to the benefit of the three host communities, Monmouth County and the State of New Jersey. The section requires FMERA to rely solely on the Fort Monmouth Office for all services necessary to carry out its mission. The section further provides that FMERA and EDA may enter into any agreements necessary to provide for the establishment, operation, and financial support of the Fort Monmouth Office. Finally, the section provides that FMERA shall pay all costs of the Fort Monmouth Office, pursuant to an annual budget presented by EDA, which budget may be

amended. If FMERA does not have sufficient funds, the section authorizes EDA to accept a deferment of payment from FMERA.

Accordingly, the attached MOU outlines each organization's roles and responsibilities. EDA is responsible for Fort Monmouth Office Personnel who, in accordance with the needs of FMERA to carry out its mission, will procure and administer contracts including consulting services, provide asset management and real estate development services, plan for and manage the assumption of utility services and infrastructure improvements, provide accounting, financial reporting services, and general administrative operating services and other services that may be needed by FMERA to carry out its mission. The MOU also contains the approval of the delegation of administrative powers at levels and amounts which mirror the current EDA delegations. At the recommendation of the FMERA Interim Chairman and Board, staff anticipates vetting future delegated authorities through relevant FMERA committees for referral to the FMERA Board for action.

The MOU also states that EDA will provide additional staff on an as-needed basis to provide Support Services to Fort Monmouth Office Personnel. These Support Services include such items as salary, benefits and payroll administration; human resources support; technical guidance on compliance with procurement law and executive orders; information technology support; and governance and public information.

Annually, EDA will present a budget for approval by the FMERA Board that will cover the costs of providing office space, office equipment and office furniture for the Fort Monmouth Office Personnel and for reimbursing EDA on a quarterly basis for the Fort Monmouth Office Personnel salary and fringe benefits. To pay these expenses, FMERA is expected to receive grant funding from the federal government and appropriations from the State of New Jersey in a proportion of 90% federal funding to 10% state match.

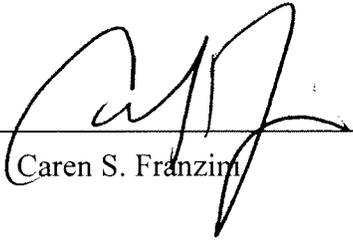
The MOU also provides that the annual budget presented to the FMERA Board will include the anticipated costs and deferred payment (if necessary) for Support Services for the coming year. EDA will be reimbursed for these costs when funding becomes available from such sources as State appropriations, redevelopment activities, fees and other income that may become available. As is the case for Fort Monmouth Office Personnel, deferrals of payment for Support Services will have an interest rate of 3% per annum and accrue quarterly. NJEDA has analyzed the Support Services anticipated in the first 3 months of operation of the Fort Monmouth Office and calculated them to be \$62,500. On September 28, 2010, at its organizational meeting, the FMERA Board voted to approve the MOU.

#### Recommendation

To define the roles and responsibilities of EDA and FMERA with regard to Fort Monmouth Office Personnel and Support Services, to provide for associated costs, and to delegate powers, the Members are requested to approve the MOU between EDA and FMERA.

The Members are further requested to accept a deferment of payment from Fort Monmouth Economic Revitalization Authority (FMERA) to EDA for Support Services for the first 3 months

of operations of the Fort Monmouth Office from October 1, 2010 through December 31, 2010 in the amount of \$62,500. Payments will accrue quarterly and have a 3%, annual interest rate.



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Caren S. Franzini

Prepared by: Gina Behnfeldt

**MEMORANDUM OF UNDERSTANDING  
(STAFFING AND SUPPORT SERVICES)  
between  
FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY (FMERA)  
and  
NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY (NJEDA)**

This Memorandum of Understanding (MOU) dated the 1st day of October, 2010, will confirm the mutual understanding and intention between the New Jersey Economic Development Authority (NJEDA) and the Fort Monmouth Economic Revitalization Authority (FMERA) regarding NJEDA providing office personnel and support services to FMERA in connection with revitalization and reuse of the former military base known as Fort Monmouth (Fort Monmouth). NJEDA and FMERA are collectively referred to herein as the "Parties."

WHEREAS, NJEDA was created pursuant to N.J.S.A. 34:1B-1 et seq.;

WHEREAS, Fort Monmouth, a federally-owned and operated military installation located in the municipalities of Eatontown, Oceanport, and Tinton Falls in Monmouth County, was scheduled for closure on May 13, 2005 by recommendation of the federal Base Realignment and Closure Commission;

WHEREAS, FMERPA was created pursuant to P.L. 2006, c.16 (C.52.27I-1 et seq.) to create a comprehensive conversion and revitalization plan (the Plan) for the revitalization and reuse of Fort Monmouth;

WHEREAS, FMERA was created pursuant to the Fort Monmouth Economic Revitalization Authority Act, P.L. 2010, c.51 (the Act) to be the successor of FMERPA and oversee, administer, and implement the Plan;

WHEREAS, pursuant to Section 6 of the Act, an office was created in NJEDA (the Fort Monmouth Office) to provide all office staff and support services required to carry out the policies set forth by FMERA, in a collaborative manner with the host municipalities and the county;

WHEREAS, NJEDA will incur expenses and overhead associated with providing office staff and support services;

WHEREAS, the Act provides that the costs NJEDA incurs in connection with providing such office staff and support services will be paid by FMERA;

WHEREAS, this MOU is intended to address the role and reimbursement of the Fort Monmouth Office and is not intended to address NJEDA's role as designated redeveloper, under Section 16 of the Act; and

WHEREAS, this MOU has been submitted to and approved by the Boards of FMERA and NJEDA; and

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

#### **1. NJEDA's Role and Responsibilities; Fort Monmouth Office Personnel**

NJEDA will provide office personnel (Fort Monmouth Office Personnel) which, pursuant to the Act, will remain under the supervision and control of the NJEDA and which will carry out the policies and directions of FMERA including, but not limited to the following:

- a) Procure and administer contracts in FMERA's name, including, but not limited to, contracts for consultants and services needed to assist FMERA to adopt development and design guidelines and land use regulations consistent with and in furtherance of the Plan, and contracts for consultants needed to assist the Fort Monmouth Office to provide the services set forth herein, which will be procured consistent with applicable statutes, Executive Orders and delegated authority approved by the NJEDA and FMERA Boards.
- b) Provide asset management and real estate development services such as technical guidance, assessment of the condition of Fort Monmouth and guidance on real estate reuse and revitalization;
- c) Negotiate on behalf of the FMERA Board for the acquisition of all or portions of Fort Monmouth which will be approved by the FMERA Board;
- d) Provide oversight, management and administrative services for intergovernmental service agreements related to portions or operations of Fort Monmouth in accordance with Board-approved agreements;
- e) Provide oversight, management and administrative services for developing Board-approved development and design guidelines and land use regulations for revitalization and reuse of Fort Monmouth;

- f) Provide oversight, management and administrative services for planning, designing, financing, installing and managing utility service and other infrastructure improvements at Fort Monmouth;
- g) Provide accounting services including administer cash receipts and disbursements, prepare financial reports to management and audit committee, prepare audited financial statements and comprehensive annual reports, serve as liaison to New Jersey Office of Management and Budget, serve as liaison to independent state and federal auditors, annually prepare a budget for review and approval by the FMERA Board and administer other budgetary services;
- h) Provide assistance to implement financing mechanisms for special improvement, infrastructure and transportation districts as provided in the Act;
- i) Provide general administrative services, clerical services and office operations needed by FMERA, including, but not limited to, preparation of board materials;
- j) Report to the FMERA Board on the progress that is being made advancing the various interests and initiatives of FMERA; and
- k) Provide other services needed by FMERA to carry out its mission under the Act.

## **2. Qualifications for Fort Monmouth Office Personnel**

- a) The Fort Monmouth Office will be staffed with Fort Monmouth Office Personnel who have sufficient experience to carry out the policies and directions of FMERA and manage the operations of the Fort Monmouth Office. Fort Monmouth Office Personnel will be dedicated exclusively to working on matters related to Fort Monmouth. The Fort Monmouth Office staffing/organization chart will be amended and revised from time to time (primarily contemporaneously with the adoption of an annual budget by FMERA), as the need for services under this MOU changes.
- b) The Fort Monmouth Office Personnel, as well as the Support Services personnel in Section 3, below, will administer to the business and operational affairs of the FMERA under FMERA's delegated operating authority, attached as Exhibit A, as approved by FMERA and NJEDA and as may be revised and amended from time to time. FMERA's delegated operating authority defines the types of business transactions, related to operations, and the staff level or title that is authorized to conduct these transactions pursuant to the approved budget, without Board approval. Any revisions to the delegated operating authority affecting FMERA will be brought to

the FMERA Board for approval. Approval by the FMERA Board will also be sought for any revisions affecting only NJEDA delegated operating authority.

### **3. NJEDA's Role and Responsibilities; Support Services**

NJEDA will make available on an as-needed basis NJEDA staff who will provide administrative and support services (Support Services) to the Fort Monmouth Office Personnel and who will utilize a portion of their time to provide administrative and support services to meet the needs of Fort Monmouth Office Personnel, including but not limited to:

- a) Administer salary and benefits for Fort Monmouth Office Personnel in accordance with those customarily provided by NJEDA which may include, but are not limited to, health insurance, dental insurance, pension and retirement savings plans, and life insurance;
- b) Provide human resources support services for Fort Monmouth Office Personnel such as recruiting and staffing, orientation, benefits administration, employee relations, staff development and talent management, training, compensation guidance, performance management, organizational development, recognition programs, and human resources policy;
- c) Provide payroll administration and direct service billing to FMERA;
- d) Provide compliance support services such as technical guidance regarding such matters as prevailing wage, affirmative action, and procurement related compliance requirements;
- e) Provide information technology support services such as initial assessment and stabilization to coordinate Fort Monmouth Office systems with NJEDA systems, initial support, technical guidance on software, hardware and electronic office equipment, and assistance procuring and managing contract for outsourced support; and
- f) Provide corporate governance and public information support services such as Board formation, by-laws writing, Board committee formation, FMERA Board meeting support, liaison with Governor's Office and Authority's Unit, new resource implementation, liaison with records custodian and assistance with Open Public Records Act information requests, guidance on ethics matters and liaison with State Ethics Commission, media outreach and management, legislative support, legal support from NJEDA-assigned Deputy Attorneys General, and technical guidance.

#### **4. Executive Director of the Fort Monmouth Office**

a) NJEDA agrees that it will not hire an Executive Director of the Fort Monmouth Office without the review and approval of a subcommittee of FMERA appointed and convened at the direction of the Chairperson as directed in Section 6.a. of the Act.

b) NJEDA will supervise the work, performance and terms of employment, including termination, of the Executive Director of the Fort Monmouth Office. FMERA, through its Chairman, will from time to time give direction to the Executive Director of the Fort Monmouth Office regarding which matters are being attended to properly, which matters should receive more immediate attention and which matters require less immediate attention. FMERA's direction to the Executive Director will be reviewed by NJEDA's Chief Executive Officer.

#### **5. FMERA's Role and Responsibilities; Payment.**

a) FMERA will reimburse NJEDA for the full cost, including but not limited to, salary and fringe benefits of providing Fort Monmouth Office Personnel. Throughout the Term of this MOU, pursuant to the Fiscal Planning Cycle and process adopted by FMERA's Audit Committee, the Fort Monmouth Office will prepare a proposed Fort Monmouth Office budget for the next fiscal year. Reimbursement for Fort Monmouth Office Personnel during the Term of this MOU will accrue and be payable on a quarterly basis no later than the last day of the month following the quarter. NJEDA acknowledges that, throughout the Term of this MOU, FMERA expects to receive ninety (90%) percent of the funding for Fort Monmouth Office Personnel through a grant from the federal government and the remaining ten (10%) percent through appropriations from the New Jersey Appropriations Act. In the event there is a timing delay in receipt of funds to pay for Fort Monmouth Office Personnel, on an annual basis, NJEDA may agree to accept a deferred payment from FMERA in the amount of unpaid costs for Fort Monmouth Office Personnel with interest accruing at three (3%) percent per annum and FMERA agreeing to pay such deferred payments as and when income from federal or State appropriations, fees, redevelopment activities and other sources become available to FMERA to do so.

b) FMERA will reimburse NJEDA for providing Support Services during the Term of this MOU. Throughout the term of the MOU, pursuant to the Fiscal Planning Cycle and process adopted by FMERA's Audit Committee, the Fort Monmouth Office will include in the proposed Fort Monmouth Office budget for the next fiscal year the anticipated costs of Support Services. Reimbursement for Support Services rendered during the Term of this MOU will accrue on a quarterly basis on the first day of each quarter. In the event

there is a timing delay in receipt of funds to pay for Support Services rendered during the Term of this MOU, NJEDA may agree to defer payments from FMERA in the amount of the unpaid reimbursement with interest accruing at three (3%) percent per annum. FMERA agrees to pay such deferred payments as and when income from State appropriations, fees, redevelopment activities and other sources becomes available. Payments received by NJEDA will be applied first to accrued, unpaid interest and the balance, if any, to principal.

c) Any deferred payments made under this MOU are exclusive of costs that are beyond the scope of providing Fort Monmouth Office Personnel and Support Services, such as costs and expenses associated with providing care or services to the Fort Monmouth facilities or grounds, or unexpected, unusual costs and expenses that the NJEDA may incur as a result of the administration of duties as prescribed by the Act. Deferred payments are subject to the approval of the FMERA and NJEDA Boards.

d) FMERA will provide full and complete payment to NJEDA for unexpected and unusual costs and expenses incurred by NJEDA that would otherwise be within the scope of Fort Monmouth Office Personnel and Support Services costs and expenses and were incurred as a result of the administration of duties as prescribed by the Act. NJEDA shall notify FMERA of any such incurred unexpected and unusual costs as soon as possible.

## **6. FMERA's Role and Responsibilities; Facilities, Equipment and Furniture**

a) Through an annual budget approved by FMERA, office space, office equipment and office furniture needed for Fort Monmouth Office Personnel to work on FMERA matters will be fully paid for by FMERA. Initially, the office space provided by FMERA for Fort Monmouth Office Personnel will be located at 2-12 Corbett Way, Eatontown, NJ 07724. To the extent that additional office space is needed, NJEDA may provide offices for Fort Monmouth Office Personnel at NJEDA's main or satellite office locations.

b) NJEDA will provide office space, office equipment and office furniture needed to provide Support Service for FMERA matters. The office space for Support Services will be provided at (and Support Services will be conducted from) NJEDA's main or satellite offices or work stations utilized by NJEDA personnel. The cost for providing office space, office equipment and office furniture is included in the reimbursement rates for Support Services set forth in Section 5.

## **7. Additional Provisions.**

a) Environmental Liability. It is expressly understood that this MOU will not obligate NJEDA to incur any liability for any known or unknown environmental conditions that

exists or existed at or on Fort Monmouth property. Subject to the limitations of the New Jersey Tort Claims Act (N.J.S.A. 59:1-1 et seq.), FMERA will hold NJEDA harmless for any and all environmental condition that exists or existed at or on the Fort Monmouth property.

b) Sufficient Funds. This MOU shall not obligate or require NJEDA to expend personnel time or other support services costs or to accrue costs and accept deferred payments from FMERA unless sufficient funds are readily available to pay NJEDA for such expenses and costs. NJEDA shall at all times have the right to terminate or discontinue any work in connection with this MOU if NJEDA determines that sufficient funds are not readily available to pay NJEDA for such work.

c) Right of Entry and License. FMERA agrees to make good faith efforts to assist NJEDA, its employees, officers, agents, consultants and contractors in gaining access to portions of the Fort Monmouth property in order to carry out this MOU as and when the need arises.

d) Commencement and Duration. This MOU will commence immediately upon execution by the Parties. Unless terminated earlier, this MOU shall remain in effect for five (5) years from the date and year first written above, and may be extended by a writing executed by the Parties.

e) Amendments. This MOU may be amended in writing executed by the Parties.

f) Termination. Any Party shall have the right to terminate this MOU upon written notice to the other party. Upon termination, NJEDA shall make reasonable efforts not to expend any additional time, expense or administrative cost in connection with this MOU. Notwithstanding any such termination of this MOU, FMERA shall continue to be responsible to pay NJEDA for all time, expenses and support services costs actually incurred by NJEDA in connection with this MOU.

g) Notices. All notices required to be served or given hereunder shall be in writing and will be deemed given when received by personal delivery, by an overnight delivery service which issues a receipt from delivery, or three business days after having been mailed by certified mail, return receipt requested, and addressed as follows:

If to NJEDA:       New Jersey Economic Development Authority  
                          36 West State Street  
                          P.O. Box 990  
                          Trenton, New Jersey 08625-0990  
                          Attention: Caren S. Franzini, Chief Executive Officer

If to FMERA: Fort Monmouth Economic Revitalization Authority  
2-12 Corbett Way  
Eatontown, NJ 07724  
Attention: Chairperson

h) Reasonable Diligence. Each of the Parties will act with reasonable diligence for the purpose of satisfying the conditions set forth herein.

i) Titles and Headings. Titles and headings are included for convenience only and shall not be used to interpret the MOU.

The foregoing correctly reflects the Parties' understanding and intent.

