

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
AGENDA
August 12, 2008

1. **NOTICE OF PUBLIC MEETING**
2. **ROLL CALL**
3. **APPROVAL OF PREVIOUS MONTH'S MINUTES**
4. **CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT TO THE BOARD**
5. **AUTHORITY MATTERS**

The next item was to approve the Edison Innovation Clean Energy Manufacturing Fund ("CEMF"), a new Clean Energy program offering funded by the New Jersey Board of Public Utilities Office of Clean Energy and to be administered by the New Jersey Economic Development Authority, and the enabling Memorandum of Understanding.

The next item was to approve the New Jersey Economic Development Authority's participation in the New Jersey State Employees Deferred Compensation Plan.

The next item was to designate Marcus Saldutti, Legislative Officer in the Governance and Communications Division, as the Authority's "Records Custodian."

The next item was to adopt the operating authorities for administrative, fiscal, and programmatic functions previously approved by the NJ Commerce Commission to provide business continuity during this organizational transition period.

6. **BOND PROJECTS**

(* A Public Hearing is being conducted for these projects.)

The next item was a report by the Office of Public Finance providing an update of the restructuring of the Authority's portfolio of auction rate securities. Nancy Feldman, Director of Public Finance was present to update the board on the restructuring of the EDA's auction rate portfolio, including the Business Employment Incentive Program bonds and the NJ Transit Light Rail Transit System project.

Bond Resolutions

The next item was a request from the Office of Public Finance seeking approval of several supplemental bond resolutions for debt defeasance with funds from the "Long Term Funding Obligation and Capital Expenditure Fund" established under P.L. 2008,

ch.22. The EDA State Appropriation/Contract Bonds subject to defeasance under this program are: Liberty State Park Project, Series 1996, Green Lights Energy Conservation Project, Series 1995, Department of Human Services Pooled Financing Program Series 1999 and Series 2002, School Facilities Construction Bonds, various Series, Business Employment Incentive Program, Series 2003, Series 2004 and Series 2005, Designated Industries Economic Growth & Development Program, Series 2004.

PROJECT: Mark Rea Real Estate LLC

APPL.#20321

LOCATION: Newark/Essex Cty.

PROCEEDS FOR: bldg acquisition and renovation

FINANCING: \$1,717,950 Tax-Exempt Bond

PROJECT: Newco Associates, LLC &

National Electric Wire Company, Inc. *

APPL.#22733

LOCATION: Plumsted Twp./Ocean Cty.

PROCEEDS FOR: building acquisition and renovation

FINANCING: \$4,000,000 Tax-Exempt Bond

PROJECT: The Peddie School *

APPL.#22637

LOCATION: Hightstown/Mercer Cty.

PROCEEDS FOR: renovations

FINANCING: \$27,000,000 Tax-Exempt Bond

PROJECT: Tompkins Point Industrial Park, LLC

APPL.#22351

LOCATION: Newark/Essex Cty.

PROCEEDS FOR: facility repairs

FINANCING: \$150,000 Tax-Exempt Bond

PROJECT: Tompkins Point Industrial Park, LLC

APPL.#22346

LOCATION: Newark/Essex Cty.

PROCEEDS FOR: refinance existing debt

FINANCING: \$1,225,000 Tax-Exempt Bond

Combination Preliminary and Bond Resolutions

PROJECT: NewPoint Behavioral Care, Inc. * **APPL.#22085**
LOCATION: Washington Twp./Gloucester Cty.
PROCEEDS FOR: refinance existing debt
FINANCING: \$1,450,000 Tax-Exempt Bond

PROJECT: NewPoint Behavioral Care, Inc. * **APPL.#22483**
LOCATION: Various/Gloucester Cty.
PROCEEDS FOR: refinance existing debt
FINANCING: \$540,000 Tax-Exempt Bond

Preliminary Resolutions

PROJECT: The Atlantic City Sewage Company **APPL.#22952**
LOCATION: Atlantic City/Atlantic Cty.
PROCEEDS FOR: project implementation

Bond Resolutions With Authority Exposure

PROJECT: 633 Nassau Realty, LLC * **APPL.#23047**
LOCATION: North Brunswick/Middlesex Cty.
PROCEEDS FOR: building acquisition
FINANCING: \$2,225,000 Tax-Exempt Bond

PROJECT: 633 Nassau Realty, LLC **APPL.#23037**
LOCATION: North Brunswick/Middlesex Cty.
PROCEEDS FOR: building acquisition
FINANCING: \$742,000 Direct Loan

7. LOANS/GRANTS/GUARANTEES

Statewide Loan Pool Program

PROJECT: Green Horse Media, LLC and
Green Horse Properties, LLC **APPL.#21636**
LOCATION: Bellmawr/Camden Cty.

PROCEEDS FOR: building acquisition & machinery purchase
FINANCING: \$1,250,000 participation in \$4,250,000 bank loan

PROJECT: Total Turf Experience, LLC **APPL.#21915**

LOCATION: Pitman/Gloucester Cty.

