

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

November 13, 2007

Waterfront Technology Center, Camden, NJ

MINUTES OF THE MEETING

Members of the Authority present: Carl Van Horn, Chairman; Joseph McNamara, Vice Chairman; Lopa Kolluri, representing the State Treasurer; Bernie Piaia representing the Commissioner of Education; Michael Sheridan representing the Commissioner of the Department of Banking and Insurance; Marilyn Davis representing the Commissioner of the Department of Labor and Workforce Development; Angie McGuire representing the NJ Commerce Commission; Timothy Carden, and Philip Kirschner, and Thomas Manning; Public Members; Carmen Twillie Ambar, Raymond Burke, and Elliot Kosoffsky, Alternate Public Members and Rodney Sadler, Non-Voting Member.

Absent from the meeting: Steve Plofker, Charles Sarlo, and Richard Tolson, Public Members.

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 10:08 a.m. and welcomed new board member Elliott Kosoffsky, (who abstained from voting on matters presented today).

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 October 9, 2007 meeting minutes of the Board. A motion was made to approve the minutes by Mr. Kirschner, seconded by Mr. Piaia and was approved by the 11 members present.

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

The next item was a presentation by EDA Staff members Laura Wallick and Mike Wiley on the activities of the Economic Recovery board for Camden and the EDA's Innovation Zone, centered at the Waterfront Technology Center. Mayor Gwendolyn Faison welcomed all present to the City of Camden, urged them to return again and thanked the EDA staff for all their work in the City.

BOND RESOLUTIONS

PROJECT: MZR Real Estate, L.P.* **APPL.#18065**
for the benefit of Art Guild, Inc.
LOCATION: West Deptford Twp./Gloucester Cty. **BUSINESS:** Exhibit design & fabrication Co.
PROCEEDS FOR: bldg. const./equip. purch.
FINANCING: \$2,900,000 Tax-Exempt Bond \$4,900,000 Taxable Bond
MOTION TO APPROVE: Ms. Ambar **SECOND:** Mr. Kirscher **AYES: 11**
RESOLUTION ATTACHED AND MARKED EXHIBIT 1
PUBLIC HEARING: Yes
PUBLIC COMMENT: none

PROJECT: PSEG Power LLC **APPL. #19263**
LOCATION: Various **BUSINESS:** Energy & energy services co.
PROCEEDS FOR: bldg. const.
FINANCING: \$27,500,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Manning **SECOND:** Ms. Davis **AYES: 10**
RESOLUTION ATTACHED AND MARKED EXHIBIT 2
PUBLIC HEARING: Yes
PUBLIC COMMENT: none
Chairman Van Horn abstained, because the company donated money to the research center he directs.

COMBINATION PRELIMINARY AND BOND RESOLUTIONS

PROJECT: The Actors' Fund of America for the benefit of* **APPL.#19803**
The Lillian Booth Actors Home
LOCATION: Englewood City/Bergen Cty. **BUSINESS:** Not-for-profit organization
PROCEEDS FOR: bldg. exp./renov.
FINANCING: \$7,000,000 Tax Exempt Bond
MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. Piaia **AYES: 11**
RESOLUTION ATTACHED AND MARKED EXHIBIT 3
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

PROJECT: Heath Village **APPL.#20097**
LOCATION: Hackettstown Town/Warren Cty. **BUSINESS:** Not-for-profit health care provider
PROCEEDS FOR: refunding
FINANCING: \$7,710,000 Tax Exempt Bond \$1,040,000 Taxable Bond
MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. Piaia **AYES: 11**
RESOLUTION ATTACHED AND MARKED EXHIBIT 4
PUBLIC HEARING: Yes

PUBLIC COMMENT: none

PROJECT: The House of the Holy Comforter
LOCATION: West Orange Twp./Essex Cty. **APPL.#20085**
PROCEEDS FOR: refinance **BUSINESS:** Not-for-profit organization
FINANCING: \$3,265,000 Tax Exempt Bond
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. McNamara **AYES: 11**
RESOLUTION ATTACHED AND MARKED EXHIBIT 5

Mr. Carden entered the meeting at 10:35.