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

FORT MONMOUTH ECONOMIC  
REVITALIZATION AUTHORITY

By: \_\_\_\_\_

\_\_\_\_\_  
Attest

NEW JERSEY ECONOMIC  
DEVELOPMENT AUTHORITY

By: \_\_\_\_\_  
Caren S. Franzini  
Chief Executive Officer

\_\_\_\_\_  
Attest

## EXHIBIT A

## **ADMINISTRATIVE OPERATING AUTHORITY**

**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

<b>Operating Scope:</b>				
(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)				
<b>Cash Management Functions:</b>				
<b>Account Establishment:</b>	<b>Position</b>	<b>Level of Authority</b>		<b>Controls in Place</b>
authority to establish in any and all applicable financial institutions accounts necessary to fulfill the cash management functions of EDA, to include Agency (e.g. FMERA) 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'g & Financial Rpt'g FM Office Executive Director FM Office Operations Director FM Office Accountant	Any one individual has authority to establish accounts as necessary		Segregation of Duties: account establishment, deposits, account reconciliation, journal entries, 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 FM Office Executive Director Dir Acct'g & Financial Rpt'g FM Office Operations Director Ass't Dir Acct'g & Financial Rpt'g FM Office Accountant Dir Internal Process Management FM Office - any unit Director Dir Closing Services FM Office - any unit Director Dir Program Services Dir Portfolio Services  VP Business Assistance Commerce, Real Estate Asset Manager, FM Office Asset Officer, and Business Assistance Operations Mgr	Any check Any check Any check Any check Any check Any check Any check Any administrative check Any administrative check checks for project financings checks for project financings checks for project financings checks for project financings  checks for project financings and Program Costs	Unlimited Unlimited Unlimited Unlimited \$1,500,000 \$1,500,000 \$1,000,000 \$1,000,000 \$500,000 \$500,000 \$250,000 \$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 Authority and are transferred to a 3rd party beneficiary account  Note: the initiator of a wire transfer is not authorized to confirm that wire transfer	Chief Executive Officer Chief Operating Officer Chief Financial Officer FM Office Executive Director Dir Acct'g & Financial Rpt'g FM Office Operations Director Ass't Dir Acct'g & Financial Rpt'g FM Office Accountant Dir Closing Services Dir Program Services Dir Portfolio Services Dir Real Estate Development Dir Internal Process Management FM Office - any unit Director Real Estate Asset Manager FM Office Asset Officer	any transaction any transaction	initiate or confirm initiate or confirm confirm only confirm only confirm only 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 Authority, funds are transferred between and among various Authority 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 FM Office Executive Director Dir Acct'g & Financial Rpt'g FM Office Operations Director Ass't Dir Acct'g & Financial Rpt'g FM Office Accountant Accountants FM Office - any unit Director	any transaction any transaction	initiate, or confirm if necessary initiate, or confirm if necessary	segregation of duties  repetitive code is established with wire room, Authority 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'g & Financial Rpt'g FM Office Executive Director FM Office Operations Director FM Office Accountant	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. For any transfer between financial institutions greater than \$10,000,000, the initiator must notify one other authorized individual.		segregation of duties, guidelines provided and adhered to by portfolio asset manager, CMF is State administered fund within Treasury

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

<p><b>Operating Scope:</b></p> <p>(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)</p>				
<p><b>Procurement of Goods &amp; Services:</b> (e.g. administrative expenses &amp; program costs)</p>				
<p><b>Non-Contracted Expenditures</b></p> <p>authority to initiate non-contracted procurement which generally applies to the purchase of specific "goods" rather than defined services; refer to the Procurement Policy and Procedure Manual for examples and additional information and guidance</p>	<p><b>Position</b></p> <p>Chief Executive Officer Chief Operating Officer Chief Financial Officer Chief Information Officer Senior Vice President FM Office Executive Director Vice President Director FM Office Operations Director Assistant Director FM Office Accountant Manager FM Office Asset Officer</p>	<p><b>Commitment Level</b></p> <p>\$100,000 and under in aggregate \$100,000 and under in aggregate \$50,000 and under in aggregate \$50,000 and under in aggregate \$50,000 and under in aggregate \$10,000 and under in aggregate</p>	<p><b>Note:</b> a single cost commitment for direct program/project based (non-administrative) expenditures aggregating to \$150,000 and above requires Finance Committee approval before the commitment is made, with the exception of emergency or exigency</p>	<p><b>Controls in Place</b></p> <p>check requests reviewed for adherence to procurement policy and procedures, proper authorization, and support documentation</p> <p>expenditure commitments exceeding \$100,000 must have Board approval</p>
<p><b>Contracted Expenditures</b></p> <p>authority to initiate and execute contracted expenditures which are substantiated by legally binding written agreements (to include a lease) with a vendor or a contractor and are applicable to both goods and services; refer to the Procurement Policy and Procedure Manual for examples and additional information and guidance</p>	<p><b>Position</b></p> <p>Chief Executive Officer Chief Operating Officer Chief Financial Officer Chief Information Officer Senior Vice President FM Office Executive Director Vice President Director FM Office Operations Director Assistant Director FM Office Accountant Manager FM Office Asset Officer</p>	<p><b>Commitment Level</b></p> <p>\$250,000 and under in aggregate \$250,000 and under in aggregate \$150,000 and under in aggregate \$150,000 and under in aggregate \$150,000 and under in aggregate \$50,000 and under in aggregate \$50,000 and under in aggregate \$50,000 and under in aggregate \$25,000 and under in aggregate \$25,000 and under in aggregate \$25,000 and under in aggregate \$25,000 and under in aggregate</p>	<p><b>Note:</b> a single cost commitment for direct program/project based (non-administrative) expenditures aggregating to \$150,000 and above requires Finance Committee approval before the commitment is made, with the exception of emergency or exigency</p>	<p><b>Controls in Place</b></p> <p>check requests reviewed for adherence to procurement policy and procedures, proper authorization, and support documentation; a single direct cost commitment aggregating to \$150,000 and above requires Finance Committee approval before the commitment is made, with the exception of emergency or exigency</p> <p>expenditure commitments exceeding \$250,000 must have Board approval</p>
<p><b>Physical Assets</b></p>				
<p><b>Disposition of Administrative Assets</b></p> <p>authority to sell, dispose (to include write-off), and donate office furniture, fixtures, and equipment (to include automobiles) used in the administration of the Authority's offices.</p>	<p><b>Position</b></p> <p>Any one of the following: Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, or FM Office Executive Director</p>	<p><b>Level of Authority</b></p> <p>Singular asset or aggregate asset group with the lower of fair market or book value not exceeding \$100,000</p>		<p><b>Controls in Place</b></p> <p>segregation of duties, facility manager oversight and values exceeding \$100,000 must have Board approval to dispose</p>
<p><b>Debt/Credit Management</b></p>				
<p><b>Prepayment of Debt</b></p> <p>authority to prepay commercial credit balance or obligation to a leasing facility on debt/credit incurred to purchase or lease administrative assets (to include office facility, auto, etc.)</p>	<p><b>Position</b></p> <p>Any one of the following: Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, or FM Office Executive Director</p>	<p><b>Level of Authority</b></p> <p>Any amount</p>		



## MEMORANDUM

**TO:** Members of the Authority

**FROM:** Caren S. Franzini

**RE:** Sales Support and Communications Tools Consulting Services – Governance and Communications Division

**DATE:** October 12, 2010

**Request:**

The Members are requested to approve entering into a contract with Baldwin & Obenauf, Inc. of Bridgewater, NJ to provide sales support and communications tools services to the New Jersey Economic Development Authority (“Authority”).

The contract award is up to four hundred thousand (\$400,000) dollars to encompass production, media expenses, subcontractor services and limited third party participation needed to complete the scope of the Sales Support and Communications Tools Services contract.

The contract provides for an initial term which will expire December 31, 2011, and allows for three (3) one (1) year extension options, to be exercised at the sole discretion of the Authority at the same prices, terms and conditions based on the Board-approved contract award for the respective extension year.

**Background:**

As the Members are aware, earlier this year, Governor Chris Christie and Lt. Governor Kim Guadagno announced the creation of the Partnership for Action (“Partnership”). This partnership will operate with three interconnected and synergistic organizational elements to attract and retain businesses in New Jersey.

The three elements of the Partnership include Choose New Jersey, a privately funded, not-for-profit corporation that will undertake state marketing efforts and help position New Jersey as a world-class leader in the competitive global marketplace; the Business Action Center (BAC), a team reporting directly to Lieutenant Governor Guadagno that will bring a customer service approach to coordination and navigation across State and local government agencies for businesses looking to remain, expand or locate in New Jersey, and the Authority to support the Partnership as the State’s “bank for business.”

This Sales Support and Communications Tools Consulting Services contract will allow the Authority to focus on its financing role as part of the Partnership for Action by enhancing our communication with small businesses, banks and economic development organizations, while supporting the State's marketing activities of Choose New Jersey in coordination with the BAC.

The Authority requires the assistance of an outside consulting firm to assist with day-to-day functions (i.e. design and production services, media placement and buying, web-based outreach) required to implement and monitor a variety of sales support and communications projects directed to industry specific customers and professional partners, such as bankers, accountants and attorneys.

In 2010, the Authority's budget for marketing and outreach was approximately \$1.2 million, including both marketing vendor costs and in-house activities. Over the course of the year, given the proactive business and state marketing strategy of the new Administration combined with our own cost cutting measures, the costs for the Authority's marketing and outreach efforts were reduced to approximately \$550,000 in expenditures anticipated by the end of 2010. As our stated goal for future sales support and communications is to utilize more cost effective, web-based strategies and tactics, including email outreach and social media, we have recommended a new vendor contract in the amount of up to \$400,000, representing an even further reduction that reflects overall state marketing efforts.

#### **RFQ/P for Sales Support and Communications Tools Consulting Services:**

The Authority issued a Request for Qualifications and Proposals (RFQ/P) on May 10, 2010 for Sales Support and Communications Tools Consulting Services.

The RFQ/P was advertised, posted to the Authority's website and the State Business Portal and distributed to potentially interested Bidders, via broadcast email. A mandatory pre-bid conference was held on May 19, 2010, during which the specifications were reviewed with interested Bidders and questions and answers were addressed and documented. In response to this solicitation, eight (8) proposals were received by the stated deadline, June 29, 2010. One of the 8 proposals was determined to be unresponsive.

An Evaluation Committee ("the Committee") comprised of the Senior Vice President of Governance and Communications, Vice President of Business Development, the Director of Marketing and Policy, the Director of Marketing-Outreach Programs –Business Retention and Attraction Division, and a Marketing Officer, then reviewed and preliminarily scored the seven (7) responsive proposals, and subsequently interviewed four (4) of the Bidders over the course of September 1, 2010 and September 9, 2010. Following the interviews, Committee members undertook final scoring and ranking.

As part of its review of the proposals, the Evaluation Committee considered multiple factors which were established in the RFQ/P, including creative submissions, documented experience in successfully completing contracts of similar scope, documentation of quality infrastructure and process controls, qualifications and experience of the management and staff, among other factors.

Based on the thorough review of proposals, the Committee recommends the selection of Baldwin & Obenauf, Inc. Price and other factors considered, Baldwin & Obenauf, Inc. demonstrated the necessary experience and understanding of the Authority's message and targeted audiences to undertake the Sales Support and Communications Tools Consulting Services contract with stringent quality controls to ensure the efforts are leveraged effectively. The Evaluation Committee Summary matrix form is attached.

**Process, Budget and Payment**

The up to \$400,000 contract award will be expended on a project-by-project basis. Based on the proposal submitted by the vendor, the contract year agency services costs and media placement costs are estimated to be approximately \$192,965 for project-by-project scopes of work. The remaining estimated \$207,035 will be utilized by the vendor for media production and purchases, including collateral printing, print and Internet advertising, and social media.

The vendor shall bill the Authority for subcontractors and other third party entities for actual core production/media costs, without additional mark-up fees, as required by the RFQ/P. Actual costs will be based on project-by-project scopes of work to be issued and monitored by the Governance and Communications Division.

**Recommendation:**

The Members' approval is requested to enter into an up to \$400,000 contract ending December 31, 2011, with three (3) one (1) year extension options, to be exercised at the sole discretion of the Authority, at the same prices, terms and conditions, with Baldwin & Obenauf, Inc., to provided these Sales Support and Communications Tools Consulting Services. Pricing, as indicated in Baldwin & Obenauf, Inc.'s "*Fee Schedule – Hourly Rates,*" shall remain firm throughout the term of the contract, and any extensions, thereto. The contract also allows for the scope of work and budget allocation to be reduced at any time at the sole discretion of the Authority. The final contract will be subject to approval of the Chief Executive Officer and the Attorney General's Office.

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

Prepared by: Nicole Royle



## MEMORANDUM

**TO:** Members of the Authority

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

**RE:** **Technical Assistance for Small Businesses (TA)  
For Your Information**

**DATE:** **October 13, 2010**

This memo serves as a performance update of the Technical Assistance contract with UCEDC which was approved by the EDA Board in August 2008 as well as to inform the Board of the second renewal of the contract.

Background:

EDA selected UCEDC in 2008 through an RFQ/P for the delivery of TA services statewide. The EDA's objective is to support a customer-focused approach through various but integrated delivery methods to different business sectors and lifecycle stages, including but not limited to small businesses, women and minority enterprises.

This contract was approved by the EDA Board in August 2008 and allowed for an extension of up to two years (at the sole discretion of the EDA) at the rate of \$300,000 annually, for a total expense of \$900,000 over three years. Staff has monitored performance against established deliverables and, based upon this satisfactory performance, will be extending the contract for the third year of a three-year contract, October 17, 2010 through October 16, 2011. The resources were approved as a part of the FY2010 budget and will be included in the FY2011 budget proposal. The deliverables for the upcoming contract year will be in substantially the same program areas as the prior two years and, after being finalized within the next few weeks, will be included in the contract.

The contract relationship with UCEDC has resulted in quality technical assistance services to small businesses, as well as women and minority-owned business enterprises, throughout the state. The performance of UCEDC is on target to achieve the key deliverables identified by EDA by the end of the contract year. The results through the third quarter demonstrate UCEDC's satisfactory performance trend for the second contract year. Based on these satisfactory results, staff will proceed to extend the contract for the third and final year of the three-year contract.

The chart below summarizes key deliverables outlined by EDA for UCEDC's performance and reports that performance through the 3<sup>rd</sup> quarter of the 2009-2010 contract. It is anticipated that UCEDC will meet or exceed all performance measures by the end of the contract year.

<b>EDA Key Deliverables Under UCEDC Contract – FY2010</b>			
<b>Marketing services:</b>	<b>Full Year Plan</b>	<b>Achieved by 3<sup>rd</sup> Qtr</b>	<b>% of Annual Goal</b>
Develop partnerships with community and economic development organizations	20 new organizations	21	100%
	280 orgs. partnerships maintained	280	100%
Participate in networking events	50 in rural and suburban centers	110	220%
	40 in targeted urban centers	43	108%
Media outreach	24 editorials	36	150%
<b>Technical Assistance:</b>			
Inquiries	500 screened for readiness	474	95%
Assess needs and capabilities	200 start-up entrepreneurs	242	121%
	100 existing small businesses	132	132%
Workshops on business topics in English and Spanish	64 (increase over first year 229% )	51	80%
Training with EDA's Entrepreneurial Training Institute (ETI) curriculum	4 training sessions in English	4	100%
	1 training session in Spanish	0*	0*
Mentoring one-on-one: Start-up or existing clients Spanish-speaking	In hours: 1,000	1009	101%
	400	209*	52%*
<b>Financial Assistance:</b>			
Prepare clients for financing	1500	1128	75%
Financial literacy workshops in Spanish and English	34	19*	56%*
Lend to qualified businesses	45	21	47%**
Finance with partners	6	5	120%

\*Spanish language outreach is targeted for the 4<sup>th</sup> quarter

\*\*reflects the economic climate. UCEDC states they are making a stronger effort of identify loan prospects by educating commercial lenders statewide and have hired a Loan Outreach Coordinator to identify lending opportunities.

Staff Action:

Based upon the EDA Board action in August, 2008 and the satisfactory performance of UCEDC against EDA's key deliverables, staff will implement the third year of the UCEDC contract at a cost of \$300,000.



Caren S. Franzini

Prepared by Marion Zajac

## **BOND RESOLUTIONS**

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

**APPLICANT:** Weiss-Aug Co., Inc.

P33025

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 220 Merry Lane

East Hanover Township

Morris County

**GOVERNOR'S INITIATIVES:**

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

**APPLICANT BACKGROUND:**

Weiss-Aug Co., Inc. (Weiss), founded in 1972, is a privately held company that custom manufacture precision miniature metal stamping, plastic insert moldings and customer assemblies for the automotive, medical, electronic and semiconductor industries. The applicant does all the manufacturing in NJ, with a majority of its customers in North America and Europe.

Dieter Weissenrieder, trading as Weiss-Aug Co., Inc., is a long term customer of the Authority, with its first bond financing dating back to 1977. The most recent transaction was a \$3.3 million, 10 year refunding tax-exempt bond (P015463) that closed in December 2003. The original bond proceeds were used to acquire production equipment in 1993. The applicant will request refinancing of the 2003 Refunding Bond at the October 12, 2010 Authority Board meeting.

**APPROVAL REQUEST:**

Authority assistance will enable the borrower to acquire a solar power system and new manufacturing equipment to meet customer needs. Please note the tax-exempt bond for new equipment will be a 36 draw down bond, with a maximum annual draw of \$1.2 million, commensurate with the applicant's annual equipment purchases.

**FINANCING SUMMARY:**

**BOND PURCHASER:** TD Bank, NA (Direct Purchase)

**AMOUNT OF BOND:** \$3,080,000 tax-exempt bond (Solar System)

\$3,600,000 tax-exempt 36 month draw down bond.

**TERMS OF BOND:** 6 month draw down period not to exceed April 30, 2011; followed by an 84 month fully amortizing loan; variable interest rate based on the tax-exempt equivalent of one (1) month LIBOR plus 250 basis points, current indicative rate of 1.90% as of October 4, 2010. On April 30, 2011, the applicant may enter into a 7 year swap to an indicative fixed rate of 3.07% as of October 4, 2010.

Draw down period is 36 months with advances outstanding at each calendar year end converting to a 84 month fully amortizing loan; variable interest rate based on the tax-exempt equivalent of one (1) month LIBOR plus 250 basis points, current indicative rate is 1.90% tax-exempt as of October 4, 2010. At the end of each calendar year the applicant may enter into a 7 year swap to an indicative rate of 3.07% as of October 4, 2010.