PROCEEDS FOR: building construction

FINANCING: \$1,250,000 participation in \$5,645,000 bank loan

New Markets Loan Program

PROJECT: Landis Theater Properties, LLC **APPL.#22125**

LOCATION: Vineland/Cumberland Cty.

PROCEEDS FOR: building renovation

FINANCING: \$8,000,000 New Market Tax Credit Allocation

Camden Economic Recovery Board

PROJECT: M&M Development, LLC **APPL.#20891**

LOCATION: Camden/Camden Cty.

FINANCING: \$3,584,260 ERB Soft Loan

REQUEST: modify the scope of the project, increase the ERB soft loan by \$611,428 to a total of \$3,584,260 to M&M Development, LLC, and allow the exception to exceed the \$60,000 per unit maximum by \$7,628 pursuant to Section 7 of the ERB Guide to Program Funds.

Petroleum Underground Storage Tank Program

PROJECT: Lucy Johnson **APPL.#22404**

LOCATION: Shrewsbury/Monmouth Cty.

PROCEEDS FOR: site remediation

FINANCING: \$120,390 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

PROJECT: Estate of Jeanette Brain **APPL.#23014**

LOCATION: Maple Shade/Burlington Cty.

PROCEEDS FOR: site remediation

FINANCING: \$80,038 Petroleum UST Remediation, Upgrade, & Closure Fund Loan

PROJECT: West Milford Board of Education **APPL.#22735**

LOCATION: West Milford/Passaic Cty.

PROCEEDS FOR: site remediation

FINANCING: \$45,585 Petroleum UST Remediation, Upgrade, & Closure Fund loan

The next item was a summary of all Petroleum Underground Storage Tank Program Delegated Authority Approvals for the month of July 2008. **(For Informational Purposes Only)**

Hazardous Discharge Site Remediation Fund Program

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

PROJECT: Camden Redevelopment Agency (Sycamore Street Housing) **APPL.#23306**

LOCATION: Camden/Camden Cty.

PROCEEDS FOR: remedial action

FINANCING: \$186,753 Hazardous Discharge Site Remediation Fund

PROJECT: Township of Haddon (Spadea Manufacturing Property) **APPL.#22915**

LOCATION: Haddon Twp./Camden Cty.

PROCEEDS FOR: remedial and site investigation

FINANCING: \$225,650 Hazardous Discharge Site Remediation Fund

PROJECT: Township of Montgomery (North Princeton Development) **APPL.#23067**

LOCATION: Montgomery Twp./Somerset Cty.

PROCEEDS FOR: remedial investigation

FINANCING: \$1,517,521 Hazardous Discharge Site Remediation Fund

PROJECT: City of Paterson (Columbia Textile Mill) **APPL.#22718**

LOCATION: Paterson/Passaic Cty.

PROCEEDS FOR: remedial investigation

FINANCING: \$168,142 Hazardous Discharge Site Remediation Fund

PROJECT: Sayreville Economic Redevelopment Agency **APPL.#23276**

LOCATION: Sayreville/Middlesex Cty.

PROCEEDS FOR: remedial investigation

FINANCING: \$1,242,103 Hazardous Discharge Site Remediation Fund

PROJECT: South Amboy Redevelopment Agency (Conrail Property) **APPL.#22850**

LOCATION: South Amboy/Middlesex Cty.

PROCEEDS FOR: remedial investigation

FINANCING: \$215,677 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 July 2008. **(For Informational Purposes Only)**

8. EDISON INNOVATION FUND

PROJECT: WorldExtend, LLC **APPL.#22276**

LOCATION: Camden/Camden Cty. **BUSINESS:** software developer

PROCEEDS FOR: growth capital

FINANCING: \$1,000,000 Edison Innovation Fund investment

PROJECT: WorldExtend, LLC **APPL.#23156**

LOCATION: Camden/Camden Cty. **BUSINESS:** software developer

PROCEEDS FOR: lease payments

FINANCING: \$30,795 Business Lease Incentive Grant

9. BUSINESS EMPLOYMENT INCENTIVE PROGRAM

PROJECT: Axcan Pharma US, Inc. **APPL.#23062**

LOCATION: TBD **BUSINESS:** pharmaceuticals

GRANT AWARD: 40% Business Employment Incentive grant, 10 years

PROJECT: Cecilware Corporation and Affiliates **APPL.#23035**

LOCATION: Moonachie/Bergen Cty. **BUSINESS:** industrial/electrical equipment

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

PROJECT: Integrated Packaging Corporation and Affiliates **APPL.#22908**
LOCATION: New Brunswick/Middlesex Cty. **BUSINESS:** paper/wood
GRANT AWARD: 80% Business Employment Incentive grant, 10 years

PROJECT: NUCRYST Pharmaceuticals, Inc. **APPL.#22635**
LOCATION: TBD. **BUSINESS:** pharmaceuticals
GRANT AWARD: 35% Business Employment Incentive grant, 10 years

PROJECT: Soft Tissue Regeneration, LLC **APPL.#23070**
LOCATION: Newark/Essex Cty. **BUSINESS:** medical device technology
GRANT AWARD: 80% Business Employment Incentive grant, 10 years

10. BOARD MEMORANDUMS

The next item was to approve the Technology Venture Fund and Urban Development Fund Investment Guidelines.