PROJECT: Young Men's Christian Association of Montclair, NJ **APPL.#20074**
for the benefit of The Helen and Bill Geyer YMCA Family Center
LOCATION: Montclair Twp./Essex Cty. **BUSINESS:** Not-for-profit organization
PROCEEDS FOR: refinance
FINANCING: \$7,600,000 Tax Exempt Bond (part of \$10,200,000 tax exempt bond with P20073)

PROJECT: Young Men's Christian Association of Montclair, NJ **APPL.#20073**
LOCATION: Montclair Twp./Essex Cty. **BUSINESS:** Not-for-profit organization
PROCEEDS FOR: refunding
FINANCING: \$2,600,000 Tax Exempt Bond (part of \$10,200,000 tax exempt bond with P20074)
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Sheridan **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT 6
PUBLIC HEARING: Yes
PUBLIC COMMENT: none

PRELIMINARY RESOLUTIONS

PROJECT: Innores Corporation for the benefit of **APPL.#19955**
Pflaumer Brothers, Inc.
LOCATION: Ewing Twp./Mercer Cty. **BUSINESS:** Mfr. of specialty paints & coatings
PROCEEDS FOR: bldg. acqui.
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Sheridan **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT 7

PROJECT: Republic Services, Inc. **APPL.#19891**
LOCATION: Various **BUSINESS:** Solid waste collection company
PROCEEDS FOR: equip. purch.
MOTION TO APPROVE: Mr. Carden **SECOND:** Mr. McNamara **AYES: 12**
RESOLUTION ATTACHED AND MARKED EXHIBIT 8

PROJECT: Services for Children with Hidden Intelligence, Inc. **APPL.#20075**
LOCATION: Lakewood Twp./Ocean Cty. **BUSINESS:** Not-for-profit private school
PROCEEDS FOR: refinance
MOTION TO APPROVE: Mr. Sheridan **SECOND:** Ms. Ambar **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 9
PUBLIC HEARING: Yes
PUBLIC COMMENT: none

PROJECT: Young Men's Christian Association of Trenton **APPL.#19599**
LOCATION: Trenton City/Mercer Cty. **BUSINESS:** Not-for-profit organization
PROCEEDS FOR: land acqu./bldg. const..
MOTION TO APPROVE: Mr. McNamara **SECOND:** Mr. Piaia **AYES:**12
RESOLUTION ATTACHED AND MARKED EXHIBIT 10

PROJECT: Omni Bakery **APPL.#19883**
LOCATION: Vineland City/Cumberland Cty. **BUSINESS:** contract bakery manufacturer
PROCEEDS FOR: new production equipment.
MOTION TO APPROVE: Mr. Sheridan **SECOND:** Ms. Davis **AYES:**12
RESOLUTION ATTACHED AND MARKED EXHIBIT 11
PUBLIC HEARING: Yes
PUBLIC COMMENT: none

DIRECT LOANS

PROJECT: Arde, Inc. **APPL.#19152**
LOCATION: Carlstadt Borough/Bergen Cty. **BUSINESS:** Mfr. of lightweight tanks
PROCEEDS FOR: expan./reloc.
FINANCING: \$200,000
MOTION TO APPROVE: Mr. Carden **SECOND:** Ms. Ambar **AYES:**12
RESOLUTION ATTACHED AND MARKED EXHIBIT 12

STATEWIDE LOAN POOL

PROJECT: Hopewell Adult Medical Day Care, LLC & **APPL.#19494**
Roseville Health Care
LOCATION: Newark City/Essex Cty. **BUSINESS:** Adult day care facility
PROCEEDS FOR: refinance
FINANCING: \$2,230,000 bank loan with a \$500,000 (22%) Authority participation
This project was withheld from consideration.