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Purchase of equipment & machinery	\$3,500,000
Acq of of Solar System	\$3,080,000
Acq of Used Equip	\$600,000
Renovation of existing equipment & machi	\$400,000
Legal fees	\$37,350

Finance fees

\$33,400

TOTAL COSTS

\$7,650,750

**JOBS:** At Application 150 Within 2 years 30 Maintained 0 Construction 0

**PUBLIC HEARING:** 10/12/10 (Published 09/28/10) **BOND COUNSEL** Wolff & Samson

**DEVELOPMENT OFFICER:** D. Johnson

**APPROVAL OFFICER:** M. Krug

**AMENDED BOND RESOLUTIONS**

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

**APPLICANT:** WAB Associates LLC

P33054

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 220 Merry Lane

East Hanover Township (N)

Morris

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison (X) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

WAB Associates, LLC (WAB), founded in 1972, is a privately held company that custom manufacturers precision miniature metal stamping, plastic insert moldings and customer assemblies for the automotive, medical, electronic and semiconductor industries. The applicant does all the manufacturing in NJ and is a global company, with the majority of sales in North America and Europe.

At the October 2010 Board meeting the applicant will also be requesting under its operating company name, Weiss-Aug Co., Inc., the Authority's approval of \$3.08 million tax-exempt bond to acquire a 885,480 watt solar panel system, and a \$3.6 million tax-exempt bond with the proceeds to be used to acquire new manufacturing equipment.

WAB's prior Authority approved tax-exempt bonds were in the name of Dieter Weissenrieder trading as WAB Associates dating back to 1977. The most recent transaction approved by the Authority was a \$3.3 million, 10 year refunding tax-exempt bond (P15463) that closed in 2003. The bond proceeds were used to acquire production equipment.

**REFUNDING REQUEST:**

Authority assistance will enable the borrower to refinance an obligation to Sun Bank issued by the Authority in December 2003 for \$3.3 million. The proceeds of the original bond issue were used to acquire production equipment for use in its 90,000 sq. ft. facility on 6.5 acres. Please note, the short maturity of the bonds was structured to match the original bond structure, as an accommodation to complete the applicant's transferring of its bank relationship from Sun Bank to TD Bank.

**FINANCING SUMMARY:**

**BOND PURCHASER:** TD Bank, NA (Direct Purchase)

**AMOUNT OF BOND:** \$1,065,000 Tax-Exempt bond

**TERMS OF BOND:** 36 months; variable interest rate based on the tax-exempt equivalent of one (1) month LIBOR plus 250 basis, plus 45 basis points, with a 2.35% tax-exempt equivalent rate as of October 2, 2010.

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Principal amount of bond to be refunded	\$1,410,000
Legal fees	\$7,650
Finance fees	\$3,525

<b>TOTAL COSTS</b>	<hr/> <hr/> <b>\$1,421,175 *</b>
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\* - Indicates that there are project costs reported on a related application.

**PUBLIC HEARING:** 10/12/10 (Published 09/28/10) **BOND COUNSEL:** Wolff & Samson  
**DEVELOPMENT OFFICER:** D. Johnson **APPROVAL OFFICER:** M. Krug

**COMBINATION PRELIMINARY AND BOND RESOLUTIONS**

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

**APPLICANT:** Rutgers Preparatory School

P33463

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 1345 Easton Avenue

Franklin Township (N)

Somerset

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison (X) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

Founded in 1766, Rutgers Preparatory School ("RPS") is the oldest independent school in NJ. RPS was a part of Rutgers University for almost 200 years, becoming entirely independent in 1958 as Rutgers became the state university. Today, RPS is a coeducational day school of approximately 675 students in grades pre-kindergarten to grade 12. RPS, situated on 35 acres in Franklin Twp., Somerset County includes classrooms, 6 science labs, 4 computer labs, 2 gymnasiums, multiple athletic fields, dedicated music building, photography/art center and the library technology center. Joseph Danile is the President and Steven Loy is the Headmaster of RPS.

In 1984, RPS received Authority assistance via a \$3,250,000 tax exempt bond to reconstruct and renovate a 11,000 sq. ft. building and construct a new 42,000 sq. ft. building for the upper classes. Fleet Bank purchased the 1984 Bond at a variable interest rate based on 72% of prime rate for 30 years. The 1984 Bond was repaid in full in 2008.

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 construct a 2 story approx. 25,000 sq. ft. dining facility plus pay a portion of the costs of issuance. The facility will include a lower level 350 seat cafeteria with kitchen and an upper level floor and space for future classroom/office use. The building will be approached as sustainable, energy efficient architecture with a goal of achieving LEED certification. RPS expects to break ground this year with estimated completion date of September 2011.

**FINANCING SUMMARY:**

**BOND PURCHASER:** Brown Brothers Harriman & Co. (Direct Purchase)

**AMOUNT OF BOND:** up to \$6,000,000 (Tax-exempt/Bank qualified bond)

**TERMS OF BOND:** 25 years (max); Bonds will be issued with both a variable and fixed interest rate portion. Variable interest rate initially will not exceed 8% and will be based on the tax exempt equipment of 90-day LIBOR plus 2.25% (an indicative rate as of 8/10/2010 is 2.53%); Fixed rate portion will not exceed 10% with indicative fixed interest rate for 25 years of 4.70%

**ENHANCEMENT:** N/A

**PROJECT COSTS:**

Construction of new building or addition	\$5,200,000
Purchase of equipment & machinery	\$525,000
Engineering & architectural fees	\$125,000
Finance fees	\$100,000
Legal fees	\$50,000

TOTAL COSTS

\$6,000,000

**JOBS:** At Application    160    Within 2 years    2    Maintained    0    Construction    42

**PUBLIC HEARING:** 10/12/10 (Published 09/24/10)    **BOND COUNSEL:** McCarter & English

**DEVELOPMENT OFFICER:** K. Durand

**APPROVAL OFFICER:** T. Wells

**LOCAL DEVELOPMENT FINANCING FUND**

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
PROJECT SUMMARY - LOCAL DEVELOPMENT FINANCING FUND PROGRAM**

**APPLICANT:** New York Terminals II,LLC/New York Commercial Lubricants, Inc. P33662

**PROJECT USER(S):** R.I.G. Classic Transportation, LLC \* - indicates relation to applicant  
Full Circle Manufacturing Group, Inc. \*

**PROJECT LOCATION:** 534 S. Front Street Elizabeth City (T/UA) Union

**GOVERNOR'S INITIATIVES:** (X) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

New York Terminals II, LLC is a liquid bulk storage facility and transportation hub that leases tank storage capacity and provides transportation services to various tenants. This entity is 100% owned by Joseph Iola who also owns New York Commercial Lubricants, Inc. d/b/a/ Metro Lube, Full Circle Manufacturing Group, Inc., R.I.G. Classic Transportation, LLC and Joe Gayle, LLC. These entities will have operations at the site and will be guarantors on the proposed financial assistance. Collectively, the entities employ a total staff of forty-three with twenty-one domiciled at the project site.

The co-applicants are seeking financing to improve the Elizabeth property with five new processing and storage tanks, with new supporting infrastructure and dock refurbish and extension towards the channel.

**APPROVAL REQUEST:**

Approval is recommended for a \$2 million Local Development Financing Fund loan. Valley National Bank has committed to an \$8,450,000 construction loan which will be used to refinance \$2 million in existing acquisition financing and the costs associated with the expansion. Upon completion of the project, the Authority will fund its \$2 million LDFF loan and Elizabeth Development Company will fund its \$500,000 loan to pay down the Valley National Bank construction loan to \$5.95 million.

**FINANCING SUMMARY:**

**LENDER:** LDFF

**AMOUNT OF LOAN:** \$2,000,000

**TERMS OF LOAN:** Fixed at closing at 200 basis points above the 5 year US Treasury Rate with a floor of 3% (indicative rate is 4.0%). Five-year term based on a 15-year amortization.

**PROJECT COSTS:**

Purchase of equipment & machinery	\$4,656,186
Refinancing	\$2,000,000
Infrastructure	\$1,825,000
Tank Preparation	\$1,069,645
Finance fees	\$100,000
<b>TOTAL COSTS</b>	<u><u>\$9,650,831</u></u>

**JOBS:** At Application      21 Within 2 years      10 Maintained      0 Construction      18

**DEVELOPMENT OFFICER:** P. Ceppi

**APPROVAL OFFICER:** M. Conte

**PETROLEUM UNDERGROUND STORAGE TANK  
PROGRAM**



**MEMORANDUM**

**TO:** Members of the Authority  
**FROM:** Caren S. Franzini  
Chief Executive Officer  
**DATE:** October 12, 2010  
**SUBJECT:** NJDEP Petroleum UST Remediation, Upgrade & Closure Fund Program

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

**Private Grants:**

Boyce Brothers, LLC .....	\$220,898
Ray Laue .....	\$566,538
Manuel Martinez.....	\$102,299
Jeffrey B. Odell .....	\$138,871
Josephine E. Rolle .....	\$180,733
St. Joseph Church.....	\$301,705

**Private Loan:**

The Sophie H. Sredzinski Revocable Trust .....	\$ 63,415
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**Total UST funding for October 2010.....** \$1,574,459

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

**APPLICANT:** Boyce Brothers, LLC

P31950

**PROJECT USER(S):** B&W Automotive

\* - indicates relation to applicant

**PROJECT LOCATION:** 21 Amboy Avenue

Edison Township (N)

Middlesex

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

Boyce Brothers, LLC, owned by Lawrence Boyce and Robert Boyce, is seeking to perform remediation as the result of the closure of former underground storage tanks (UST's) at the project site. The tanks were decommissioned in accordance with NJDEP requirements. The NJDEP has determined that the project costs are technically eligible.

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

**APPROVAL REQUEST:**

The applicant is requesting grant funding in the amount of \$220,898 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$22,090 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** \$220,898

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

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$220,898
NJDEP oversight cost	\$22,090
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<b>\$243,488</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Ray Laue

P32554

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 152 Roxboro Road

Lawrence Township (N)

Mercer

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

Ray Laue received a grant in February 2009 in the amount of \$66,271 under P22789 to remove a leaking 550-gallon residential #2 heating underground storage tank (UST) and perform the required remediation. The tank was decommissioned and removed in accordance with NJDEP requirements. The NJDEP has determined that the supplemental project costs are technically eligible, to perform additional remedial activities and site restoration.

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 \$566,538 to perform the approved scope of work at the project site, for a total funding to date of \$632,809.

According to the legislation, since this project site is located in Planning Area 1, the maximum amount of grant funding for this project is \$1 million.

The NJDEP oversight fee of \$56,654 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**\$566,538

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

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$566,538
NJDEP oversight cost	\$56,654
EDA administrative cost	\$250

**TOTAL COSTS**

\$623,442

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Manuel Martinez

P32355

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 67 Little Street

Belleville Township (T/UA)

Essex

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

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

Financial statements provided by the 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 \$102,299 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$10,230 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** \$102,299

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

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$102,299
NJDEP oversight cost	\$10,230
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<b>\$112,779</b>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** Jeffrey B. Odell

P31335

**PROJECT USER(S):** Odell Service Center \*

\* - indicates relation to applicant

**PROJECT LOCATION:** 901 Long Beach Boulevard N. Surf City Borough (N)

Ocean

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

Jeffrey B. Odell is the operator of the project site seeking to remove five (5) leaking underground storage tanks (UST) and perform the required remediation. 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 \$138,871 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$13,887 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:** \$138,871

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

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$138,871
NJDEP oversight cost	\$13,887
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<hr/> <b>\$153,008</b> <hr/>

**APPROVAL OFFICER:** K. Junghans

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

**APPLICANT:** Josephine E. Rolle

P30696

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 1818 Stratford Avenue

Neptune Township (T/UA)

Monmouth

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

Josephine E. Rolle is a homeowner seeking to remove a leaking 550-gallon residential #2 heating underground storage tank (UST) and perform the required remediation. The tank will be decommissioned and removed in accordance with NJDEP requirements. The NJDEP has determined that the project costs are technically eligible.

Financial statements provided by the 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 \$180,733 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$18,073 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** \$180,733

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

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$180,733
NJDEP oversight cost	\$18,073
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<b>\$199,056</b>

**APPROVAL OFFICER:** C. Frazier

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

**APPLICANT:** St. Joseph Church

P32378

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 110 Telford Street

East Orange City (T/UA)

Essex

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

St. Joseph Church is a 501 (c)(3) not-for-profit organization seeking to remove a leaking 550-gallon residential #2 heating underground storage tank (UST) and perform the required remediation. The tank will be decommissioned and removed in accordance with NJDEP requirements. The NJDEP has determined that the project costs are technically eligible.

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 \$301,705 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$30,171 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**\$301,705

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

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$301,705
NJDEP oversight cost	\$30,171
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<b>\$332,126</b>

**APPROVAL OFFICER:** K. Junghans

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

**APPLICANT:** The Sophie H. Sredzinski Revocable Trust

P30902

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 264 Morningside Avenue

Cliffside Park Borough (N)

Bergen

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

The Sophie H. Sredzinski Revocable Trust is owner of a residential property, and is seeking to remove a leaking 1000-gallon residential #2 heating underground storage tank (UST) and perform the required remediation. The tank will be decommissioned and removed in accordance with NJDEP requirements. The NJDEP has determined that the project costs are technically eligible.

**APPROVAL REQUEST:**

The applicant is requesting funding in the amount of \$63,415.00 to perform the approved scope of work at the project site.

The NJDEP oversight fee of \$6,341.00 is the customary 10% of the loan 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:**

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

**AMOUNT OF LOAN:** \$63,415

**TERMS OF LOAN:** 3-year term with monthly interest payments required. Interest rate is WSJ Prime (indicative rate as of 9/29/2010 is 3.25%), to be fixed at closing. Principal plus any remaining accrued interest is due upon maturity or sale of the property.

**PROJECT COSTS:**

Upgrade, Closure, Remediation	\$60,965
NJDEP oversight cost	\$6,341
Other	\$2,450
EDA administrative cost	\$250
<b>TOTAL COSTS</b>	<hr/> <b>\$70,006</b> <hr/>

**APPROVAL OFFICER:** K. Tolly



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

**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, 2010 to September 30, 2010

Summary:	# of Grants	\$ Amount
Leaking tank grants awarded	94	\$1,649,465
Non-leaking tank grants awarded	210	\$591,648

Applicant	Description	Grant Amount	Awarded to Date
Arnaudin, Robert (P30905)	Initial grant for upgrade, closure and remediation	\$7,635	\$7,635
Azriel, Gary and Robyn (P32062)	Initial grant for upgrade, closure and remediation	\$10,383	\$10,383
BNF NJ, LLC (P31989)	Supplemental grant for site remediation	\$92,671	\$195,586*
Baumann, Ronald (P32439)	Initial grant for upgrade, closure and remediation	\$11,184	\$11,184
Bavaro, Vincent (P32572)	Initial grant for upgrade, closure and remediation	\$5,858	\$5,858
Bladek, Stanley (P31952)	Initial grant for upgrade, closure and remediation	\$4,120	\$4,120
Boe, Donald (P31957)	Initial grant for upgrade, closure and remediation	\$9,914	\$9,914
Bonanno, Keith (P31528)	Supplemental grant for upgrade, closure and remediation	\$6,967	\$13,733
Boria, Maria (P32211)	Initial grant for upgrade, closure and remediation	\$57,500	\$57,500
Bural, Peter (P30166)	Initial grant for upgrade,	\$10,410	\$10,410

Applicant	Description	Grant Amount	Awarded to Date
	closure and remediation		
Burrell, Linell (P28257)	Partial supplemental grant for upgrade, closure and remediation	\$46,242	\$52,936
Bush, Robert and Helen (P31671)	Initial grant for upgrade, closure and remediation	\$9,138	\$9,138
Bussell, Bruce and Gina (P31374)	Initial grant for upgrade, closure and remediation	\$24,071	\$24,071
Caro, Joseph C. (P31192)	Initial grant for upgrade, closure and remediation	\$3,643	\$3,643
Cerrato, Anna (P32432)	Supplemental grant for upgrade, closure and remediation	\$9,365	\$24,724
Chaffiotte, Jackie (P32673)	Initial grant for upgrade, closure and remediation	\$21,141	\$21,141
Chaves, Altino and Maria (P31520)	Initial grant for upgrade, closure and remediation	\$9,569	\$9,569
Church of Our Lady of Grace (P31501)	Initial grant for upgrade, closure and remediation	\$98,954	\$98,954
Cochrane, Christine (P32371)	Initial grant for upgrade, closure and remediation	\$12,341	\$12,341
Conlin, John and Lorna (P32438)	Initial grant for upgrade, closure and remediation	\$55,843	\$55,843
Connell, Margaret (P32628)	Initial grant for upgrade, closure and remediation	\$14,667	\$14,667
Correale, Peter and Loretta (P31747)	Partial initial grant for upgrade, closure and remediation	\$830	\$830
Corriden, Richard and Barbara (P32431)	Supplemental grant for upgrade, closure and remediation	\$42,000	\$45,616
Cucuzella, Mark (P32480)	Partial initial grant for upgrade, closure and remediation	\$4,548	\$4,548
Darling, Lottie (P32399)	Initial grant for upgrade, closure and remediation	\$3,401	\$3,401
Demarco, Katherine Estate of (P27792)	Initial grant for upgrade, closure and remediation	\$17,872	\$17,872
Dennis, Teresa (P32707)	Initial grant for upgrade, closure and remediation	\$19,300	\$19,300
Derise, Frank and Elaine (P32467)	Initial grant for upgrade, closure and remediation	\$4,601	\$4,601
Dys, Aneta (P31622)	Initial grant for upgrade, closure and remediation	\$26,883	\$26,883
Falotico, Frank and Patti (P30918)	Initial grant for upgrade, closure and remediation	\$9,578	\$9,578
Fava, Pompeo and Anunziata (P31922)	Initial grant for upgrade, closure and remediation	\$23,298	\$23,298
Fenners, Carole E. (P32155)	Initial grant for upgrade,	\$4,450	\$4,450

