

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
January 13, 2004

MINUTES OF THE MEETING

Members of the Authority present: Al Koepp, Chairman; Tonio Burgos, Vice Chair, Joseph Grossi representing the Chief Executive Officer of the NJ Commerce and Economic Growth Commission; Daniel Levine representing the State Treasurer; Joe Latoof representing the Commissioner of the Department of Labor; Michael Sheridan representing the Commissioner of the Department of Banking and Insurance; Bernie Piaia representing the Commissioner of Education; Ciro Scalera, Joseph McNamara, Jack Kocsis, Jr., and Joan Verplanck, Public Members; Dennis Shah, and Steven Denholtz, Alternate Public Members; and Rodney Sadler, non-voting member.

Absent from the meeting: Thomas Wilson, Public Member; and Eugene Keyek, Alternate Public Member

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

Chairman Koepp called the meeting to order at 10:08 am.

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 first item of business was the approval of the December 9, 2003 meeting minutes of the Board and the January 6, 2004 Special meeting minutes of the Board. A motion was made to approve the minutes by Mr. Burgos, seconded by Mr. Latoof and was approved by the 13 Members present.

The next item was the presentation of the Chief Executive Officer's Monthly Report to the Board.

(For Informational Purposes Only)

Mr. Levine left the meeting at this time.

PROJECT: Far Hills Country Day School **APPL.#15558**
LOCATION: Various/Somerset County **BUSINESS:** Not for Profit - school
PROCEEDS FOR: bldg. constr. & renov./road constr./equip. purch.
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 5

PROJECT: The Pearl Company, LLC/Lagniappe, Inc. **APPL.#15565**
for the benefit of Lagniappe, Inc.
LOCATION: Orange City/Essex County **BUSINESS:** Mfr. of seafood products
PROCEEDS FOR: bldg. constr. & renov./ equip. purch.
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Denholtz **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 6

PROJECT: Rajbhog Foods, Inc. **APPL.#15585**
LOCATION: Secaucus Town/Hudson County **BUSINESS:** Mfr. of authentic Indian food
PROCEEDS FOR: bldg. acqui. & renov./equip. purch.
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 7

PROJECT: Waste Management of New Jersey, Inc. **APPL.#15537**
LOCATION: Various/Various **BUSINESS:** Solid waste disposal service
PROCEEDS FOR: equip. purch./bldg. constr./site improvements
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 8

PROJECT: Young Men's Christian Association of **APPL.#15588**
Westfield New Jersey
LOCATION: Westfield Town/Union County **BUSINESS:** Not for Profit - member
organization
PROCEEDS FOR: bldg. acqui. & renov./land acqui./equip. purch./road constr.
MOTION TO APPROVE: Mr. Burgos **SECOND:** Ms. Verplanck **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 9

DIRECT LOANS

PROJECT: Vineland Construction Co **APPL.#15472**
LOCATION: Vineland City/Cumberland County **BUSINESS:** Real estate developer and
management firm
PROCEEDS FOR: bldg. constr./ land acqui./road constr.
FINANCING: \$750,000
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Denholtz **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 10

PROJECT: Vineland Construction Co **APPL.#15473**
LOCATION: Vineland City/Cumberland County **BUSINESS:** Real estate developer and management firm
PROCEEDS FOR: · bldg. constr./ land acqui./road constr.
FINANCING: \$7,600,000 bank loan with a \$500,000 (6.6%) participation
MOTION TO APPROVE: Mr. Scalera **SECOND:** Mr. Denholtz **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 11

PROJECT: Vineland Construction Co **APPL.#15472**
LOCATION: Vineland City/Cumberland County **BUSINESS:** Real estate developer and management firm
PROCEEDS FOR: bldg. constr./ land acqui./road constr.
FINANCING: \$750,000 - Local Development Financing Fund
MOTION TO APPROVE: Mr. Denholtz **SECOND:** Ms. Verplanck **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 12

STATEWIDE LOAN POOL PROGRAM

PROJECT: Royalox International Inc **APPL.#15521**
LOCATION: Phillipsburg Town/Warren County **BUSINESS:** Mfr. of luggage components
PROCEEDS FOR: refinancing/working capital
FINANCING: \$900,000 bank loan with a \$225,000 (25%) Authority participation and a 30%, 7 year guarantee of principal outstanding not to exceed \$202,500
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 11