LOCAL DEVELOPMENT FINANCING FUND

PROJECT: Passaic Family Head Start, Inc. **APPL.#19974**
LOCATION: Passaic City/Passaic Cty. **BUSINESS:** Not-for-profit preschool

PROCEEDS FOR: bldg. purch.
FINANCING: \$300,000 Local Development Financing Fund loan
MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Manning **AYES:** 12
Subject to review of deed to ensure no restriction on use of building.
RESOLUTION ATTACHED AND MARKED EXHIBIT 13

SMART GROWTH PRE-DEVELOPMENT FUND

PROJECT: Morning Star Community Development **APPL.#18565**
 Renewal Corp.
LOCATION: Linden City/Union Cty. **BUSINESS:** Not-for-profit developer
PROCEEDS FOR: architectural expenses
FINANCING: \$225,000 Smart Growth loan.
Subject to review of any church/state issues by Attorney General's office.
MOTION TO APPROVE: Mr. Carden **SECOND:** Mr. Kirschner **AYES:**12
RESOLUTION ATTACHED AND MARKED EXHIBIT 14

CAMDEN ECONOMIC RECOVERY BOARD

The next item was the approval to increase the infrastructure project funding limit from \$60 million to \$70 million.
MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. Kirschner **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 15

The next item was the approval to extend the ERB Business Incentive Grant Programs an additional 12 months through September 20, 2008. In addition, approval was sought to amend the level of funding from \$16 million to \$10.5 million, to a maximum allocation of \$500,000 for the Business Improvement Incentive Program (BII), and \$10 million for the Business Lease Incentive Program (BLI). Further, approval was sought to modify the BII program criteria to allow the full amount of the grant to be disbursed upon completion of the building improvements, and to limit to each individual property owner a maximum of three grants..
MOTION TO APPROVE: Ms. Davis **SECOND:** Mr. Manning **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 16

The next item was the approval to amend the level of funding for Business Incentive Programs from \$16 million to \$10.5 million, which would increase the available funding under the Demolition and Redevelopment Financing Fund \$246,471 to \$5,746,471. From this amount, 5% of the initial fund amount equal to \$2,150,000 is being requested to be reallocated to the Downtown Revitalization Fund leaving a balance of \$3,596,471. In addition, the CEO and COO are seeking to reallocate 20% of the Economic Recovery Planning Fund equal to \$700,000 to the Downtown Revitalization and Recovery Fund leaving a balance of \$1,166,005.
MOTION TO APPROVE: Mr. Carden **SECOND:** Ms. Ambar **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 17

The next item was the approval to modify the Fairview Parking Courts project to allow for a reallocation of the \$791,694 ERB infrastructure grant due to a change in project scope, subject to

receipt of an executed license agreement between the City of Camden and RPM Management, LLC (RPM).

MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. Piaia **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 18

PETROLEUM UNDERGROUND STORAGE TANK PROGRAM

The following commercial projects was presented under the Petroleum Underground Storage Tank Grant Program.

MOTION TO APPROVE: Mr. Piaia **SECOND:** Mr. Sheridan **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 19

PROJECT: BNF NJ LLC for the benefit of Ultimate Car Care **APPL.#19594**
LOCATION: Neptune Twp./Monmouth Cty.
PROCEEDS FOR: site remediation
FINANCING: \$102,915 Petroleum Underground Storage Tank Remediation, Upgrade and Closure Fund Grant

PROJECT: Orlovsky Brothers Service **APPL.#18966**
LOCATION: Clifton City/Passiac Cty.
PROCEEDS FOR: site investigation
FINANCING: \$207,966 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 October 2007. (For Informational Purposes Only)

HAZARDOUS DISCHARGE SITE REMEDIATION FUND PROGRAM

The following projects were presented under the Hazardous Discharge Site Remediation Fund Program (municipal grants, and one commercial loan).