Applicant	Description	Grant Amount	Awarded to Date
	closure and remediation		
Finan, Donald and Emma (P31926)	Initial grant for upgrade, closure and remediation	\$46,685	\$46,685
Gall, Michael (P32812)	Supplemental grant for site remediation	\$30,844	\$56,292
Ganguli, Partha Sarathi (P32011)	Initial grant for upgrade, closure and remediation	\$5,948	\$5,948
Giordano, Thomas (P32468)	Initial grant for upgrade, closure and remediation	\$4,693	\$4,693
Goar, Lee (P31927)	Initial grant for upgrade, closure and remediation	\$3,618	\$3,618
Gomez, Gail (P31991)	Supplemental grant for upgrade, closure and remediation	\$7,903	\$27,938
Gomez, Juana (P31961)	Initial grant for upgrade, closure and remediation	\$14,587	\$14,587
Gordon, Elizabeth (P31188)	Supplemental grant for upgrade, closure and remediation	\$6,148	\$29,776
Halkowich, Kim (P32012)	Initial grant for upgrade, closure and remediation	\$4,553	\$4,553
Hall, Joseph and Norma (P30052)	Initial grant for upgrade, closure and remediation	\$17,726	\$17,726
Hand, Linda (P31923)	Initial grant for upgrade, closure and remediation	\$16,859	\$16,859
Handy, Anna (P32166)	Initial grant for upgrade, closure and remediation	\$12,491	\$12,491
Hanley, Valerie (P31873)	Supplemental grant for upgrade, closure and remediation	\$4,004	\$20,895
Hardoby, Maria (P30417)	Initial grant for upgrade, closure and remediation	\$7,254	\$7,254
Havrilak, Nicholas (P31972)	Initial grant for upgrade, closure and remediation	\$5,208	\$5,208
Hawkey, Donald (P31866)	Initial grant for upgrade, closure and remediation	\$79,578	\$79,578
Henderson, Brad (P31302)	Initial grant for upgrade, closure and remediation	\$13,241	\$13,241
Hoey, Christopher (P32101)	Initial grant for upgrade, closure and remediation	\$22,595	\$22,595
Honrychs, John W. (P31050)	Initial grant for upgrade, closure and remediation	\$49,524	\$49,524
Howard, Lynn and Brad (P30299)	Initial grant for upgrade, closure and remediation	\$13,261	\$13,261
Humen, Danny (P31287)	Initial grant for upgrade, closure and remediation	\$6,045	\$6,045
Johns, Curtis and Linda	Initial grant for upgrade,	\$31,243	\$31,243

<b>Applicant</b>	<b>Description</b>	<b>Grant Amount</b>	<b>Awarded to Date</b>
(P31709)	closure and remediation		
Jones, Edward J. (P32097)	Initial grant for upgrade, closure and remediation	\$10,037	\$10,037
Karavites, Peter (P32683)	Initial grant for upgrade, closure and remediation	\$8,800	\$8,800
Kaufmann, Kenneth and Josette (P30544)	Initial grant for upgrade, closure and remediation	\$23,180	\$23,180
Krogman, Donald (P32132)	Supplemental grant for site remediation	\$1,657	\$7,584
Lassiter, Milan (P31925)	Initial grant for upgrade, closure and remediation	\$23,340	\$23,340
Lavoie, Jane (P30686)	Initial grant for upgrade, closure and remediation	\$3,876	\$3,876
List, Thomas A. and Dolores A. (P31313)	Initial grant for upgrade, closure and remediation	\$4,337	\$4,337
Maines, Jean R. and John P. (P32156)	Initial grant for upgrade, closure and remediation	\$4,454	\$4,454
Majewski, John (P32098)	Initial grant for upgrade, closure and remediation	\$12,762	\$12,762
Marsh, Keith (P32089)	Initial grant for upgrade, closure and remediation	\$20,435	\$20,435
Martin, Edward and Jane (P30974)	Initial grant for upgrade, closure and remediation	\$42,175	\$42,175
Materan, Pedro (P32394)	Initial grant for upgrade, closure and remediation	\$11,877	\$11,877
Miri, Frank and Isla (P31713)	Initial grant for upgrade, closure and remediation	\$6,971	\$6,971
Monaco, Thomas (P30622)	Initial grant for site remediation	\$3,467	\$3,467
Myles, Brandon (P32799)	Initial grant for upgrade, closure and remediation	\$32,143	\$32,143
Nazarov, Konstanti (P32007)	Initial grant for upgrade, closure and remediation	\$21,846	\$21,846
Nickel, Peter and Malvena R. (P32747)	Initial grant for upgrade, closure and remediation	\$35,639	\$35,639
Pesic, Cedomir and Jenny (P31978)	Initial grant for upgrade, closure and remediation	\$10,678	\$10,678
Priester, Tom (P29534)	Initial grant for upgrade, closure and remediation	\$6,257	\$6,257
Quigley, Richard (P32370)	Supplemental grant for site remediation	\$8,302	\$37,369
Rardin, Susan A. (P32745)	Initial grant for upgrade, closure and remediation	\$34,154	\$34,154
Ravettine, Louis (P30081)	Partial initial grant for	\$3,752	\$3,752

<b>Applicant</b>	<b>Description</b>	<b>Grant Amount</b>	<b>Awarded to Date</b>
	upgrade, closure and remediation		
Reed, William and Elaine (P32281)	Initial grant for upgrade, closure and remediation	\$21,767	\$21,767
Rivera, Gerado E. (P31632)	Initial grant for upgrade, closure and remediation	\$20,015	\$20,015
Skellenger, Robert (P32072)	Initial grant for upgrade, closure and remediation	\$5,202	\$5,202
Smisek, Paul (P32271)	Initial grant for upgrade, closure and remediation	\$2,850	\$2,850
Smith, Robert J. and Meriam R. (P30960)	Partial initial grant for upgrade, closure and remediation	\$10,250	\$10,250
Stanton, John (P32119)	Initial grant for upgrade, closure and remediation	\$17,328	\$17,328
Stellingwerf, Theresa (P32721)	Initial grant for upgrade, closure and remediation	\$4,829	\$4,829
Straus, Milton (P30725)	Partial initial grant for site remediation	\$2,820	\$2,820
Thomas, Mathew (P32470)	Initial grant for upgrade, closure and remediation	\$12,199	\$12,199
Todd, Melvin (P31086)	Initial grant for upgrade, closure and remediation	\$2,123	\$2,123
Tong, Yick (P31370)	Initial grant for upgrade, closure and remediation	\$19,317	\$19,317
Trechak, Barbara (P30957)	Initial grant for upgrade, closure and remediation	\$20,848	\$20,848
Verner, Zeraline (P30813)	Initial grant for upgrade, closure and remediation	\$16,941	\$16,941
Victoria, William (P32806)	Initial grant for upgrade, closure and remediation	\$11,555	\$11,555
Wojtaszewski, Wasyl (P31958)	Initial grant for upgrade, closure and remediation	\$41,510	\$41,510
Woodhead, Walter (P32807)	Initial grant for upgrade, closure and remediation	\$15,000	\$15,000
Zangara, Joseph (P32380)	Supplemental grant for upgrade, closure and remediation	\$5,562	\$22,293
Zhang, Ciu Qun (P32123)	Initial grant for upgrade, closure and remediation	\$6,825	\$6,825

**94 Grants**

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

**\$1,649,465**

Abdinoor, Michael and Michelle (P32516)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
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Applicant	Description	Grant Amount	Awarded to Date
Adelung, Michael and Courtney (P33081)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,910	\$2,910
Allan, Terrance (P31973)	Grant to remove an underground storage tank	\$1,500	\$1,500
Auletta, Anthony and Lori (P30294)	Grant to remove an underground storage tank	\$1,200	\$1,200
Baptiste, Patrick and Felecia L. Walker (P32183)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,212	\$3,212
Barcello, Patsy (P32310)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,700	\$4,700
Basich, Anton and Catherine (P31805)	Grant to remove an underground storage tank	\$1,500	\$1,500
Baurys, Lisa (P32630)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Beadling, Brian and Jennifer (P30930)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,477	\$3,477
Beardsley, Leah and David (P32201)	Grant to remove an underground storage tank	\$1,500	\$1,500
Beattie, Robert J. and Margaret M. (P31910)	Partial grant to remove an underground storage tank	\$720	\$720
Beenders, Henry G. and Pamela L. (P32212)	Grant to remove an underground storage tank	\$1,500	\$1,500
Behrend, Holly M. and Richard D. (P32445)	Grant to remove an underground storage tank	\$1,500	\$1,500
Benitez, Victor and Dian (P32648)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,700	\$4,700
Berano, Eleuterio S. and Araceli M. (P33074)	Grant to remove an underground storage tank	\$1,500	\$1,500
Bernocco, Joseph E. and Elizabeth A. (P33173)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Billings, Bruce W. and Cindy L. (P32717)	Grant to remove an underground storage tank	\$1,500	\$1,500
Binczewski, David and Deborah (P32186)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Blanck, Gregory and Susan (P32728)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Blythe Jr., Thomas G. and	Grant to remove an underground	\$3,500	\$3,500

Applicant	Description	Grant Amount	Awarded to Date
Yvette (P31756)	storage tank and install an above ground storage tank		
Boran, John J. (P32618)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,150	\$2,150
Brock, Alvin and Margaret (P32561)	Grant to remove an underground storage tank	\$1,500	\$1,500
Brooks, John and Marianne (P31389)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Bruggemann, Maria and Andrew (P33095)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Buckley, Elizabeth (P31944)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Burns, Joanne K. (P31507)	Grant to install an above ground storage tank	\$3,500	\$3,500
Bury, Frank J. and Joan O. (P33110)	Grant to remove an underground storage tank	\$1,500	\$1,500
Canning, Michael J. and Barbara A. (P31801)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Carniol, Sergiu and Beth (P32466)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,487	\$3,487
Carole, Nancy (P32672)	Grant to remove an underground storage tank	\$1,419	\$1,419
Cataldo, Lawrence and Mary A. (P32099)	Grant to remove an underground storage tank	\$1,000	\$1,000
Chesley, Edward L. and Janet E. (P32401)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Chiriaco, Caren and Timothy J. Murphy (P32771)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Clerico, Antoinette (P31784)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,000	\$4,000
Collins, Lillian (P32377)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,200	\$3,200
Conklin, Suzaane V. (P32233)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Coppers, Crista and Keith	Grant to remove an underground	\$3,500	\$3,500

Applicant	Description	Grant Amount	Awarded to Date
(P32611)	storage tank and install an above ground storage tank		
Cortez, Monique and Manuel B. (P32563)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,392	\$3,392
Cowley, Sr., Diane and Richard A. (P31660)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Crooks George and Jessie (P32577)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,365	\$3,365
Cummings, Charles (P33079)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,300	\$3,300
Cunningham, Derek and Alison (P32157)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,350	\$3,350
Daidone, Steven and Marie (P32580)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,575	\$2,575
Daley, Edward C. and Christine G. (P32634)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Dawson, Steven J. (P32458)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,300	\$3,300
DeBoo, Ermend (P32246)	Grant to remove an underground storage tank	\$1,500	\$1,500
DeGregorio, Michael (P30542)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
DiPietro, David J. (P32783)	Grant to install an above ground storage tank	\$3,140	\$3,140
Dieffenbach, Michael and Suzanne (P32423)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,987	\$3,987
Dier, Kenneth J. and Cyrilla (P32295)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,035	\$4,035
Dorio, Lynn A. (P31136)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,300	\$3,300
Dougan, Sascha and Matthew Smith (P31413)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,200	\$3,200
Dursi, Matthew D. and Tracy A. (P32614)	Grant to remove an underground storage tank and install an above	\$2,850	\$2,850

Applicant	Description	Grant Amount	Awarded to Date
	ground storage tank		
Eitel, Jr., John A. (P32937)	Grant to remove an underground storage tank	\$1,500	\$1,500
Erickson, John and Susan K. (P32848)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,233	\$3,233
Ermatinger, Robert (P31946)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Escolano, Donald J. and Theresa L. (P32459)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Eugene A. Gebhardt and LouAnn Nelson (P33193)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,100	\$4,100
Fenton, Kenneth M. and Ellen (P31421)	Grant to remove an underground storage tank	\$1,500	\$1,500
Ferralasco, Donald and Deborah A. (P31807)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Forsman, Peter and Maureen McQuaid (P32523)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,913	\$2,913
Fries, Paul A. and Suely (P33121)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,300	\$3,300
Gaitanaru, Ana (P33313)	Grant to remove an underground storage tank	\$1,200	\$1,200
Garafalo, Robert H. (P32236)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,154	\$4,154
Geise, Erik J. and Heather A. (P33316)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Geraci, Charles J. and Celeste M. (P31913)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,478	\$3,478
Gerardo, Donald A. and Arlene (P32710)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Graziano, Sr., Guy J. and Palma A. (P33111)	Grant to remove an underground storage tank	\$1,500	\$1,500
Greco, Bernard G. and Joyce M. (P33069)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Grib, William and MaryAnn	Grant to remove an underground	\$3,839	\$3,839

Applicant	Description	Grant Amount	Awarded to Date
(P32576)	storage tank and install an above ground storage tank		
Groves, Carl and Janet (P32301)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,279	\$3,279
Hagan, Kevin W. and Deborah Lebel-Hagan (P31595)	Grant to remove an underground storage tank	\$1,200	\$1,200
Harby, Guy S. (P33167)	Grant to remove an underground storage tank	\$1,500	\$1,500
Harris, Jesse H., II (P32633)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Hastick, Kenneth and Elemerna (P32591)	Grant to remove an underground storage tank	\$1,500	\$1,500
Hauck, Howard C. and Carol A. (P33113)	Grant to remove an underground storage tank	\$1,500	\$1,500
Henrich, Margaret (P32255)	Grant to remove an underground storage tank	\$1,962	\$1,962
Heyman, Richard A. and Carol L. (P32330)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Hindle, Dorothy R. (P33264)	Grant to remove an underground storage tank	\$1,200	\$1,200
Holler, Ross (P32248)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,446	\$3,446
Hrabovecky, Ken and Gloria (P32774)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,105	\$3,105
Hsu, Chihtong and Shuchun Chen (P32875)	Grant to remove an underground storage tank	\$1,500	\$1,500
Hunt, David A. and Andrea P. (P32223)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,255	\$3,255
Illo, Kathleen (P33213)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Ingrao, Sr., Eugene R. and Michele H. (P32311)	Grant to remove an underground storage tank and install an above ground storage tank	\$1,900	\$1,900
Ismail, Hassan (P31716)	Grant to remove an underground storage tank	\$1,500	\$1,500
Jamieson, Cheryl L. (P32575)	Grant to remove an underground storage tank	\$1,690	\$1,690
Jeans, Malcolm and Patricia (P33112)	Grant to remove an underground storage tank	\$1,500	\$1,500

Applicant	Description	Grant Amount	Awarded to Date
Jones, Cheryl Y. (P32291)	Grant to remove an underground storage tank	\$1,500	\$1,500
Kennedy, Cynthia (P31954)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Kennedy, Marion V. (P33261)	Grant to remove an underground storage tank	\$1,200	\$1,200
Kirkland, Ralph C. (P32304)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$2,788	\$2,788
Kish, Brian C. and Catherine M. (P32713)	Grant to install an above ground storage tank	\$3,406	\$3,406
Koch, Adelaide M. (P32712)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,824	\$3,824
Koerner, Helen (P32988)	Grant to remove an underground storage tank	\$1,058	\$1,058
Kook, Richard and Barbara Kook (P31472)	Grant to remove an underground storage tank	\$1,450	\$1,450
Kopchains, Carolyn and Thomas (P32254)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,374	\$4,374
Kornreich, Wynfield and Elaine (P31553)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$1,181	\$1,181
Kotapka, Krzysztof and Zofia (P31493)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,200	\$3,200
Kremer, Horst and Marianne (P32656)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Krupinski, Martin and Dawn (P32770)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Kushpa, Mark G. and Susan M. (P31375)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
LaMantia, Julius and Theresa (P32525)	Grant to remove an underground storage tank	\$1,500	\$1,500
LaValle, John B. and April L. (P32655)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,300	\$3,300
Lackowitz, Christopher (P30485)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,163	\$3,163

Applicant	Description	Grant Amount	Awarded to Date
Lagno, Mary E. (P32547)	Grant to remove an underground storage tank	\$1,500	\$1,500
Laman, Philip A. and Rebecca A. (P32767)	Grant to remove an underground storage tank	\$1,500	\$1,500
Lampasona, Jr., Robert and Robin (P32048)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Latora, Frank (P30588)	Grant to remove an underground storage tank	\$1,265	\$1,265
Lawrence, Kelly (P32789)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,470	\$3,470
Lemaszewski, Kenneth T. and JoAnn (P32492)	Grant to install an above ground storage tank	\$3,500	\$3,500
Lijoi, Jay M. and Laura K. (P32559)	Partial grant to remove an underground storage tank	\$600	\$600
Lipps, Sharon (P32135)	Grant to remove an underground storage tank	\$1,500	\$1,500
Longo, Patricia (P32280)	Grant to remove an underground storage tank	\$1,500	\$1,500
Lopes, Rudolph and Frances I. (P32306)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$2,800	\$2,800
Lynch, Thomas H. and Margaret A. (P32351)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Macaluso, Joseph J. (P31799)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$1,400	\$1,400
Macones, Elaine H. and Bernard J., Jr. (P32690)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,250	\$3,250
Magovern, III, James J. and Lisa (P33030)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,476	\$3,476
Malone., Kevin (P32606)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,475	\$3,475
Mangahas, Manuel G and Florinda R. (P31920)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Marra, Salvatore and Andrea (P31729)	Grant to remove an underground storage tank	\$1,500	\$1,500
Martin, Penny and Arthur	Grant to remove an underground	\$3,149	\$3,149