BOARD MEMORANDUMS

PROJECT: American Sensor Technologies, Inc. **APPL.#15166**
LOCATION: Roxbury Twp./Morris County
MODIFICATION: to approve the collateral modification which will increase the liquidation loan to discounted collateral value from 172% to 211%.
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 13

PROJECT: Center for Family Resources **APPL.#13224**
LOCATION: Clifton City/Passaic County
MODIFICATION: to approve the extension of the Center for Family Resources' (CFFR's) \$200,000 CED loan commitment retroactive from December 31, 2003 to March 31, 2004. Closing will be contingent upon receipt and satisfactory review of the CFFR's 8/31/03 audit.
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 14

PROJECT: Cumberland TruStone, LP **APPL.#13024**
LOCATION: Vineland City/Cumberland County
MODIFICATION: to extend the guarantee commitment retroactive from December 31, 2003 to March 31, 2004 to allow sufficient time for Ferris Baker Watts to place the bonds and close on the issue.
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 15

PROJECT: New Jersey Community Development Corp. **APPL.#13536**
LOCATION: Paterson City/Passaic County
MODIFICATION: to approve the extension of New Jersey Community Development Corp.'s \$500,000 CED loan commitment retroactive from December 31, 2003 to March 31, 2004.
MOTION TO APPROVE: Mr. Burgos **SECOND:** Ms. Verplanck **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 16

The next item presented was the Delegated Authority Approvals for the fourth quarter of 2003.
For Informational Purposes Only

PETROLEUM UNDERGROUND STORAGE TANK LOAN PROGRAM

The following projects presented were conditional hardship grants under the NJDEP Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund Program.

MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. McNamara **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 17

PROJECT: Kenneth Bender **APPL.#15259**
LOCATION: Newton Town/Sussex County
PROCEEDS FOR: site remediation
FINANCING: \$1,810 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund grant

PROJECT: Ralph and Karen Giordano **APPL.#15548**
LOCATION: Jefferson Twp./Morris County
PROCEEDS FOR: site remediation
FINANCING: \$8,500 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund grant

PROJECT: Roberta Mackerley **APPL.#15527**
LOCATION: Montague Twp./Sussex County
PROCEEDS FOR: site remediation
FINANCING: \$10,845 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund grant

PROJECT: Clifton Mingin **APPL.#15528**
LOCATION: Burlington Twp./Burlington County
PROCEEDS FOR: site remediation
FINANCING: \$8,545 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund grant

PROJECT: Joseph M. Pirrello **APPL.#13084**
LOCATION: Stanhope Boro/Sussex County
PROCEEDS FOR: site remediation
FINANCING: \$5,307 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund grant

PROJECT: Sanford's Service Inc. **APPL.#15553**
LOCATION: South Orange Village/Essex County
PROCEEDS FOR: site remediation
FINANCING: \$31,910 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund grant

PROJECT: Joanna and Zygmunt Zak **APPL.#15529**
LOCATION: Evesham Twp./Burlington County
PROCEEDS FOR: site remediation
FINANCING: \$15,831 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund grant

NJDEP HAZARDOUS DISCHARGE SITE REMEDIATION FUND PROGRAM

The next items were grants under the NJDEP Hazardous Discharge Site Remediation Fund Program.

MOTION TO APPROVE: Mr. Burgos **SECOND:** Ms. Verplanck **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 18

The next item presented were grants under the NJDEP Hazardous Discharge Site Remediation Fund Program.

PROJECT: R.A. Fuels, LLC **APPL.#15507**
LOCATION: Lacey Twp./Ocean County
PROCEEDS FOR: site remediation
FINANCING: \$60,012 NJDEP Hazardous Discharge Site Remediation grant

PROJECT: R.A. Fuels, LLC **APPL.#15488**
LOCATION: Lacey Twp./Ocean County
PROCEEDS FOR: site remediation
FINANCING: \$60,012 NJDEP Hazardous Discharge Site Remediation grant

The next items presented were municipal grants under the NJDEP Hazardous Discharge Site Remediation Fund Program.