MOTION TO APPROVE: Mr. Carden **SECOND:** Mr. Piaia **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 20

PROJECT: City of Bayonne (Route 440 Corridor East) **APPL.#20086**
LOCATION: Bayonne City/Hudson Cty.
PROCEEDS FOR: site investigation/remediation
FINANCING: \$378,484 Hazardous Discharge Site Remediation Fund

PROJECT: Bergen County (Area 1 & 2 Overpeck Park) **APPL.#20210**
LOCATION: Teaneck Twp./Bergen Cty.
PROCEEDS FOR: remedial investigation

FINANCING: \$175,089 Hazardous Discharge Site Remediation Fund grant

PROJECT: City of Clifton (former National Standard) **APPL.#20183**

LOCATION: Clifton City/Passaic Cty.

PROCEEDS FOR: remedial investigation

FINANCING: \$588,967 Hazardous Discharge Site Remediation Fund grant

PROJECT: Township of East Amwell (Meszaros Auto Wrecking) **APPL.#19484**

LOCATION: East Amwell Twp./Hunterdon Cty.

PROCEEDS FOR: remedial investigation

FINANCING: \$202,444 Hazardous Discharge Site Remediation Fund grant

PROJECT: City of Paterson - Department of Community Dev. **APPL.#19833**

LOCATION: Paterson City/Passaic Cty.

PROCEEDS FOR: remedial investigation

FINANCING: \$641,996 Hazardous Discharge Site Remediation Fund grant

PROJECT: Wyckoff Cleaners, Inc. **APPL.#19031**

LOCATION: Wyckoff Twp./Bergen Cty.

PROCEEDS FOR: remedial remediation

FINANCING: \$132,418 Hazardous Discharge Site Remediation Fund loan

The next item was the Hazardous Discharge Site Remediation Fund Program Delegated Authority Approvals for the month of October 2007. **(For Informational Purposes Only)**

The next item was the approval for the following: i) authorization for NJDEP to implement the day care provider grant program pursuant to the terms mutually agreed to by the EDA and DEP, and ii) authorization for the Chief Executive Officer, or any other person authorized under the EDA's operating authority, to execute an amendment to the HDSRF MOU for the purpose of setting forth the respective duties and responsibilities of the EDA and DEP in connection with the implementation of the day care provider grant program, subject to final review and approval of the Attorney General's Office.

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

RESOLUTION ATTACHED AND MARKED EXHIBIT 21

EDISON INNOVATION FUND

The next item was the approval of terms detailed in the Edison R&D Fund memo, consent to entering into an MOU (upon DAG's approval) with NJCST, and request to authorize staff to submit amendments to the program rules as substantially presented for promulgation and adoption in the NJ Register, subject to final review and approval by the Office of the Attorney General and Office of Administrative Law.

MOTION TO APPROVE: Ms. Ambar **SECOND:** Mr. Kirchner **AYES:** 12

RESOLUTION ATTACHED AND MARKED EXHIBIT 22

The next item was approval to clarify and amend the venture fund investment guidelines as approved by the Board in December 2006.

MOTION TO APPROVE: Mr. McNamara **SECOND:** Ms. Ambar **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 23

BUSINESS EMPLOYMENT INCENTIVE PROGRAM

PROJECT: Alpharma Inc., Alpharma Pharmaceuticals LLC **APPL.#20004**
and Alpharma

LOCATION: Bridgewater Twp./Somerset Cty. **BUSINESS:** Global pharmaceutical co.

GRANT AWARD: 75% Business Employment Incentive grant, 10 years

MOTION TO APPROVE: Mr. McNamara **SECOND:** Mr. Carden **AYES:**
RESOLUTION ATTACHED AND MARKED EXHIBIT 24

PROJECT: Critical Links, Inc. **APPL.#20016**

LOCATION: TBD **BUSINESS:** Networking company

GRANT AWARD: 30% Business Employment Incentive grant, 10 years

MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. Piaia **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 24

PROJECT: Interstate Waste Services, Inc., **APPL.#20071**
Interstate Waste Holding Co., Inc.

LOCATION: Ramsey Borough/Bergen Cty. **BUSINESS:** Waste management company

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

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

PROJECT: Mimeo.com, Inc. **APPL.#19978**

LOCATION: Elizabeth City/Union Cty. **BUSINESS:** Online printing & binding co.