Applicant	Description	Grant Amount	Awarded to Date
Dauenhauer (P32678)	storage tank and install an above ground storage tank		
Mason, Robert R. and April M. (P33033)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,185	\$3,185
Matson, Nisha M. (P32215)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,443	\$3,443
Matula, Paul M. (P31781)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,300	\$3,300
Matzal, Bridget and Edmund (P32876)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
McCrory, Michael and Anne (P32635)	Grant to remove an underground storage tank	\$1,500	\$1,500
McNerney, Frank J. and Heidi B. (P32625)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,400	\$3,400
Meehan, William J. and Denise M. (P32854)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Mellor, Lisa M. (P32264)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$686	\$686
Mey, Marie (P31066)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Miller, Jr., Leo and Edna N. (P32858)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Mockler, Ryan and Maria (P33163)	Grant to remove an underground storage tank	\$1,500	\$1,500
Modlesky, Christina H. (P32237)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,315	\$3,315
Montroni, Joseph J. and Audrey M. (P32872)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,170	\$3,170
Mosko, Milton C. (P32462)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,394	\$3,394
Nalavany, Joseph P. (P32682)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,485	\$3,485
Nerod, Richard and Po	Grant to remove an underground	\$1,500	\$1,500

Applicant	Description	Grant Amount	Awarded to Date
(P32256)	storage tank		
Nitahara, Stephen and Nancy (P32532)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,459	\$3,459
Norris, John (P32409)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,305	\$3,305
Osborne, Meredith E. and Bonnie J. (P32510)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$1,992	\$1,992
Parkman, Calvin (P31257)	Grant to install an above ground storage tank	\$1,756	\$1,756
Parlapiano, Nancy T. and John P. (P32192)	Grant to remove an underground storage tank	\$1,070	\$1,070
Peluso, Dawn and Keith M. (P32323)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Petsagourakis, Nick and Dorothy (P31610)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,428	\$3,428
Pischedda, John and Carol (P32761)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Pitt, Ilsa (P33342)	Grant to remove an underground storage tank	\$1,100	\$1,100
Pollard, Emma R. (P32797)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,592	\$3,592
Presley, Yolanda (P31482)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Prol, Joseph and Ruth (P31281)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,250	\$3,250
Rabinowitz, Peter and Janet (P32144)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Reading, Virginia (P32686)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Reeder, William (P32727)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Reish, Maria (P32602)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,276	\$3,276

Applicant	Description	Grant Amount	Awarded to Date
Rocco, Teri (P32857)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,338	\$3,338
Roem, Carol (P33115)	Grant to remove an underground storage tank	\$1,500	\$1,500
Rohan, Anna W. (P32601)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,278	\$3,278
Rosi, Ellen Swiss and David (P32571)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Ross, Margaret A. (P32404)	Grant to install an above ground storage tank	\$2,964	\$2,964
Rozynski, Samuel J. (P32232)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Ruffo, Andrew and Nicole (P31551)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Russo, Frank A. and Vivian J. (P32405)	Grant to remove an underground storage tank	\$1,400	\$1,400
Ryan, Christopher and Mirta (P30660)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Sadenwater, Jean (P32204)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Sahovic, Enes and zijada (P32702)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,978	\$2,978
Santiago, Mary (P32600)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Schauder, Ruth E. (P33320)	Grant to remove an underground storage tank	\$1,200	\$1,200
Scherer, Shawn and Donna (P31391)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Schneider, George and Bethanyanne (P32725)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,453	\$3,453
Shenise, Victoria and Randy (P33028)	Grant to remove an underground storage tank and install an above ground storage tank	\$5,000	\$5,000
Silvers, George E. and Sharon L. (P33078)	Grant to remove an underground storage tank	\$3,300	\$3,300

Applicant	Description	Grant Amount	Awarded to Date
Smith, Carolyn A. (P32187)	Grant to remove an underground storage tank	\$1,500	\$1,500
Smith, Shane and Helena (P32570)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$1,400	\$1,400
Spengler, Michael (P32860)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Spieth, Manfred and Janet (P32852)	Grant to remove an underground storage tank	\$1,500	\$1,500
Steward, Anne Marie (P29847)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Strydio, Judy (P32776)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,525	\$3,525
Stutmann, William and Linda (P32639)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,200	\$3,200
Sylvester, David and Lisa (P32868)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,460	\$3,460
Szollosi, Joseph and Judith (P32481)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,170	\$4,170
Szymczak, Stanley E. and Wendy J. (P32916)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,300	\$3,300
Takahashi, Tatsuo (P33120)	Partial grant to remove an underground storage tank	\$3,360	\$3,360
Tanis, Robert P. and Maryellen (P31964)	Grant to remove an underground storage tank	\$1,200	\$1,200
Timpanaro, Karen and John V., Jr. (P32914)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,834	\$3,834
Tino, Patricia and Henry (P32866)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$1,203	\$1,203
Torres, Jr., Francisco and Adrienne (P32252)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Trasko, Elizabeth (P32522)	Grant to remove an underground storage tank	\$1,500	\$1,500
Ur, Eleanor M. (P33311)	Grant to remove an underground storage tank	\$1,500	\$1,500

Applicant	Description	Grant Amount	Awarded to Date
Vero, Albert J. and Lauralynn A. (P32195)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Vill, Michael P. and Margaret E. (P32041)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Walsh, Margaret (P31936)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,258	\$3,258
Walter, Kristopher C. and Borovay, Jessica (P31351)	Partial grant to remove an underground storage tank	\$600	\$600
Ward, Kathryn M. (P32599)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Weiland, Richard A. and Sylvia (P31569)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,700	\$4,700
Weis, Robert O. (P32987)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Werder, Timothy M. and Kathleen (P33249)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Wescott, Stephen W. and Patricia A. (P32483)	Grant to remove an underground storage tank and install an above ground storage tank	\$4,100	\$4,100
West, Doris F. (P33319)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,201	\$3,201
White, Jean G (P33234)	Grant to remove an underground storage tank	\$1,200	\$1,200
Wilson, Jerome and Carol (P33169)	Partial grant to remove an underground storage tank and install an above ground storage tank	\$1,368	\$1,368
Winter, Elizabeth (P32660)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,000	\$3,000
Woods, Richard and Elizabeth (P33299)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,500	\$3,500
Worthy, Mark and Juanita (P29522)	Grant to remove an underground storage tank and install an above ground storage tank	\$2,418	\$2,418
Wydner, Elizabeth and Harold (P30481)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,280	\$3,280

Applicant	Description	Grant Amount	Awarded to Date
Zanzonico, Dorothy (P33116)	Grant to remove an underground storage tank	\$1,500	\$1,500
Zimmer, William F. and Vivian A. (P33315)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,900	\$3,900
Zoppina, Anthony and Theresa M. (P31728)	Grant to remove an underground storage tank	\$1,326	\$1,326
Zotynia, Brian (P31428)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,715	\$3,715
von Webern, Frank (P32813)	Grant to remove an underground storage tank and install an above ground storage tank	\$3,161	\$3,161

**210 Grants**

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

**\$591,648**

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\*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 12, 2010  
**SUBJECT:** Hazardous Discharge Site Remediation Fund Program

The following municipal and private grant projects have been approved by the Department of Environmental Protection for a grant to perform remedial Investigation and remedial action activities. The scope of work is described on the attached project summaries.

**Municipal Grants:**

Milltown-Ford Avenue Redevelopment Agency .....	\$182,169
City of Newark (Scientific Chemical Process).....	\$375,175
City of Perth Amboy (Gilland Property).....	\$128,968

**Private Grant:**

Palmer Industries, Inc. ....	\$182,734
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**Total HDSRF funding for October 2010..... \$869,046**

Prepared by: Lisa Petrizzi

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

**APPLICANT:** Milltown-Ford Avenue Redevelopment Agency

P33687

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 2-130 Ford Avenue

Milltown Borough (N)

Middlesex

**GOVERNOR'S INITIATIVES:** ( ) Urban ( ) Edison (X) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

The Milltown-Ford Avenue Redevelopment Agency received grant funding totaling \$11,657,596 between 2004 and 2007 to perform Site Investigation (SI), Remedial Investigation (RI) and Remedial Action (RA) activities. The project site is the former Michelin Tire Company and is located in a Brownfield Development Area (BDA). The Milltown-Ford Avenue Redevelopment Agency intends to acquire the project site and has satisfied Proof of Site Control. It is the Agency's intent, upon completion of the environmental investigation activities, to redevelop the project site for mixed-use development.

NJDEP has approved the request for RI funding on the above-referenced project site and finds the project technically eligible under the HDSRF Program, Category 2, Series A.

**APPROVAL REQUEST:**

The applicant is requesting additional grant funding in the amount of \$182,169 for the approved project costs, for a total funding to date of \$11,839,765.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT** \$182,169

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

**PROJECT COSTS:**

Remedial investigation	\$182,169
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<u><u>\$182,669</u></u>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** City of Newark (Scientific Chemical Process)

P32257

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 411 Wilson Avenue

Newark City (T/UA)

Essex

**GOVERNOR'S INITIATIVES:** (X) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

The City of Newark had received grant funding in the amount of \$83,440 under P9178 in May 1997 to perform Preliminary Assessment (PA) and Site Investigation (SI) and grant funding in the amount of \$63,500 under P14490 in July 2004 to perform Remedial Investigation (RI). The property site, identified as Block 5020, Lot 98 is an abandoned industrial facility suspected of groundwater being contaminated by volatile organics and the soil being contaminated with some metal, semi-volatile organic and PCB. The City of Newark has foreclosed on 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 trailer storage and truck repair.

NJDEP has approved the request for RI grant funding on the above-referenced project site and finds the project technically eligible under the HDSRF Program.

**APPROVAL REQUEST:**

The City of Newark is requesting supplemental grant funding to perform RI \$375,175 at the Scientific Chemical Processing property site, for a total funding to date of \$522,115.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT**\$375,175

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

**PROJECT COSTS:**

Remedial investigation	\$375,175
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<hr/> <b>\$375,675</b> <hr/>

**APPROVAL OFFICER:** L. Petrizzi

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

**APPLICANT:** City of Perth Amboy (Gilland Property)

P32902

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

\* - indicates relation to applicant

**PROJECT LOCATION:** Front and Commerce Streets Perth Amboy City (T/UA)

Middlesex

**GOVERNOR'S INITIATIVES:** (X) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

The project site, identified as Block 138, Lot 1 had various former industrial and commercial operations and has potential environmental areas of concern (AOC's). The project site is located in a Brownfields Development Area (BDA). This BDA designation establishes a long-term partnership between the applicant, NJDEP and other involved agencies, such as the EDA, in order to initiate redevelopment of urban, residential, industrial and commercial neighborhoods that are adversely affected by multiple brownfields properties. Additionally, this approach supports growth and encourages mixed uses of previously developed areas. It is the City's intent, upon completion of the environmental investigation activities, to redevelop the project site for residential and retail use.

According to the HDSRF 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 within a BDA. The grant has been calculated off 75% of the RA costs (\$96,562) and adding the RI costs (\$56,547).

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.

**APPROVAL REQUEST:**

The City of Perth Amboy is requesting grant funding to perform RI and RA in the amount of \$128,968 at the Gilland Property project site.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT** \$128,968

**TERMS OF GRANT:** No Interest; A lien in the amount of \$72,421 will be placed on the property and will constitute a debt of the property owner. In the event the property is transferred to the applicant, the lien will be removed.

**PROJECT COSTS:**

Remedial Action	\$72,421
Remedial investigation	\$56,547
EDA administrative cost	\$500

**TOTAL COSTS**

\$129,468

**APPROVAL OFFICER: C. Frazier**

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**  
**PROJECT SUMMARY - HAZARDOUS DISCHARGE SITE REMEDIAT'N PROG GRANT**

**APPLICANT:** Palmer Industries, Inc.

P31550

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

\* - indicates relation to applicant

**PROJECT LOCATION:** 59-97 Chapel St.

Newark City (T/UA)

Essex

**GOVERNOR'S INITIATIVES:** (X) Urban ( ) Edison ( ) Core ( ) Clean Energy

**APPLICANT BACKGROUND:**

Palmer Industries, Inc. is the owner of project site, which is a former asphalt manufacturing plant located in Newark, NJ. The NJDEP Office of Brownfield Reuse 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 Innocent Party Grant under N.J.S.A. 58:10B-Subsection 4, Series A. This Innocent Party Grant has been calculated off 50% of the approved remedial investigation and remedial action project costs (\$365,468).

The scope of work involves remedial action activities including soil sampling and groundwater monitoring, along with receptor and ecological evaluations.

**APPROVAL REQUEST:**

The applicant is requesting grant funding in the amount of \$182,734 to perform the approved scope of work at the project site.

**FINANCING SUMMARY:**

**GRANTOR:** Hazardous Discharge Site Remediation Fund

**AMOUNT OF GRANT:** \$182,734 (50% Innocent Party Grant)

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

**PROJECT COSTS:**

Remedial Action	\$365,468
EDA administrative cost	\$500
<b>TOTAL COSTS</b>	<b>\$365,968</b>

**APPROVAL OFFICER:** K. Junghans



**TO:** Members of the Authority

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

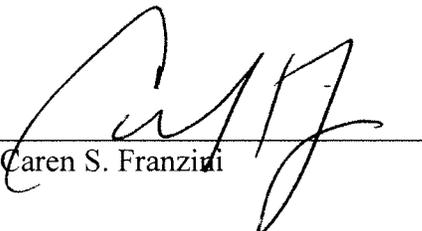
**DATE:** October 12, 2010

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

Pursuant to the Board's approval on May 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 2010.

<b>Applicant</b>	<b>Description</b>	<b>Grant</b>	<b>Awarded to Date</b>
ACP Partnership P32694	Supplemental 25% Matching Grant to perform remedial action	\$19,811	\$200,928
ACP Partnership P32622	Supplemental 50% Innocent Party Grant to perform remedial action	\$50,742	\$485,485
Anthony Bua P28457	Initial 25% Matching Grant to perform remedial action	\$5,144	\$5,144
Keyport Borough (Saute Bay) P32603	Initial grant to perform remedial action to redevelop for open space/recreation	\$48,617	\$48,617
Aboubakar Traore P30242	Initial 25% Matching Grant to perform remedial action	\$2,883	\$2,883
<b>5 Grants</b>	<b>Total Grant Funding for September 2010</b>	<b>\$127,197</b>	

  
Caren S. Franzini

## **INCENTIVE PROGRAMS**

**BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

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

**APPLICANT:** Alice & Olivia, LLC

P33455

**PROJECT LOCATION:** To Be Determined

Locations Unknown (N)

Unknown County

**GOVERNOR'S INITIATIVES:**

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

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

Alice & Olivia, LLC (A&O), formed in 2002, is a privately held clothing design company with its corporate headquarters in NYC. The founder and chief designer, Stacey Bendet, started with a "just pants" collection for contemporary women. Today, products sold under the A&O label range from a full line of women's wear, jewelry and shoes, to mens and children wear, and yoga wear. The products are sold in more than 700 stores worldwide, such as Bergdorf Goodman, Neiman Marcus, Saks, and Harrods. In addition, A&O has five free standing stores located in New York City, Los Angeles, Malibu, Greenwich, and Southampton and is evaluating opening two new stores in 2011. The applicant is economically viable.

**MATERIAL FACTOR:**

Alice & Olivia, LLC is seeking a BEIP grant to support moving 50 administrative staff and warehouse employees from its NYC corporate office and adding 20 new jobs, to create 70 new jobs in Secaucus NJ. Also under consideration is moving to Pennsylvania. A&O is estimating project costs of approximately \$750,000. If Secaucus is chosen, based on Smart Growth factors, the BEIP grant percentage will increase to 45%, with a grant value of \$235,463 over the 10 year term. Management has indicated that a favorable decision by the Authority to award the BEIP grant is a material factor in the company's decision to open a new corporate operation in NJ.

**APPROVAL REQUEST:**

**PERCENTAGE:** 30%

**TERM:** 10 years

The Members of the Authority are asked to approve the proposed BEIP grant and award percentage to encourage Alice & Olivia, LLC 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:** \$ 156,975

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

**NJ EMPLOYMENT AT APPLICATION:** 0

**ELIGIBLE BEIP JOBS:** Year 1 50 Year 2 20 Base Years Total = 70

**ESTIMATED COST PER ELIGIBLE BEIP JOB OVER TERM:** \$2,242

**ANTICIPATED AVERAGE WAGES:** \$40,000

**ESTIMATED PROJECT COSTS:** \$750,000

**ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10** \$523,250

**ESTIMATED NET NEW STATE INCOME TAX - DURING 15** \$627,900

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

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

**PROJECT OWNERSHIP HEADQUARTERED IN:** New York

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

**DEVELOPMENT OFFICER:** D. Johnson

**APPROVAL OFFICER:** M. Krug

## FORMULA EVALUATION

<u>Criteria</u>		<u>Score</u>
1. Location:	<b>Locations Unknown</b>	N/A
2. Job Creation	<b>70</b>	<b>1</b>
	Targeted : _____ Non-Targeted : <u>  X  </u>	
3. Job at Risk:	<b>0</b>	<b>0</b>
4. Industry:	<b>shipping/transportation</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>\$750,000</b>	<b>1</b>
7. Average Wage:	<b>\$ 40,000</b>	<b>2</b>

TOTAL: **6**

**Bonus Increases (up to 80%):**

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

**Total Bonus Points:** **0 %**

**Total Score :**

**Total Score per formula:** 6 = 25 %

**Construction/Renovation :** 5 %

**Bonus Increases :** 0 %

**Total Score (not to exceed 80 %):** **30 %**

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

**APPLICANT:** Mallinckrodt Baker, Inc. and Affiliates

P33498

**PROJECT LOCATION:** 222 Red School Lane

Lopatcong Township (N) Warren County

**GOVERNOR'S INITIATIVES:**

Urban  Edison  Core  Clean Energy

**APPLICANT BACKGROUND/ECONOMIC VIABILITY:**

Based in Phillipsburg, NJ, and originally founded by John T. Baker in 1904, Mallinckrodt Baker, Inc. manufactures and markets high purity fine chemicals under the Mallinckrodt® and J.T.Baker® brands. Their principal products are high purity acids, hematology reagents, solvents, and organic and inorganic salts. These products are widely used in research and quality control laboratories, microelectronics, environmental testing laboratories and universities, and for manufacturing in the pharmaceutical, biotechnology and other industrial markets. The Applicant is economically viable. The Authority Board approved Mallinckrodt Baker, as a UEZ-certified manufacturer, for an Urban Enterprise Zone Energy Sales Tax Exemption in June 2010.

