

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

January 9, 2007

MINUTES OF THE MEETING

Members of the Authority present: Carl Van Horn, Chairman; Joseph McNamara, Vice Chairman; Mike Sheridan representing the Commissioner of the Department of Banking and Insurance; Noel McGuire representing the Secretary of the NJ Commerce, Economic Growth and Tourism Commission; James Kelly, representing the State Treasurer; Bernie Piaia representing the Commissioner of Education; Timothy Carden, Carlos A. Medina, Charles Sarlo, Thomas Manning, Philip Kirschner, and Steve Plofker, Public Members; Raymond Burke and Carmen Twillie Ambar, Alternate Public Members; and Rodney Sadler, Non-Voting Member.

Absent from the meeting: Marilyn Davis representing the Commissioner of the Department of Labor and Workforce Development.

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

Chairman Van Horn called the meeting to order at 10:04 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 December 12, 2006 meeting minutes of the Board. A motion was made to approve the minutes by Mr. Plofker, seconded by Mr. Sheridan and was approved by the 12 Members present.

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

Ms. Ambar entered the meeting at this time.

The next item was the approval to adopt the 2006 Carryforward Resolution.

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

BOND RESOLUTIONS

PROJECT: Advanced Drainage Systems, Inc. **APPL.#17774**
LOCATION: Logan Twp./Gloucester Cty. **BUSINESS:** Producer of pipe and fittings
PROCEEDS FOR: bldg. and road constr./equip. purch and renov.
FINANCING: \$9,000,000 (max) Tax-Exempt Bond
MOTION TO APPROVE: Mr. Carden **SECOND:** Mr. Kirschner **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 2
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

Mr. Sadler entered the meeting at this time.

PROJECT: CGI North America, Inc. **APPL.#17836**
LOCATION: Jersey City/Hudson Cty. **BUSINESS:** Commercial printer
PROCEEDS FOR: equip. purch
FINANCING: \$8,250,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Plofker **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 3
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

PROJECT: Converted Organics of Woodbridge, LLC for the **APPL.#17429**
benefit of Converted Organics, Inc.
LOCATION: Woodbridge Twp./Middlesex Cty. **BUSINESS:** Mfr. of soil amendment
products
PROCEEDS FOR: bldg. renov./equip. purch.
FINANCING: \$17,500,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. McGuire **SECOND:** Mr. Carden **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 4

PROJECT: Phoenix Container, Inc. **APPL.#17729**
LOCATION: North Brunswick Twp./Middlesex Cty. **BUSINESS:** Mfr. of steel pails
PROCEEDS FOR: equip. purch.
FINANCING: \$1,040,000 (max) Tax-Exempt Bond
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Kirschner **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 5
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

AMENDED BOND RESOLUTIONS

PROJECT: Three Woodbury Mews, LLC and Four Woodbury Mews, LLC **APPL.#16535 & 16534**

LOCATION: Woodbury City/Gloucester Cty.

MODIFICATION: to issue up to \$44,000,000 of conduit tax-exempt bonds to current refund the outstanding 2001 Bonds, the refinancing of the prior debt, reimbursement for cost overruns on the projects, funding a debt service reserve fund and costs of issuance, in order to assist the borrowers with restructuring debt and continued operations of The Gardens at Woodbury and The Crossing at Woodbury.

MOTION TO APPROVE: Mr. Carden **SECOND:** Mr. Piaia **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT 6

PRELIMINARY RESOLUTIONS

PROJECT: Damascus Bakery, Inc. **APPL.#17629**

LOCATION: Jersey City/Hudson Cty. **BUSINESS:** Mfr. of Pita Bread

PROCEEDS FOR: bldg. constr. & renov./equip. purch.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT 7

PUBLIC HEARING: Yes

PUBLIC COMMENT: None

PROJECT: Edward and David Koplowitz Partner for the benefit of Perth Amboy Tire Company **APPL.#17915**

LOCATION: Woodbridge Twp./Middlesex Cty. **BUSINESS:** Tire dealership

PROCEEDS FOR: bldg. acqui. & renov./equip. purch.

MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. Kirschner **AYES:** 13

RESOLUTION ATTACHED AND MARKED EXHIBIT 8

PUBLIC HEARING: Yes

PUBLIC COMMENT: None

PUBLIC HEARING ONLY

PROJECT: Supreme Cuts, LLC **APPL.#17880**

LOCATION: Mahwah Twp./Bergen Cty. **BUSINESS:** Pre-cut vegetable processor

PROCEEDS FOR: bldg. renov./equip. purch.

PUBLIC HEARING ONLY - NO RESOLUTION REQUIRED

PUBLIC COMMENT: None

PROJECT: 2 Fairfield Crescent, LLC for the benefit of Original Bagel & Bialy Co., Inc. **APPL.#17852**
LOCATION: West Caldwell Twp./Essex Cty. **BUSINESS:** Wholesale bakery
PROCEEDS FOR: equip. purch.
PUBLIC HEARING ONLY - NO RESOLUTION REQUIRED
PUBLIC COMMENT: None

CAMDEN ECONOMIC RECOVERY BOARD

PROJECT: Cooper's Ferry Development Association, Inc. **APPL.#17891**
(Parking and Infrastructure Improvements)
LOCATION: Camden City/Camden Cty.
PROCEEDS FOR: bldg. renov./site improvements
FINANCING: \$2,000,000 Economic Recovery Board for Camden recoverable grant program
MOTION TO APPROVE: Mr. Carden **SECOND:** Mr. Piaia **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 9 **Mr. Medina recused himself because Cooper's Ferry is his client.**

The next item was the approval to amend the ERB Guide criteria on affordable housing projects to allow for non-amortizing, non-recourse loans with an interest rate of 1% for a term of up to 30 years with repayment based on 50% of the available net cash flow shared pari passu with any other subordinate government financing.

MOTION TO APPROVE: Mr. Carden **SECOND:** Ms. Ambar **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 10

PROJECT: Boys & Girls Club of Camden County **APPL.#16328**
LOCATION: Camden City/Camden Cty.
MODIFICATION: to approve a modification to the \$1,000,000 public purpose grant to allow for the reimbursement of project related expenses incurred during construction of the project.
MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. Kirschner **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 11

PROJECT: Fairview Village Urban Renewal Associates, L.P. **APPL.#16486**
LOCATION: Camden City/Camden Cty.
MODIFICATION: to approve a change in project scope from the development of 60 affordable rental units to 40 rental units and to rescind the \$1,050,000 infrastructure grant and approve a \$1,050,000 non-recourse, non-amortizing loan priced at 1% for a term of 30 years to allow Fairview to maximize the amount of equity from the Low Income Housing Tax Credits that will be utilized on the project.
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Plofker **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 12

The next item was to recommend \$75,000 approval of planning and project management assistance for the Camden Redevelopment Agency under the agreement with the University of Pennsylvania, Fels Institute, for activities to be directed by John Kromer.

MOTION TO APPROVE: Mr. Plofker **SECOND:** Mr. Carden **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 13

PETROLEUM UNDERGROUND STORAGE TANK PROGRAM

The following project presented was a grant under the Petroleum Underground Storage Tank Program.

MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 14

PROJECT: Ken Behr for the benefit of Acrosstown, Inc. **APPL.#17511**
LOCATION: Middletown Twp./Monmouth Cty.
PROCEEDS FOR: site remediation
FINANCING: \$132,900 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund grant

The next item was the Petroleum Underground Storage Tank Program Delegated Authority Approvals for the month of December 2006. **(For Informational Purposes Only)**

BUSINESS EMPLOYMENT INCENTIVE PROGRAM

PROJECT: CommVault Systems, Inc. **APPL.#17896**
LOCATION: Locations Unknown **BUSINESS:** Provider of data management software
GRANT AWARD: 50% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Carden **SECOND:** Mr. McGuire **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 15

PROJECT: Integrium, LLC **APPL.#17895**
LOCATION: Bedminster Twp./Somerset Cty. **BUSINESS:** Contract research organization
GRANT AWARD: 70% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Manning **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 15