PROJECT: City of Bayonne **APPL.#14544**
(Standard Tank Cleaning Svcs)
LOCATION: Bayonne City/Hudson County
PROCEEDS FOR: site remediation
FINANCING: \$172,760 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: Bridgeton City **APPL.#14496**
(Economy Auto)
LOCATION: Bridgeton City/Cumberland County
PROCEEDS FOR: site remediation
FINANCING: \$50,748 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: Borough of Califon **APPL.#14402**
(Califon Basket Factory)
LOCATION: Califon Boro/Hunterdon County
PROCEEDS FOR: site remediation
FINANCING: \$44,201 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: Township of Carneys Point **APPL.#12677**
(A. Clemente - Vacant Land)
LOCATION: Upper Penns Neck Twp./Salem County
PROCEEDS FOR: site remediation
FINANCING: \$2,668 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: Township of Carneys Point **APPL.#12678**
(A. Clemente - Vacant Land)

LOCATION: Upper Penns Neck Twp./Salem County

PROCEEDS FOR: site remediation

FINANCING: \$9,152 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: City of Hackensack **APPL.#14549**
(Odyssey Body Works, Inc.)

LOCATION: Hackensack City/Bergen County

PROCEEDS FOR: site remediation

FINANCING: \$8,375 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: City of Newark **APPL.#14437**
(Frmr AntiHydro & United Railrd)

LOCATION: Newark City/Essex County

PROCEEDS FOR: site remediation

FINANCING: \$97,056 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: City of Newark **APPL.#14490**
(Scientific Chemical Processing)

LOCATION: Newark City/Essex County

PROCEEDS FOR: site remediation

FINANCING: \$63,500 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: Township of Riverside **APPL.#14558**
(Mortland Auto Body)

LOCATION: Newark City/Essex County

PROCEEDS FOR: site remediation

FINANCING: \$39,266 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: Township of Riverside **APPL.#14557**
(NJ Transit Site)

LOCATION: Newark City/Essex County

PROCEEDS FOR: site remediation

FINANCING: \$34,247 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: Township of Riverside **APPL.#14568**
(Robert's Plumbing Facility)

LOCATION: Riverside Twp./Burlington County

PROCEEDS FOR: site remediation

FINANCING: \$38,405 NJDEP Hazardous Discharge Site Remediation municipal grant

PROJECT: City of Trenton **APPL.#14403**
(Canal Plaza)
LOCATION: Trenton City/Mercer County
PROCEEDS FOR: site remediation
FINANCING: \$19,673 NJDEP Hazardous Discharge Site Remediation municipal grant

BUSINESS EMPLOYMENT INCENTIVE PROGRAM

PROJECT: AAA Mid-Atlantic, Inc. **APPL.#15567**
LOCATION: Moorestown Twp./Burlington County **BUSINESS:** Automobile Club
GRANT AWARD: 60% Business Employment Incentive grant, 10 years
This matter was held from consideration.

PROJECT: Apex Xpress, Inc. **APPL.#15566**
LOCATION: Jersey City/Hudson County **BUSINESS:** Distribution & warehouse
business
GRANT AWARD: 80% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 19

PROJECT: Ice Cap Inc. **APPL.#15575**
LOCATION: East Rutherford Boro/Bergen Cty. **BUSINESS:** Mfr. of air conditioning units
GRANT AWARD: 25% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Piaia **SECOND:** Ms. Verplanck **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 19

PROJECT: Star Candle Co. LLC **APPL.#15562**
LOCATION: Elizabeth City/Union County **BUSINESS:** Mfr. of candles
GRANT AWARD: 65% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Piaia **SECOND:** Ms. Verplanck **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 19

PROJECT: Woolco Foods, Inc. **APPL.#15576**
LOCATION: North Bergen Twp./Hudson County **BUSINESS:** Food wholesaler
GRANT AWARD: 65% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Sheridan **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 19

ECONOMIC RECOVERY BOARD FOR CAMDEN

PROJECT: El Centro Comunal Borincano Day Care **APPL.#15452**
Center
LOCATION: Camden City/Camden County
PROCEEDS FOR: bldg. constr./FF&E acqui./land acqui.
FINANCING: \$800,000 recoverable loan
MOTION TO APPROVE: Ms. Verplanck **SECOND:** Mr. Burgos **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 20