Until this summer, Mallinckrodt Baker was a part of Covidien plc, which itself was the former healthcare division of Tyco International Ltd., until 2007. With approximately \$414 million divisional sales in fiscal 2009, Mallinckrodt Baker (specialty chemicals) was a relatively small operation within Covidien (approximately \$10.3 billion medical supplies, medical devices and pharmaceutical/chemical sales in fiscal 2009). In August 2010, for a cash purchase price of \$280 million, Covidien sold this specialty chemicals division to New Mountain Capital LLC, a New York-based private equity firm. Founded in 2000, New Mountain Capital LLC's stated mission is to invest for long-term capital appreciation in the highest-quality growth leaders in carefully selected industry sectors, and then to work intensively with management to build the value of these companies. The Firm currently manages private and public equity funds with approximately \$8.5 billion in aggregate capital commitments.

Mallinckrodt Baker is planning to create 60 new permanent corporate jobs as it transitions to a standalone company (for the first time since 1941). This expansion is necessary to accommodate the additional employees it needs to function as a standalone company, and to enable its anticipated future growth as its business strengthens and expands. A brand new facility or an addition is needed to house this expansion. According to the Applicant, New Jersey is competing with Pennsylvania not only to house this planned expansion but also to retain the existing corporate headquarters positions.

**MATERIAL FACTOR:**

The Applicant is seeking a BEIP grant to support creating the below-referenced positions in New Jersey. The company has represented that a favorable decision by the Authority to award the BEIP grant is an inducement in the Applicant's decision to go forward with the project (which is to expand within New Jersey instead of expanding out of State, such as in 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 Mallinckrodt Baker, Inc. and Affiliates 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:** \$ 803,700  
 (not to exceed an average of \$50,000 per new employee over the term of the grant)

**NJ EMPLOYMENT AT APPLICATION:** 448

**ELIGIBLE BEIP JOBS:** Year 1 30 Year 2 30 Base Years Total = 60

**ESTIMATED COST PER ELIGIBLE BEIP JOB OVER TERM:** \$13,395

**ANTICIPATED AVERAGE WAGES:** \$74,000

**ESTIMATED PROJECT COSTS:** \$21,000,000

**ESTIMATED GROSS NEW STATE INCOME TAX - DURING 10** \$1,339,500

**ESTIMATED NET NEW STATE INCOME TAX - DURING 15** \$1,205,550

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

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

**PROJECT OWNERSHIP HEADQUARTERED IN:** New York

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

**DEVELOPMENT OFFICER:** P. Ceppi

**APPROVAL OFFICER:** D. Sucsuz

## FORMULA EVALUATION

<u>Criteria</u>	<u>Score</u>
1. Location: <b>Lopatcong Township</b>	N/A
2. Job Creation <b>60</b> Targeted : _____ Non-Targeted : <u> X </u>	1
3. Job at Risk: <b>138</b>	1
4. Industry: <b>other manufacturing</b> Designated : _____ Non-Designated : <u> X </u>	0
5. Leverage: <b>3 to 1 and up</b>	2
6. Capital Investment: <b>\$21,000,000</b>	3
7. Average Wage: <b>\$ 74,000</b>	3
<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%	<u>20%</u>
Located in Planning Area 1 or 2 of the State's Development and Redevelopment Plan AND creation of 500 or more jobs	30%	_____
Located in a former Urban Coordinating Council or other distressed municipality as defined by Department of Community Affairs	20%	_____
Located in a brownfield site (defined as the first occupants of the site after issuance of a new no-further action letter)	20%	_____
Located in a center designated by the State Planning Commission, or in a municipality with an endorsed plan	15%	_____
10% or more of the employees of the business receive a qualified transportation fringe of \$ 30.00 or greater.	15%	_____
Located in an area designated by the locality as an "area in need of redevelopment"	10%	_____
Jobs-creating development is linked with housing production or renovation (market or affordable) utilizing at least 25% of total buildable area of the site	10%	_____
Company is within 5 miles of and working cooperatively with a public or non-profit university on research and development	10%	_____

**Total Bonus Points:**

**20 %**

**Total Score :**

**Total Score per formula:** 10 = 35 %

**Construction/Renovation :** 5 %

**Bonus Increases :** 20 %

**Total Score (not to exceed 80 %):** 60 %

**BUSINESS RETENTION AND RELOCATION ASSISTANCE  
GRANT**

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

**APPLICANT:** Marine Container Services, Inc.

**COMPANY ADDRESS:** 802-814 Bergen Street                      Newark City                      Essex County

**PROJECT LOCATION:** TBD

**GOVERNOR’S INITIATIVES:**

NJ Urban Fund                       Edison Innovation Fund                       Core

**APPLICANT BACKGROUND:**

Marine Container Services, Inc. (“MCS”) is a logistics company based in Newark, New Jersey. Founded in 1979, MCS offers import/export services as well customs clearance and freight forwarding. The company also has a temperature controlled warehouse that is available for storage and a license that allows the transportation of liquor within New Jersey, New York, and Connecticut. The company’s leased facility in Newark is currently up for sale and as a result MCS is seeking a new location for its 54 employees.

In July 2000, Marine Container Services received a \$148,500 SLP loan with Fleet Bank via a 25% EDA participation and a \$148,500 Local Development Financing Fund loan to finance the purchase of ten new tractor trailers. Both loans were paid-off in December 2001. In June 2005, the EDA guaranteed \$85,500 for MCS on a loan from PNC Bank for the purchase of five additional tractor trailers that was paid in full in March 2010.

**MATERIAL FACTOR:**

The pending sale of the company’s currently leased facility in Newark has caused MCS to explore lease options in other locations. MCS is seeking 100,000 sq ft of space in either New York or New Jersey. Management has indicated that a favorable decision by the Authority to award a BRRAG is a material factor in the company’s decision to relocate within New Jersey.

**APPROVAL REQUEST:**

**TERM:** 5 years

The Members of the Authority are asked to approve the proposed BRRAG grant to Marine Container Services, Inc. to encourage the company to relocate within New Jersey. The recommended grant is based on the Project Evaluation Factors set forth on the attached BRRAG score sheet and is contingent upon receipt by the Authority of evidence that the company has met said criteria to substantiate the recommended award amount. If the criteria met by the company differs from that shown on the score sheet, the award amount will be raised or lowered to reflect the award amount that corresponds to the actual criteria that have been met.

<b>TOTAL ESTIMATED GRANT AWARD:</b>	\$	59,400
<b>GRANT AMOUNT PER RETAINED EMPLOYEE</b> (see attached scoresheet):	\$	1,100
<b>NEW JERSEY EMPLOYMENT AT APPLICATION:</b>		54
<b>ELIGIBLE BRRAG JOBS:</b>		54
<b>ANTICIPATED AVERAGE WAGES:</b>	\$	45,000
<b>ESTIMATED PROJECT COST:</b>	\$	60,000
<b>ESTIMATED TOTAL GROSS ANNUAL PAYROLL:</b>	\$	2,430,000
<b>ESTIMATED TOTAL GROSS STATE WITHHOLDINGS 1YR:</b>	\$	51,300
<b>ESTIMATED TOTAL GROSS STATE WITHHOLDINGS 5YRS:</b>	\$	256,500

**PROJECT IS:**  Expansion                       Relocation

**CONSTRUCTION:**  Yes                       No

**DEVELOPMENT OFFICER:** J. Colon

**APPROVAL OFFICER:** K. McCullough

**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:** Marine Container Services      **Date Scored:** 09/20/2010

**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	54	1

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

Range	Avg. Salary	Score
4 = \$75,001 +		
3 = \$50,001 - \$75,000		
2 = \$30,001 - \$50,000	\$45,000	2
1 = \$19,001 - \$30,000		
0 = up to \$19,000		

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

Range	Capital Investment	Score
5 = \$3,500,000 to \$19,000,000+		
4 = \$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	\$60,000	0

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

Range	Industry	Score
3 = manufacturing		
2 = designated	Logistics	2
0 = non-targeted		

**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.		
0 = non- growth area	TBD	0

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

		Score
2 = yes	\$45,000	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	1979	3
2 = 15-19 years		
1 = 10-14 years		

**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**

<b>Range</b>	<b>Number of Employees in NJ</b>	<b>Score</b>
3 = 350 or greater		
2 = 200-349		
1 = 50-199	54	1

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

	<b>Y/N</b>	<b>Score</b>
3= if relocating from non-UEZ site to a site within an UEZ		
0 = no	No	0

**Totals – Value Per Retained Job and Score**

<b>Range</b>	<b>Value Per Retained Job</b>	<b>Score</b>
31-36 = \$1,500		
25-30 = \$1,400		
19-24 = \$1,300		
13-18 = \$1,200		
7-12 = \$1,100	\$1,100	11
0-6 = \$1,000		



## MEMORANDUM

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

**SUBJECT:** Interim Green Building Guidance  
Urban Transit Hub Tax Credit Program and  
Economic Redevelopment & Growth Grant Program

### REQUEST

The Members are asked to approve an evaluation approach for determining compliance with green building practices in the Urban Transit Hub Tax Credit Program (UTHTC) and the Economic Redevelopment & Growth Grant Program (ERG). The approach as outlined in this memo would be utilized until a Green Building Manual is completed by the NJ Department of Community Affairs to provide additional guidance for EDA's use.

### BACKGROUND

Pursuant to the UTHTC Act, P.L. 2007, c.346, as amended and the ERG Act, P.L. 2009, c.90, as amended, the Authority must "establish standards for redevelopment projects seeking State or local incentive grants based on the green building manual prepared by the Commissioner of Community Affairs pursuant to Section 1 of P.L.2007, c.132 (C.52:27D-130.6), regarding the use of renewable energy, energy-efficient technology, and non-renewable resources in order to reduce environmental degradation and encourage long-term cost reduction." The manual is intended to provide guidance for the construction of buildings that significantly reduce or eliminate the negative impact of buildings on the environment and their occupants. This manual is being developed through a partnership between DCA, the Department of Environmental Protection, the Housing and Mortgage Finance Agency, and the Board of Public Utilities (BPU) in consultation with the Rutgers Center for Green Building at the Bloustein School of Planning and Public Policy (Rutgers). In addition to providing best practices, the manual will be a resource for local governments, building owners and developers who wish to apply for State grants, including the UTHTC and ERG programs which are administered by the EDA.

As the green building manual is not yet completed and approved by the Commissioner of DCA and its partners (draft is expected by year end, followed by a stakeholder review process) Rutgers provided the EDA with interim green building guidance to be used until the manual is completed. The interim green building guidance refers to several standards: (1) the LEED (Leadership in Energy and Environmental Design) green building rating system of the US Green Building Council; (2) the National Green Building Standard, known as ICC-700, which was approved as an American National Standard; and (3) NJ Energy Star Homes Program, which is part of a larger EPA Energy Star program developed to promote energy efficient construction. For New Commercial buildings, the guidance is to promote a baseline achievement of LEEDv3 Design & Construction Silver certification, with the requirement of minimum 20% better performance than ASHRAE 90.1-2007.

As applicants under the ERG and HUB programs have been approved for projects and are either designing, or ready to proceed with, the construction of projects, we have had requests for a more flexible approach to meet the intent of the Statute in this interim period. The requests come from applicants such as supermarkets, who have reviewed the interim guidance and represent that the guidance is not readily adaptable to this type of project, and as such would add additional costs to design and construction. Other applicants support designing and building to the interim guidelines but have expressed concerns about the time and costs related to the as built certification process post construction.

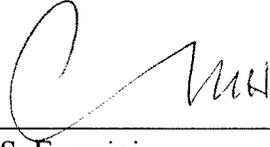
After consultation with the Governor's Policy Office, DCA, and the EDA Incentive Committee, staff recommends that an additional standard be established for meeting the requirements of UTHTC and ERG, which is the BPU's Pay for Performance program. Pay for Performance is a comprehensive energy efficiency program that provides incentives towards whole-building energy improvements. It is similar to the interim guidelines approach to residential construction which provides the Energy Star energy efficiency standards as a means toward meeting the green building policy. The Pay for Performance new construction component is designed for new commercial, industrial, and multifamily buildings with 50,000 square feet or more of planned space, as well as buildings undergoing substantial renovation.

In the Pay for Performance program, an applicant designs an energy reduction plan consisting of a comprehensive package of efficiency measures by developing a simulated computer model of the design plan capable of achieving energy costs 15% below ASHRAE 90.1-2004 Standards. Staff recommends this alternative route as a means to provide applicants with a defined energy reduction standard that may be more appropriate for supermarkets or projects that are undergoing renovation. Applicants will not be required to participate in the program, which has limited funding resources, but if an applicant requests evaluation under the Pay for Performance program standard and is not participating in the program; an engineer certification that the project meets the program requirements will be required.

## **RECOMMENDATION**

The Members are asked to approve the use of the interim Green Building guidance and/or the BPU Pay for Performance program guidelines to address the statutory requirements of the ERG and HUB programs until the permanent Green Building Manual is completed and has been approved for use by the EDA. In addition, applicants will be required to certify that the project was designed and built to the elected standard post construction in order to be qualified for the program incentive. This

Approval is for both prior and prospective award approvals through the ERG and HUB programs, until such time that the EDA standards can be based on the completed Green Building Manual and promulgated through the NJ Register rulemaking process.



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Caren S. Franzini  
Chief Executive Officer

Prepared by: Margaret Piliere

**BOARD MEMORANDUMS**



## MEMORANDUM

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

**SUBJECT:** UBS Financial Services, Inc., UBS Services USA LLC,  
UBS Fiduciary Trust Company  
1200 Harbor Boulevard, Weehawken, New Jersey  
Newport Office Center III, Jersey City, New Jersey (“NOC III”)  
Newport Office Center VII, Jersey City, New Jersey (“NOC VII”)  
P12434

### **Modification Request:**

Consent to the administrative changes to the UBS Financial Services, Inc., et al (“UBS”) Business Employment Incentive Grant (“BEIP”) to 1) add five (5) entities to the grant; and 2) to reset the commencement date of the NOC VII grant from 2004 to 2007. These changes do not materially impact employment numbers and correctly time the start of the grant with the certificate of occupancy issue date.

### **Background:**

Headquartered in Zurich, Switzerland, UBS AG is a financial services firm that offers a combination of wealth management, asset management and investment banking services on a global and regional basis. UBS has more than 64,000 employees worldwide including 24,000 in the United States that are employed by a number of subsidiaries and affiliates.

On June 13, 2000, the members approved an 80% /10 year BEIP grant for UBS based on the proposed expansion of its operations in Weehawken and Jersey City, New Jersey, Hudson County, and it’s New Employment Commitment (“NEC”) of 1,450 jobs.

The UBS grant was approved with three project sites: Weehawken, NOC III and NOC VII. The Weehawken and the NOC III sites reached their Minimum Eligibility Thresholds in June and July 2000, respectively.

The NOC VII facility required significant construction and was not expected to be finished until June 2004, at which time the grant at this site was to commence. The completion of the construction at the site took longer than anticipated and final Certificate of Occupancy was not issued until 2007.

The current request involves adding five (5) related entities to the grant and to allow the start date of the grant for NOC VII to coincide with the date of issuance of the certificate of occupancy. The addition of the entities is not expected to materially impact the number of jobs projected at approval for the grantee.

The commencement date of 2007 for NOC VII aligns with what was contemplated in the original application, which was to start the 10 year grant term once the certificate of occupancy was issued and jobs began moving into the building. All other terms of the grant including its term (10 years) and the company's commitment to stay in New Jersey (15 years) will remain as approved by the board in 2000.

**Economic Viability Review:**

Staff has reviewed the company's 2009[10K] with 2008 and 2007 comparative and the June 2010 10Q financial statements to determine UBS's ongoing economic viability.

Based on observed trends of income growth from 2008 to 2009 and a sharp reduction in operating losses during that period, combined with strong operating results through June 2010 (income growth, return to profitability and positive earnings on shares), concludes that UBS is economically viable.

**Recommendation:**

The members are asked to consent to: 1) the addition of 5 entities to the grant; and 2) reset the start date of the NOC VII grant to 2007 to start of the grant with the issuance of the certificate of occupancy as was contemplated at time of application.

The above entities are affiliates of UBS and are being added to the grant will not create significant job growth as the majority of the employment is employed by the original grantees.

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

Prepared by: Charlene Craddock



## MEMORANDUM

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

**SUBJECT:** Valera Pharmaceuticals, Inc.  
Cranbury Township, New Jersey  
P16247

### **Modification Request:**

Consent to administrative changes in the Valera Pharmaceuticals, Inc. (“Valera”) Business Employment Incentive Employment grant. These changes do not materially impact the company’s initially projected job creation numbers.