PROJECT: Pivotal Utility Holdings, Inc. **APPL.#08623**
LOCATION: Various
FINANCING: \$39,000,000 Tax-Exempt Bond
MODIFICATION: Change to recommendation

PROJECT: MEPT Journal Square Urban Renewal, LLC **APPL.#19569**
LOCATION: Jersey City/Hudson Cty.
FINANCING: \$15,522,500 New Markets Tax Credits Loan
MODIFICATION: remove three closing requirements from the Authority's NMTC loan approval. Approval is also requested to allow for a change to the project scope, in the event the project as originally approved is deemed not viable.

PROJECT: Agilence, Inc. **APPL.#18390**
LOCATION: Camden/Camden Cty.
FINANCING: \$1,000,000 Edison Innovation Fund investment
MODIFICATION: consent to bridge a loan of up to \$400,000 from Next Stage Capital to be pari passu in collateral with the EDA.

PROJECT: AT&T Corp.

APPL.#09731

LOCATION: Middletown/Monmouth Cty.

FINANCING: \$1,313,940 Business Employment Incentive Program Grant

MODIFICATION: 1.) approval of the acquisition of AT&T Corp. by SBC Communications, Inc. resulting in a subsequent name change to AT&T Corp. 2.) addition of several entities to the AT&T Corp. BEIP grant.

PROJECT: Daiichi Pharmaceutical Corporation/
Daiichi Medical Research, Inc.

APPL.#16117

LOCATION: Madison/Morris Cty.

FINANCING: \$1,330,304 Business Employment Incentive Program Grant

MODIFICATION: 1.) Merger of Daiichi Pharmaceutical Corporation (“DPC”)/Daiichi Medical Research, Inc. (“DMR”) with Sankyo Pharma, Inc. 2.) Resulting name change from Daiichi Pharmaceutical Corporation/Daiichi Medical Research, Inc. to Daiichi Sankyo, Inc. 3.) Resulting location change from 3 Giralda Farms, Madison Boro to Two Hilton Court, Parsippany.

PROJECT: Morgan/Stanley & Co./Morgan Stanley Dean Witter Trust/Morgan Stanley Services, Inc./Morgan Stanley Investment Advisors, Inc./Morgan Stanley DW, Inc./Morgan Stanley Management Services II, Inc.

LOCATION: Jersey City/Hudson Cty.

APPL.#11321

FINANCING: \$2,314,360 Business Employment Incentive Program Grant

MODIFICATION: 1.) Name change from Morgan Stanley Dean Witter to Morgan Stanley Trust 2.) Addition of several entities to the Morgan Stanley & Co. Grant Agreement 3.) Continuation of the BEIP grant without disqualification.

The next item was a list of all BEIP modifications that were approved in the quarter ending June 30, 2008. **(For Informational Purposes Only).**

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

New Jersey Business Growth Fund: Eastern Properties, LLC and Eastern Sign Tech, LLC, Entity to be formed and Center for Adult Medicine, Gulton, Incorporation, Klarr Transport Services, Inc., Vineland Realty Holdings, LLC

Preferred Lender Program: Harold L. Heinrich, Inc., Patham Real Estate Holdings, LLC

PNC Business Growth Fund – Modification: Nicholson Properties, LLC

FastStart Direct Loan Program - Modification: Uni-Serv Associates, Inc.

11. URBAN & SITE DEVELOPMENT/REAL ESTATE

The next item was approval for the Authority's CEO to enter into the Development Assistance Agreement with the Bayonne Local Redevelopment Authority (BLRA) to provide technical assistance for financing and development of the Peninsula at Bayonne Harbor Project.

12. COMMERCE DIVISION

The next item was to approve Urban Enterprise Zone (UEZ) Energy Sales Tax Exemption Renewal Application of Church & Dwight, Inc., which continues the exemption through September 4, 2009.

The next item was to approve Urban Enterprise Zone (UEZ) Energy Sales Tax Exemption Renewal Application of Gerresheimer Glass, Inc., which continues the exemption through September 30, 2009.

The next item was approval of the Application Amendment Request, amending the original BRRAG application submitted by Deloitte & Touche to reduce the number of retained employees from 1082 to 822 retained employees and a commensurate reduction in the estimated BRRAG tax credit benefit for Deloitte from \$1,623,000 to \$1,233,000 (822 x \$1500).

13. PUBLIC COMMENT

14. ADJOURNMENT