PROJECT: NovaDel Pharma Inc. **APPL.#17893**
LOCATION: Flemington Boro./Hunterdon Cty. **BUSINESS:** Pharmaceutical company
GRANT AWARD: 40% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Carden **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 15

The next item was Business Employment Incentive Program Modifications that were approved in the quarter ending December 31, 2006. **(For Informational Purposes Only)**

BOARD MEMORANDUMS

PROJECT: Andrews Glass Co., Inc. **APPL.#09132**
LOCATION: Vineland City/Cumberland Cty.
MODIFICATION: to extend the maturity date on the Borrower's outstanding principal balance of \$158,978 for an additional five years.
MOTION TO APPROVE: Mr. Plofker **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 16

PROJECT: Pecaso Realty LLC **APPL.#15336 & 15764**
LOCATION: Hillside Twp./Union Cty.
MODIFICATION: to subordinate the Authority's existing \$697,000 LDFF loan balance to a new loan from Crown Bank in the amount of \$5,000,000 and obtain EDA's consent to a new \$2,500,000 working capital facility.
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 17

PROJECT: Town of Phillipsburg **APPL.#16396**
LOCATION: Phillipsburg Town/Warren Cty.
MODIFICATION: to extend the commitment to provide for a closing by June 30, 2007 and to waive the \$750 commitment extension fee.
MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. McGuire **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 18

PROJECT: Vineland Adult Education/Aquatic Center **APPL.#17484**
LOCATION: Vineland City/Cumberland Cty.
MODIFICATION: to approve a request for a \$3,500,000 New Markets Tax Credits allocation from NJCDE, LLC., to newly formed NJCDE-2, LLC., in support of a Demonstration School project.
MOTION TO APPROVE: Mr. Plofker **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 19

The next item was the approval of the following projects under Delegated Authority for the month of December 2006: **(For Informational Purposes Only)**

New Jersey Business Growth Fund: Bright Lights USA, Inc., Leonard Katz for the benefit of Katz Pierz Inc., TIPS/WCC Inc., TJLA Enterprises, LLC, and Village Capital and Investment, LLC.

Preferred Lender Program: Chelton House Products, Inc.

Camden ERB: Camden Law Building, LLC and Loughry and Lindsay, LLC, and Lotus Medicine d/b/a Westfield Family Pharmacy.

REAL ESTATE

The next item was the approval to revise delegation of leasing authority for the Commercialization Center for Innovative Technologies to allow for the lease of space to established, larger technology companies seeking to create spin-out businesses focused on the development and marketing of new technologies. Approval was granted with the agreement that the Real Estate Committee will come back to the Board in March with policy recommendations on the delegation of authority.

MOTION TO APPROVE: Mr. Plofker **SECOND:** Mr. Kirschner **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 20

The next item was the approval to enter into a License Agreement with the State of New Jersey, Division of Property Management & Construction for space at Renaissance Place at the Trenton Office Complex on a month to month basis, on terms acceptable to the Chief Executive Officer and the Attorney General's Office.

MOTION TO APPROVE: Mr. Plofker **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 21

The next item was the approval to enter into an amendment to our sublease agreement with The Greater Camden Partnership to allow GCP to satisfy a rent arrearage at One Market Street by providing in-kind services to the Authority.

This matter was held from consideration.

The next item was the approval to execute an amendment to RealVest Capital Corporation's professional services agreement to pay a supplementary financial advisory fee in connection with RealVest's work in arranging reduced letter of credit fees on the L-3 Communications bond financing.

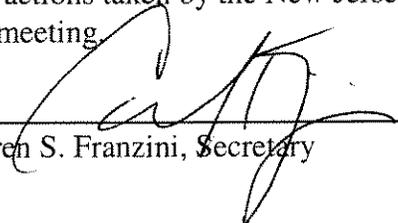
MOTION TO APPROVE: Mr. Kirschner **SECOND:** Mr. Carden **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 22

PUBLIC COMMENT

There was no comment from the public.

There being no further business on a motion by Mr. Plofker, and seconded by Mr. Manning, the meeting was adjourned at 11:04 a.m.

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



Caren S. Franzini, Secretary