### **Background**

Valera develops and sells pharmaceuticals for the treatment of urological and endocrinological disorders. The company also develops and manufactures implantable drug delivery devices for the treatment of various human diseases.

In December 2004, the members approved a 60% /10 year BEIP grant for Valera based on the proposed expansion of its operations in Cranbury Township, Middlesex County and its New Employment Commitment (“NEC”) of 20 jobs. The company satisfied the Minimum Eligibility Threshold of 10 in March 2005.

In April 2007, Valera was acquired by Indevus Pharmaceuticals, Inc., a biopharmaceutical company that develops and sells products to treat urological, gynecological and men’s health conditions. Valera operates as a wholly owned subsidiary of Indevus.

In March 2009, Indevus was acquired by Endo Pharmaceuticals Inc. (“Endo”) (a subsidiary of Endo Pharmaceuticals Holdings, Inc.), a full scale pharmaceutical company that researches, develops and markets branded and generic prescription pharmaceuticals used to treat and manage pain, overactive bladder, prostate cancer and other conditions.

Indevus now operates as a wholly owned subsidiary of Endo. As a result of the acquisition, the corporate name was changed to Endo Pharmaceuticals Solutions Inc.

Pursuant to the merger, Valera became a wholly owned subsidiary of Endo Pharmaceuticals Solutions Inc., and changed its corporate name to Endo Pharmaceuticals Valera, Inc. The

requested approvals will not affect the grant award percentage or the New Employment Commitment as there will be no material increase in employment as a result of the changes.

**Economic Viability Review:**

Staff has reviewed the financial statements of Endo Pharmaceuticals Inc.'s 2009 [10K] with 2008 and 2007 comparative and the June 2010 10Q financial statements to determine the company's ongoing economic viability.

Based on observed trends of strong growth in revenues and sustained profitability through all three fiscal periods, staff concludes that the company is economically viable.

**Recommendation:**

Consent to: 1) the acquisition of Valera Pharmaceuticals, Inc. by Indevus Pharmaceuticals, Inc; 2) the addition of Indevus Pharmaceuticals, Inc. as an additional grantee to the grant; 3) the acquisition of Indevus Pharmaceuticals, Inc. by Endo Pharmaceuticals Inc.; and 4) the name change of Valera Pharmaceuticals, Inc. to Endo Pharmaceuticals Valera, Inc.



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Prepared by: Tyshon Lee



**MEMORANDUM**

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

**SUBJECT:** Delegated Authority Approvals for 3<sup>rd</sup> Quarter 2010  
*For Informational Purposes Only*

**ACTIONS APPROVED UNDER DELEGATED AUTHORITY  
By Portfolio Services**

<b>Name</b>	<b>EDA Exposure</b>	<b>Action</b>
Patham Real Estate Holdings, LLC	\$ 1,345,000	Consent to sale and release of collateral taken as abundance of caution located at 275-279 Main Street Paterson. Net Proceeds were used to prepay EDA's preferred lender participation with Sun National Bank by \$200,000 and improve line of credit availability.
Reldata, Inc.	\$ 947,048	Restructure principal payments from monthly to annually based on increasing percentage of revenues and extended maturity date to March 1, 2018, in exchange, for a lien on intellectual property and received additional warrants within EDA guidelines.
IntegriChain, Inc.	\$ 714,525	Consent to release one computer server (<1% of total collateral value) currently securing EDA's loan which is required by Astra-Zeneca as a condition of its new subscription with IntegriChain.

**Prepared by:** Daniel Weick



## MEMORANDUM

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

**SUBJECT:** Incentives Modifications  
(For Informational Purposes Only)

On September 11, 2001, and as amended on September 16, 2003, the Members of the Authority approved a delegation of authority to the Chief Executive Officer and staff to approve certain BEIP modifications.

On May 10, 2010 the Members of the Authority approved a delegation of authority to the Senior Vice President of Operations and staff to approve annual extensions for the UEZ Sales Tax Exemption for Manufacturers program and the Salem County Sales Tax Exemption for Manufacturers program.

Attached is a list of the BEIP modifications and the BRRAG UEZ and Salem Sales Tax Exemption (STX) extensions that were approved in the 2nd quarter ending September 30, 2010.

Prepared by: C. Craddock

**ACTIONS APPROVED UNDER DELEGATED AUTHORITY  
 QUARTER ENDING SEPTEMBER 2010**

**BUSINESS EMPLOYMENT INCENTIVE PROGRAM**

<b>Name</b>	<b>Action</b>	<b>Modification</b>
Barclays Capital Services, LLC	Name Change, Project Location Change & Increase in Award Percentage	1) Name change from Barclays Capital Services LLC to Barclays Capital Services Inc. 2) Project location change from Whippany, NJ to Jersey City, NJ . 3) Increase in award percentage from 65% to 80%.
Biovail Pharmaceuticals, Inc.      Biovail Technologies, LTD	Name Change	Name Change from BiovailPharmaceuticals, Inc. to BTA Pharmaceuticals, Inc.
Comcast Business Communications, LLC	Conversion from a Corporation to LLC & Name Change	1) Conversion of Comcast of Willow Grove, Inc. from a Corporation to a Limited Liability Corporation 2) Name Change from Comcast of Willow Grove LLC to Comcast Cable Communications Management, LLC
Forest Laboratories, Inc. (Plaza 3)      Forest Laboratories, Inc. (Plaza 5)	Addition of Grantee to Grant	Addition of Forest Research Institute, Inc. to the grant as additional tax paying entity.
Freedom Healthcare, LLC	Name Change	Name change from Freedom Healthcare, LLC to Freedom Eldercare, Inc.
i-flex Solutions, Inc.	Name Change	Name Change from i-flex Solutions, Inc. to Oracle Financial Services Software, Inc.
King Pharmaceuticals, Inc.	Reduction of NEC & Grant Award Percentage	Decrease in the grant award percentage from 75% to 70% as a result of decrease in eligible positions from 91 to 41.
Matthew Bender & Co.      Reed Elsevier, Inc.	Project Location Change	1) Project location change from Newark, NJ to New Providence, NJ . 2) Decrease in award percentage from 80% to 70%.
Solix, Inc.	Project Location Change	Project location change from Whippany, NJ to Parsippany, NJ
Tyco International, Inc.	Addition of Grantees	1) Addition of Citrine Management Corporation; and 2) Addition of Tyco International Management Company to the grant
Verizon Communications Inc., et al	Addition of Grantees	1) Addition of Verizon Corporate Resources Group LLC; and 2) Addition of Verizon Data Services LLC as additional grantees to the grant

**BRRAG UEZ STX & SALEM STX**

<b>Name</b>	<b>Action</b>	<b>Modification</b>
B & B Poultry Co., Inc.	Salem Annual Extension	Extension to August 31, 2011
E.I. duPont de Nemours and Company	Salem Annual Extension	Extension to August 3, 2011

**MEMORANDUM**

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

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

The following projects were approved under Delegated Authority in September 2010:

**New Jersey Business Growth Fund:**

- 1) Galloway Pediatrics, LLC (P33645), located in Galloway Township, Atlantic County, was founded in 2005 as a provider of medical services to children. PNC Bank approved a \$460,000 loan with a five-year, 25% guarantee of principal outstanding, not to exceed \$115,000. Loan proceeds will be used to refinance real estate. The company currently has four employees and plans to create five new positions over the next two years.
- 2) Garden Land, LLC (P33533), located in Galloway Township, Atlantic County, is the real estate holding company that owns the project property. The operating company, Romanelli's Garden Café LLC, is a restaurant that was formed in 2008. PNC Bank approved a \$655,000 loan with a five-year, 25% guarantee of principal outstanding, not to exceed \$163,750. Loan proceeds will be used to refinance real estate. Currently, the company has 30 employees and plans to create an additional seven new jobs over the next two years.
- 3) Mechanical Precision, Inc. or Nominee (P33652), located in Flemington Borough, Hunterdon County, was formed in 1962 as a machine shop specializing in CNC machining, prototypes, precision welding, machine building, engineering and design. PNC Bank approved a \$180,000 loan with a five-year, 25% guaranty of principal outstanding, not to exceed \$45,000. Loan proceeds will be used to refinance an existing mortgage. The company currently has 45 employees.

### **NJ Main Street Program:**

- 1) 30 Abeel Road, LLC (P32903), located in Monroe Township, is a newly formed real estate holding company seeking to purchase the project property. The operating company, Insurance Restoration Specialist, Inc. was formed in 1976 as a provider of response services for a variety of issues including oil spills, fires, floods, biohazards and infectious disease outbreaks. TD Bank approved a \$2,023,665 loan, contingent upon a \$303,550 (15%) Authority participation. Proceeds of this loan will be used to purchase the project property. The company currently has 55 employees and plans to create two new jobs over the next two years.
- 2) Adnarim Group, LLC and John and Olivera Miranda (P32904) are located in Readington Township, Hunterdon County. Adnarim Group, LLC is a real estate holding company that was created in 2005 to purchase the project property. The operating company, Whitehouse Auto Service Center, is a full service gas station that also has two repair bays. Sun National Bank approved a \$1,068,677 term loan, contingent upon a five-year, \$267,167 (25%) Authority participation. Proceeds of this loan will be used to refinance an existing mortgage and for building renovations. Currently, the company has three employees and plans to create two new positions within the next two years.
- 3) Atlas Refinery, Inc. (P33466), located in Newark City, Essex County, is a manufacturer of chemicals and preparations (surface active agents, specializing in softeners and leather processing assistants) sold mainly to tanneries overseas, which are used in the manufacturing of upholstery, shoes and clothing. Cornerstone Bank approved a \$2,600,000 loan, contingent upon a five-year, \$475,000 (18.27%) Authority participation. Proceeds of this loan will be used to refinance an existing mortgage. The company currently has 21 employees and plans to create one additional job within the next two years.

### **Preferred Lender Program:**

- 1) ResinTech, Inc. & Resintech Realty Association, LLC (P33356) are located in Berlin Township, Camden County. The operating company, ResinTech, Inc., was formed in 1986 as a manufacturer of ion exchangers for commercial water purification application. Resintech Realty Association, LLC is a real estate holding company formed in 2001 to purchase the project property. Citizens Bank approved a \$1,400,000 term loan contingent upon a \$350,000 (25%) Authority participation. Proceeds will be used to purchase equipment and machinery. Currently, the company has 50 employees and plans to create two new positions within the next two years.
- 2) Stonehedge Group, LLC (P32871), located in Pennsauken Township, Camden County, was formed in 2005 as a real estate holding company that will purchase the project property. The operating company, Schulte Industrial Sales LLC dba Sisco Manufacturing Company, Inc. was founded in 1964 as a manufacturer and distributor of HVAC component parts. Citizens Bank approved a \$1,350,000 bank loan contingent upon a \$405,000 (30%) Authority participation. Proceeds will be used to purchase commercial real estate for the new corporate headquarters. The company currently has eleven employees and plans to create six new jobs over the next two years.

**Camden ERB:**

- 1) The Cooper Health System (P33222), located in Camden City, Camden County, is a New Jersey Nonprofit Corporation comprised of two divisions: The Cooper University Hospital and Cooper University Physicians. They offer programs focusing on ambulatory diagnostic and treatment services, wellness and prevention, and many other health services. The company is seeking to lease 3,130 sq. ft. to relocate the Cooper Foundation to the Waterfront Technology Center in order to reallocate the foundation's existing location at 1 Cooper Plaza for medical care. The company was approved for a \$28,170 Business Lease Incentive Grant over a two-year period.
  
- 2) The Cooper Health System (P33554), located in Camden City, Camden County, is a New Jersey Nonprofit Corporation comprised of two divisions: The Cooper University Hospital and Cooper University Physicians. They offer programs focusing on ambulatory diagnostic and treatment services, wellness and prevention, and many other health services. The company is seeking to lease 5,024 sq. ft. of space at the Ferry Terminal Building as temporary administrative offices of The Cooper Medical School of Rowan University, a joint venture with Rowan University. The company was approved for a \$45,216 Business Lease Incentive Grant over a two-year period.

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

**Prepared by: S. Mania**  
SM/gvr

**REAL ESTATE**



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

**MEMORANDUM**

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

**RE:** 2099 Center Square Road, Logan Township, NJ  
Demolition and Remediation Services Contract

**Summary**

I am requesting the Members to approve the award of a building demolition and remediation services contract to Richard E. Pierson Construction Co, Inc. of Woodstown, New Jersey.

**Background**

At the April 2010 meeting, the Members approved a project budget in the amount of \$775,500 for environmental investigation and building demolition for the NJEDA-owned property located at 2099 Center Square Road in Logan Township, Gloucester County, NJ. The Real Estate Division publicly advertised and received bids for demolition and site remediation services, which were publicly opened on September 22, 2010. Eleven (11) bid proposals were received and reviewed by staff, as listed on the attached chart.

Richard E. Pierson Construction Co., of Woodstown, NJ was the lowest responsible bidder, submitting a bid proposal in the amount of \$295,076. Therefore, approval is sought to enter into a contract with Richard E. Pierson Construction Co. in amount of \$295,076. Final approval of the selection of Pierson will be subject to receipt and approval of its compliance documentation. If Richard E. Pierson Construction Co. is found to be non-compliant, we are seeking approval to enter into a contract with the next lowest responsible bidder, as listed on the attached chart. The contract authorization is within the budget approved at the April 2010 meeting and funds are available from the Authority's general operations budget. Additional expenditures, if any, for unknown conditions outside the scope of work will require staff approval and are authorized up to the specific line item of the previously approved budget.

**Recommendation**

In summary, the Members' consent is requested to enter into a standard form contract with Richard E. Pierson Construction Co. for demolition and remediation services for 2099 Center Square Road in Logan Township, NJ, subject to approval of the Attorney General's Office and the Chief Executive Officer.

  
\_\_\_\_\_  
Caren S. Franzini  
Chief Executive Officer

Attachment  
Prepared by: Edward J. Clark



## MEMORANDUM

**TO:** Members of the Authority

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

**DATE:** October 12, 2010

**RE:** Memorandum of Understanding – NJ Consolidated Energy Supply Program (NJCESP) Gas Purchase Agreement

### Summary

I am asking the Members to approve the execution of a Memorandum of Understanding (“MOU”), between the Authority and the Department of Treasury (“Treasury”), Division of Purchase and Property, Office of Energy Savings (OES), that will allow the Authority to participate in the New Jersey Consolidated Energy Supply Program (NJCESP) for Natural Gas Supply. OES is coordinating this purchase opportunity for natural gas for all New Jersey state government entities, which is expected to significantly reduce energy costs for participating members.

### Background

At the April 2010 meeting, the Members approved the execution of an MOU for the NJCESP Electricity purchase program. This program has resulted in a reduction in our supply charge from approximately 13 cents to 8.2 cents per Kilowatt. If the MOU had been in place in 2009, the Authority’s utility expenses would have been reduced by about \$185,000. OES now wishes to move forward with a similar program for the purchase of natural gas.

Current economic conditions present an opportunity to reduce energy supply costs for public buildings in New Jersey. Due to fundamental and technical factors impacting the energy commodity markets, wholesale energy prices are trading significantly below historic levels. The state’s existing NJCESP natural gas supply contract expires December 31, 2010. Therefore, OES plans to take advantage of the State’s collective buying power by moving forward with a bulk purchase of natural gas for participating NJCESP members, which can include State government agencies, authorities, and colleges. This will entail combining even more volume than in the past and soliciting competitive bids for more cost-effective energy supplies for all participating members.

The Memorandum of Understanding provides that the Department of the Treasury will collect basic natural gas account information, contact utility companies to obtain more detailed account data for analysis, assess the potential for cost reduction across the proposed accounts, and issue

an RFP to solicit and evaluate competitive bids for contract(s) to supply natural gas. By executing the MOU, the Authority agrees to participate in the program.

The Authority has provided OES with preliminary information regarding our natural gas usage, which OES' consultant will use to calculate the possible savings that the Authority could realize by participating in the NJCESP initiative. **One difference between this contract and the electricity contract is that the natural gas contract will be market based rather than a fixed price over the term of the contract.** When OES notifies us of the anticipated savings we can expect under the gas purchase agreement we will report back to the Real Estate Committee prior to signing the MOU.

Attached is the proposed MOU, which is in substantially final form, between the Authority and State of New Jersey through the Department of the Treasury, Division of Purchase and Property. The final document may be subject to revision, although the basic terms will remain consistent with the attachment. The final terms of the MOU will be subject to the approval of the Chief Executive Officer and the Attorney General's Office.

**Recommendation**

In summary, I ask for the Members' consent to enter into an MOU with the State of New Jersey through the Department of the Treasury, Division of Purchase and Property, generally consistent with the form attached, and any other documents required to permit the Authority to enter into the New Jersey Combined Energy Supply Program (NJCESP) for natural gas.



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Caren S. Franzini  
Chief Executive Officer

Attachment  
Prepared by: Vince Wardle

**MEMORANDUM OF UNDERSTANDING**  
*between*  
**THE STATE OF NEW JERSEY**  
*and*  
**PARTICIPATING STATE AGENCIES, AUTHORITIES, AND COLLEGES**  
*concerning participation in the*  
**NJCESP AGGREGATION AND PURCHASE OF NATURAL GAS**

**I. PURPOSE**

The purpose of this Memorandum of Understanding (MOU) is to establish the basis of participation in a cooperative purchasing program and consolidated contract, through the State Department of the Treasury, Division of Purchase and Property. This resultant contract(s) will be for the purchase of natural gas as part of the New Jersey Consolidated Energy Supply Program (NJCESP), which will be comprised of a consortium of State agencies, authorities, and colleges. This program is in compliance with the New Jersey Electric Discount and Energy Competition Act (N.J.S.A 48:3-49 et seq.) and is managed by the Department of the Treasury, Office of Energy Savings.