PROJECT: The Camden Redev. Agency **APPL.#15441**
(Terraces)
LOCATION: Camden City/Camden County
PROCEEDS FOR: land acqui.
FINANCING: \$2,039,500 recoverable grant
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 20

PROJECT: Cooper Ferry Development Assoc. **APPL.#15445**
Yorkshire Square
LOCATION: Camden City/Camden County
PROCEEDS FOR: road constr./facade improvements
FINANCING: \$1,600,000 non-recoverable grant
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 20

PROJECT: Parkside Business and Community **APPL.#15437**
in Partnership Inc
LOCATION: Camden City/Camden County
PROCEEDS FOR: bldg. renov. & acqui.
FINANCING: \$395,825 recoverable grant
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Scalera **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 20

The next item was the request for approval for the reservation of \$5 million of ERB funds for infrastructure improvements upon the successful award of a HUD HOPE VI grant for the Roosevelt Manor HOPE VI project and to endorse a letter of support for the application submitted to HUD for the project. Staff will work with the CRA and the CHA upon grant approval from HUD to ensure that all other funding sources are secured prior to approval of a \$5 million authorization for ERB funds.

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

REAL ESTATE DIVISION

The next item was the approval to enter into a contract with Ewing Cole for A/E services and Skanska for C.M. services for the Liberty Science Center Expansion Project subject to approval by the Attorney General's Office and the Chief Executive Officer.

This matter was held from consideration.

Ms. Verplanck left the meeting at this time.

The next item was the approval to authorize the execution of agreements with MBT Urban Renewal, LLC and the City of Newark for the Authority's acquisition of Block 2517, Lot 41 in connection with the Springfield/Sayre project.

MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 21

The next item was the approval of a Letter of Intent ("LOI") with University Heights Science Park, Inc. ("UHSP") to facilitate funding, project management and technical assistance during the feasibility phase of the development of the Digital Century Center Project. The LOI will allow the parties to establish a budget for the feasibility work, retain consultants and contractors, and outline the Authority's and UHSP's roles and responsibilities during the feasibility phase of the Project.

MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 11
RESOLUTION ATTACHED AND MARKED EXHIBIT 22
Chairman Koepp abstained due to the fact he is on the Board of University Heights.

The next item was the approval to: 1) enter into a lease agreement with Victor Associates, L.P. for leasing of office space in Camden; and 2) additional funds in the amount of \$80,000 to cover the additional real estate costs.

MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Sheridan **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 23

Ms. Verplanck returned to the meeting at this time.

The next item was advising the Members that the Authority will begin development activities with regard to construction of surface parking lots for the NJ State Aquarium Expansion and Imax Theater Projects located in Camden, NJ.

For Informational Purposes Only.

The next item was the approval to enter into a memorandum of understanding with the PANYNJ regarding the conduct and funding of Portfields development feasibility and planning studies for projects which will positively impact PANYNJ facilities in New Jersey, with the understanding that each party will contribute \$300,000 per year for three years for these purposes, subject to certain conditions.

MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Denholtz **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 24

AUTHORITY MATTERS

The next item was the approval to provide \$1 million in additional funding to expand the media portion of the Authority's contract with Fleishman Hillard. This will allow the Authority to advance the campaign for a longer period of time and in more markets to help grow New Jersey's economy and create jobs.

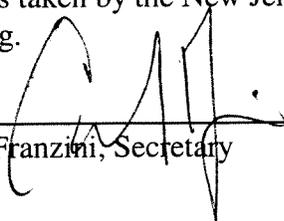
MOTION TO APPROVE: Mr. Burgos **SECOND:** Mr. Piaia **AYES:** 13
RESOLUTION ATTACHED AND MARKED EXHIBIT 25

PUBLIC COMMENT

There was a question regarding the Trenton Canal Plaza application for Hazardous Discharge Site Remediation Fund Program staff volunteered to provide this information to the questioner.

There being no further business on a motion by Mr. Burgos, and seconded by Mr. Piaia the meeting was adjourned at 11:25 am.

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