GRANT AWARD: 75% Business Employment Incentive grant, 10 years

MOTION TO APPROVE: Mr. Sheridan **SECOND:** Mr. Manning **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 24

PROJECT: Shasun Pharma Solutions, Inc. **APPL.#19911**

LOCATION: Piscataway/Middlesex Cty. **BUSINESS:** Mfr. of pharmaceutical ingredients

GRANT AWARD: 55% Business Employment Incentive grant, 10 years

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

BOARD MEMORANDUMS

The next item was the approval of the following projects under Delegated Authority for the month of October 2007: (For Informational Purposes Only)

New Jersey Business Growth Fund: 1916 Partners, LLC, and Davis Plastic Surgery, Inc; Edge of Aspen LLC; Roll CH, LLC, and International Sports Centre of CH, LLC; Superior Tool & Manufacturing Co., Inc.; Village Capital & Investment LLC.

The next item was the approval for an additional \$3 million in senior bank debt as part of the borrower's (Archive Systems, Inc.) change in relationship banks to Comerica Bank, an experienced technology lender.

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

The next item was to be discussed in Executive Session (Somerset County Cultural Arts)

REAL ESTATE

The next item was the approval of an agreement and ground lease with L'Oreal USA Products, Inc. (L'Oreal) for the development of a 200,000 to 300,000 sf research and development facility on the Authority's expansion site for the Technology Centre of New Jersey on Route 1 in North Brunswick. The project will result in L'Oreal's investment of approximately \$125 million over the next five years and retain 390 jobs in New Jersey.

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

The next item was the approval was to grant Drexel University, a tenant at the Waterfront Technology Center in Camden (WTCC), a license to place an antenna on the southwest corner of the WTCC roof.

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

AUTHORITY MATTERS

The next item was to approve increases in current Delegations for write-offs and settlements up to \$300,000 upon recommendation by a Director and two Executive Signers: CEO and SVP - Operations or two (2) SVPs.

MOTION TO APPROVE: Ms. Ambar **SECOND:** Mr. Sheridan **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 28

The next item was the approval of two new loan products that will further EDA's efforts, in support of the Governor's Economic Growth Strategy, to provide assistance to small, women and minority-owned businesses and to expand the product offerings of the Urban Fund, and

minority-owned businesses and to expand the product offerings of the Urban Fund, and authorization to promulgate amendments to the rules to effectuate the new programs, subject to the review and approval of the Attorney General's Office.

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

The next item was the approval for the adoption of rules proposed in December 2006 for the Business Employment Incentive program with new recommendations for the calculation of the 20% cap to be proposed as new rules.

The recommendation regarding delegated authority was held from discussion.

MOTION TO APPROVE: Mr. Sheridan **SECOND:** Ms. Ambar **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 30

The next item was the adjourn the public session of the meeting and to enter Executive Session to discuss potential litigation matters.

MOTION TO APPROVE: Mr. Carden **SECOND:** Ms. Ambar **AYES:** 12
RESOLUTION ATTACHED AND MARKED EXHIBIT 31

EXECUTIVE SESSION

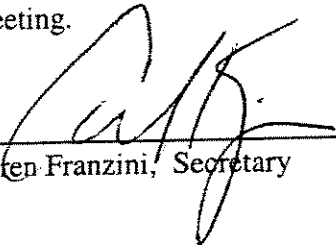
Chairman Van Horn noted that the Board had met in Executive Session to discuss several matters that involve or may involve potential litigation, for which information would be available upon the conclusion of the legal matters. In addition, a personnel matter was discussed which is currently pending and for which information may be made available if appropriate upon conclusion of the matter.

PUBLIC COMMENT

Rich Highland of the Garibaldi Group, which represents Interstate Waste Services in finding space to operate in New Jersey, thanked the Board for their approval of a Business Incentive Improvement grant and noted that the incentive was critical in bringing businesses to New Jersey.

There being no further comment, on a motion by Mr. Carden, seconded by Mr. McNamara, the Board agreed to adjourn the meeting at 12:25 p.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 Franzini, Secretary