The New Jersey Department of the Treasury, Division of Purchase and Property, shall solicit bids and award contract(s) on behalf of all NJCESP participating agencies. These participating agencies will be identified in the Request for Proposal (RFP). The aggregation should provide an opportunity to achieve better pricing than bidding individual member requirements. The goal of any resulting contract is to realize cost reduction benefits, where possible, and to take advantage of current market prices, which are considerably lower than recent, historic levels. In addition, the resulting contract(s) will provide a pricing structure that permits management of market price risk for the commodity.

**II. STATE RESPONSIBILITIES**

On behalf of participating agencies, the New Jersey Consolidated Energy Supply Program will:

- a. Retain a qualified contract consultant to assist the State and Participants with this program.
- b. Collect and review the natural gas account information submitted by each participating agency.
- c. Collect additional data from utility companies, for all natural gas accounts proposed for the program.
- d. Confirm the annual consumption for each account, or calculate estimates for the purposes of developing an RFP and cost comparison models.
- e. Group natural gas accounts into the appropriate bidding categories, with consideration given to utility zone, rate class, and other relevant factors.
- f. Develop appropriate cost comparison models for each bidding group.
- g. Perform a high-level analysis, based on current market conditions, to determine an estimated range of cost reduction potential for this natural gas supply procurement.
- h. Communicate cost reduction potential to interested program participants.
- i. Confirm program participation with all interested participants through the execution of this MOU. This will include confirming all participant accounts that are chosen to be included in the procurement process.
- j. Develop a revised State RFP document, including terms and conditions that are appropriate for

- this large volume procurement and current economic conditions.
- k. Structure the RFP to allow for bidding on multiple account groups as well as bidding on various contract lengths, as deemed advantageous to the participants.
  - l. Develop a trigger price analysis prior to bid opening that will provide a current market assessment and forecast of tariff prices. This will be used to benchmark bids and assist in contract awards. The trigger price analysis will provide the benchmark price for each group aggregation.
  - m. Solicit and evaluate competitive bids received in response to State RFP requirements.
  - n. Analyze bids and develop a bid analysis report. The bid analysis report will provide a comparison of bids to each other and to the benchmark prices, for each group aggregation, and will be made available to NJCESP members after the contract(s) is (are) awarded.
  - o. Issue a contract award, or awards, to the responsible bidder(s) offering the best pricing for each selected bid group.
  - p. Provide participants with estimated price and cost savings over the contract term.
  - q. Assist in any follow-up work to facilitate execution of contract and switching of accounts.
  - r. Assist with any contract questions or billing disputes that may arise over the course of the contract.
  - s. Provide contract administration functions, including identification of a State Contract Manager.
  - t. Notify and give participants the opportunity to decline participation in any contract extensions or rebids that may be proposed over the contract term.

### **III. PARTICIPANT RESPONSIBILITIES**

- a. An agency interested in participating in this program must provide its basic natural gas account data, for the accounts it proposes to enroll in the program. This is to be accomplished by completing the Account Data Worksheet file and submitting it to the Department of the Treasury, Office of Energy Savings by September 30, 2010. The accounts that are ultimately selected for enrollment in the program will be confirmed by the State and become part of this MOU.
- b. Participating agencies must confirm the accounts proposed for this program are eligible to go under contract with a new natural gas supplier starting with the January 2011 meter reading date.
- c. In order to participate in the NJCESP contract, an agency must sign this MOU and submit it to the Department of the Treasury, Office of Energy Savings prior to release of the RFP.
- d. Each participating agency shall use the NJCESP contract as their sole method to procure natural gas supply (commodity only) for all the accounts identified for participation, once they agree to be included in the RFP process and have signed this MOU.
- e. Participating agencies shall purchase natural gas for their enrolled accounts for the entire term of the contract(s), unless the facility is closed for business reasons. If such a closure is planned, advance notice must be provided to the State Contract Manager and the Supplier(s).
- f. Additional natural gas accounts may possibly be added during the contract term by contacting the State Contract Manager. Adding these additional accounts will be contingent upon mutual agreement with the contract supplier(s).
- g. Accounts may only be deleted from the initial procurement process, or any announced re-bid, or contract extension, upon a minimum of fifteen (15) days notice before the RFP is released or a contract extension is executed. The State Contract Manager will contact each Participant with the details and notice provision for any proposed contract extensions or re-bids.
- h. Each participating agency shall issue its own purchase orders and make its own payments under the resulting State term contract(s). Participating agencies shall handle their own minor billing disputes. All other contractual disputes shall be handled by the State's Contract Manager in the Department of the Treasury, Office of Energy Savings.

- i. Each participating agency shall assign a contract coordinator to represent the interests of that agency throughout the contract term, and an accounts payable contact and address.
- j. Except as otherwise set forth in this MOU, each participating agency shall be responsible for all costs it incurs in connection with the NJCESP contract.
- k. Upon the award of a contract(s) resulting from this RFP, all participants shall be bound by the Terms and Conditions of said contract(s).
- l. Timely respond to all requests and notices from the NJCESP, Department of the Treasury, Contract Manager or Division of Purchase and Property.

**IV. TERM**

This MOU shall take effect upon signing and shall remain in effect until termination or expiration of the NJCESP contract(s), including any extensions at the same or lower price, unless this MOU is superseded, suspended, or terminated by agreement of all parties. Participants will be notified and given the opportunity to decline participation in any contract extensions or rebids that are proposed. This MOU may be amended by a writing signed by all parties.

**V. ADMINISTRATION**

The following persons should be contacted for administrative matters pertaining to this MOU:

**a. State of New Jersey Information**

Department of the Treasury Office of Energy Savings	Department of the Treasury Division of Purchase & Property	Department of the Treasury Office of Energy Savings
Carl Doan	Wilma Wilt	John Rhodes
State Contract Manager	Procurement Specialist	Director
609-633-2513	609-984-6228	609-633-0080
carl.doan@treas.state.nj.us	wilma.wilt@treas.state.nj.us	john.rhodes@treas.state.nj.us

**b. Participating Agency Information**

Commissioner, Executive Director, President:	Designated Contract Coordinator:
Telephone Number:	Telephone Number:
Email Address:	Email Address:

**VI. ACCEPTANCE**

In consideration of the mutual covenants contained herein, the undersigned parties agree to be bound by the terms and conditions of this MOU. This MOU may be executed in any number of counterparts.

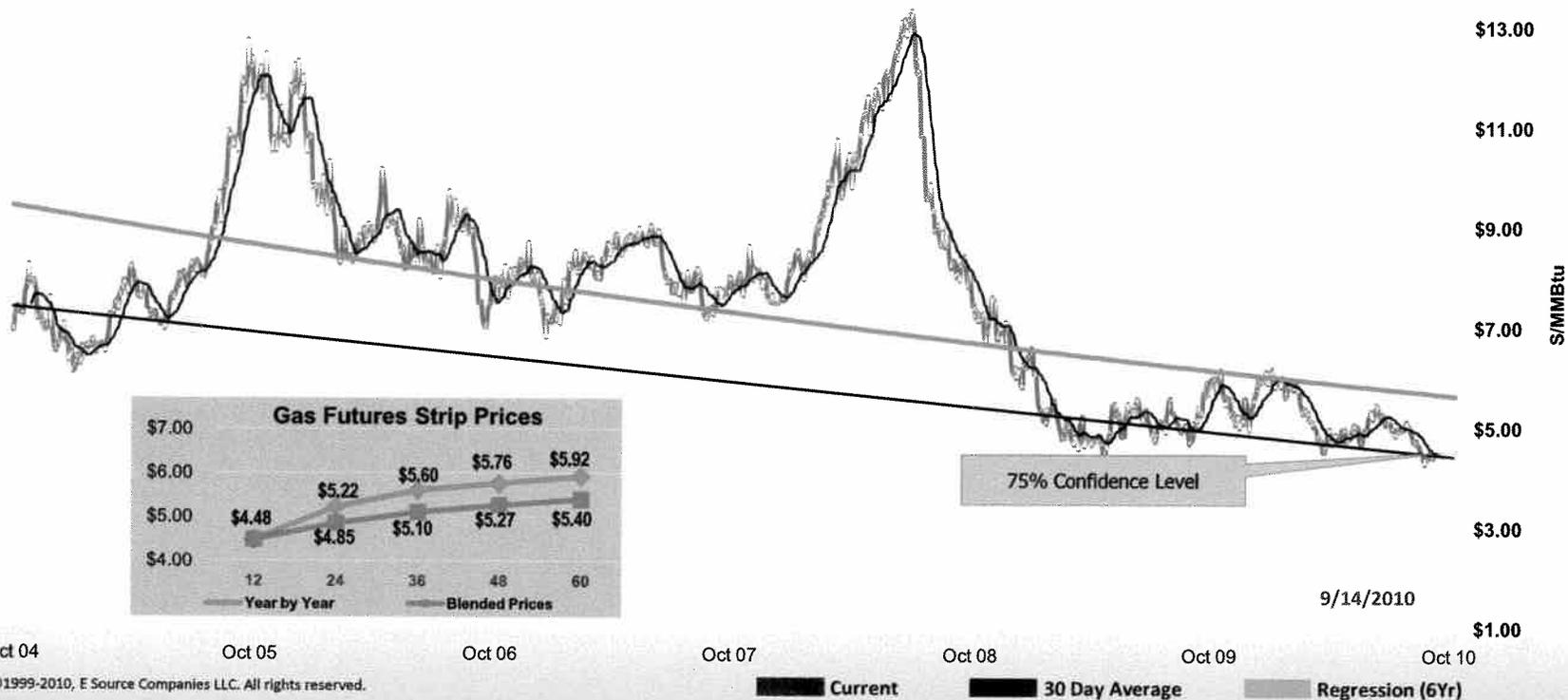
State of New Jersey, Department of the Treasury Division of Purchase and Property	Participating Agency:
Signature:	Signature*:
Name: Guy Bocage	Name*:
Title: Acting Director	Title:
Date:	Date:

State of New Jersey, Department of the Treasury Office of Energy Savings
Signature:
Name: John H. Rhodes
Title: Director
Date:

\* The participating agency acknowledges that the representative designated above is duly authorized to sign this agreement on behalf of the agency.



### NYMEX Henry Hub 12-month Future Natural Gas Price Strip Average: January 2004 to Present



Strip	Year by Year	Blended Prices
12	\$4.48	\$4.85
24	\$5.22	\$5.10
36	\$5.60	\$5.27
48	\$5.76	\$5.40
60	\$5.92	

#### Notes:

- Today's 12-month close was 4.48, a decrease of 3 cents/MMBtu.
- There is a cumulative increase of 5 cents/MMBtu over the past 5 trading days.
- Years 1-2 closed lower, Year 3 closed higher, Years 4-5 closed lower.
- Gas 12 mo strip prices are below the 30-day moving average and below the regression trend line.

PJM Electricity				Gas
12-mo	24-mo	36-mo	48-mo	12-mo strip
\$ 47.77	\$ 48.95	\$ 49.74	\$ 51.04	5 day change
\$ (0.20)	\$ (0.21)	\$ (0.22)	\$ (0.24)	\$ ↑ 0.05



## State of New Jersey

DEPARTMENT OF THE TREASURY  
OFFICE OF ENERGY SAVINGS  
P.O. BOX 211  
TRENTON, NJ 08625-0211

**CHRIS CHRISTIE**  
*Governor*

**KIM GUADAGNO**  
*Lt. Governor*

**ANDREW P. SIDAMON-ERISTOFF**  
*State Treasurer*

**DATE:** September 17, 2010

**TO:** Current and Prospective Members of the New Jersey Consolidated Energy Supply Program (NJCESP)

**FROM:** John H. Rhodes,  
Director, Energy Savings

**SUBJECT: INVITATION TO REDUCE COSTS THROUGH THE NEW JERSEY CONSOLIDATED ENERGY SUPPLY PROGRAM (NJCESP)**

Due to fundamental and technical factors impacting the energy commodity markets, we are seeing wholesale energy prices that continue to trade significantly below historic levels. We also have the State natural gas contract expiring this year, on December 31st. Therefore, the Office of Energy Savings (OES) in the Department of the Treasury is taking advantage of this opportunity to move forward with a Request for Proposal (RFP) process, through Treasury's Division of Purchase and Property. This RFP initiative will solicit fresh, competitive bids, based on the current market, for supplying natural gas to State facilities starting January, 2011. As with the electricity purchase earlier this year, this cooperative purchasing initiative is open to State agencies, authorities, universities, and colleges.

This cooperative purchasing program is being developed to improve upon approaches used for past natural gas procurements. More specifically, this natural gas procurement will strive to:

1. Take advantage of today's lower pipeline capacity prices to reduce interstate transportation cost
2. Structure the new contract price to be market-based, indexed to the monthly NYMEX price
3. Allow for strategic management of market price risk going forward, with participant input
4. Maximize economy of scale by focusing on the larger-volume accounts
5. Deliver immediate cost reductions wherever possible

By way of this letter, your organization is invited to participate in this cooperative purchasing initiative for natural gas supply. With the assistance of our contract consultant which the State has retained on behalf of all NJCESP members, the Department of the Treasury will collect basic account information, contact utilities to obtain account data for analysis, assess the potential for cost reduction, confirm member participation through an MOU, and complete the purchasing process to deliver maximum value to program participants.

As for program leadership, I will be serving as Chair and Mr. David Gillespie, energy director for NJ Transit, will serve as Vice Chair for the committee. Mr. Carl Doan, in the Office of Energy Savings, will serve as State Contract Manager. Other committee members will be designated, as appropriate, and will include Treasury's Division of Purchase and Property as well as other key contributors, who can add expertise and value to the decision making process.

If you would like to have your organization participate in this initiative, follow the instructions that are attached and make sure you submit your basic natural gas account data as soon as possible so we can move forward with additional data gathering and our savings analysis in a timely manner. The data file needs to be sent to the Office of Energy Savings at [oes@treas.state.nj.us](mailto:oes@treas.state.nj.us) by September 30<sup>th</sup> the latest.

If you have any questions regarding the strategic direction of this program or would like to provide input, I would welcome your telephone call to discuss. I can be reached directly at (609) 633-0080. In the event I am unavailable when you call, please specify the best time to call you back.

I look forward to including you and your organization in this cost reduction program and urge you to take advantage of this opportunity.

**NJCESP NATURAL GAS PURCHASING INITIATIVE  
STATE DEPARTMENTS, AGENCIES, AUTHORITIES, COLLEGES**

**INSTRUCTIONS FOR PARTICIPATION**

1. Fill out the Account Data Worksheet with the required information, which can be obtained from your utility bills (refer to the utility bill from PSE&G, NJNG, SJG, or ETOWN). You may include any of your natural gas accounts currently under contract through NJCESP as well as any other natural gas accounts with a minimum annual consumption of 10,000 therms.
2. Sign the “Authorization Form” for each respective utility company that serves your accounts and scan the signed document to create an electronic file for transmittal.
3. **Email the signed Authorization Form and completed Account Data Worksheet to the Office of Energy Savings at [oes@treas.state.nj.us](mailto:oes@treas.state.nj.us) by September 30th the latest.**
4. Review the Memo of Understanding (MOU) that was attached to the invitation email, obtain necessary approvals, and be prepared to sign this MOU if you elect to have your organization participate in this NJCESP natural gas purchase.
5. After additional data gathering and market analysis, the Office of Energy Savings (OES) will contact you to communicate our findings about cost reduction potential and which of your accounts are eligible for enrollment in the procurement process.
6. If you decide to have your organization participate in this NJCESP natural gas purchasing initiative, you must sign the MOU and return it to OES, along with the list of your specific natural gas accounts that are to be included in the Request for Proposal process, which will be managed by Treasury’s Division of Purchase and Property. This signed MOU must be received before the RFP release date, which will be announced to all prospective participants. If the signed MOU is not received before RFP release, your organization and natural gas accounts will not be included in the purchasing process.
7. Treasury’s Division of Purchase and Property will include your natural gas accounts in the procurement process and you will be notified of the results. This notification will include details about the actual contract award(s), price(s), term, and estimated cost savings.
8. Any questions regarding this program should be sent via email to [oes@treas.state.nj.us](mailto:oes@treas.state.nj.us).

# NATURAL GAS ACCOUNT DATA RELEASE FORM

NJ Department of the Treasury, Office of Energy Savings

My Natural Gas Utility is: [Select only one utility per form]

Public Service Electric and Gas

South Jersey Gas

New Jersey Natural

Elizabethtown Gas

I hereby authorize my natural gas utility to release information about my natural gas account(s) to the NJ State Office of Energy Savings or their representative. This information shall include, but not be limited to, account numbers, meter numbers, customer service numbers, usage, and billing history. This authorization in no way binds me to the purchase of any service or product and is to be used for the sole purpose of investigating and possibly participating in the NJ Consolidated Energy Supply Program.

Please release and provide the following information for all accounts provided on the attached list. 12 Months of Natural Gas usage in Therms or Dekatherms. The NJ Office of Energy Savings and/or their representative shall be authorized to obtain this data by EDI or by email request directly from the utility on the customer's behalf.

Participating Agency Name :

\_\_\_\_\_  
Primary Mailing Address:

## PLEASE USE THE EXCEL SPREADSHEET TO PROVIDE YOUR ACCOUNT INFORMATION

PSE&G Customers, please provide 2 letter, 18 digit POD ID numbers (example: "PG123456789012345678"). We cannot process PSE&G requests without POD ID numbers.

Contact Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*I acknowledge this authorization shall be valid for the purpose of possibly participating in NJCESP consolidated energy supply contracts*

**RETURN THIS SIGNED FORM TO THE STATE OFFICE OF ENERGY SAVINGS**

NJ Department of Treasury, Office of Energy Savings, PO Box 211, Trenton, NJ 08625-0211

**EMAIL: oes@treas.state.nj.us or FAX: (609) 943-4480**