NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
August 11, 2009

MINUTES OF THE MEETING

Members of the Authority present: Joseph McNamara, Vice Chairman; James Kelly, representing the State Treasurer; Dan Ryan representing the Commissioner of the Department of Environment Protection; Richard Poliner representing the Commissioner of the Department of Banking and Insurance; Joe Lattof representing the Commissioner of the Department of Labor and Workforce Development; Public Members: Philip Kirschner, Thomas Manning, Elliot M. Kosoffsky, Second Alternate Public Member, and Rodney Sadler, Non-Voting Member.

Present via Phone: Carl Van Horn, Chairman; and, Raymond Burke, First Alternate Public Member.

Absent from the meeting: Jerold Zaro representing the Governor’s Office; and Public Members: Timothy Carden, Steve Plofker, Charles Sarlo, and Richard Tolson.

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

Chairman Van Horn 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 July 14, 2009 meeting minutes of the Board. A motion was made to approve the minutes by Mr. Manning, seconded by Mr. Poliner and was approved by the 9 voting members present.

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

PROJECT: Century Packaging, Inc.                     APPL.#26784
LOCATION: East Brunswick/Middlesex Cty.
PROCEEDS FOR: equipment acquisition
FINANCING: $2,535,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Ryan      SECOND: Mr. Manning   AYES: 9
RESOLUTION ATTACHED AND MARKED EXHIBIT:1
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

Final Bond

PROJECT: Elysian Charter School of Hoboken            APPL.#26661
LOCATION: Hoboken City/Hudson
PROCEEDS FOR: building renovation
FINANCING: $3,920,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Ryan      SECOND: Mr. Manning   AYES: 9
RESOLUTION ATTACHED AND MARKED EXHIBIT:2
PUBLIC HEARING: Yes
PUBLIC COMMENT: None

Public Hearing Only

PROJECT: Giordano Vineland Scrap Material            APPL.# P24260
LOCATION: Vineland/Cumberland Cty.
PROCEEDS FOR: finance machinery and equipment

BOND RESOLUTIONS WITH AUTHORITY EXPOSURE

PROJECT: Greater Brunswick Regional Charter School or related entity.                     APPL.#26660
LOCATION: New Brunswick/Middlesex Cty.
PROCEEDS FOR: building renovation
FINANCING: $6,050,000 Tax-Exempt Bond
MOTION TO APPROVE: Mr. Ryan      SECOND: Mr. Kosoffsky   AYES: 9
RESOLUTION ATTACHED AND MARKED EXHIBIT: 3
PROJECT: Greater Brunswick Charter School  APPL.#27102
LOCATION: New Brunswick/Middlesex Cty.
PROCEEDS FOR: refinance existing debt and renovations
FINANCING: $1,000,000 Main Street Business Assistance loan
MOTION TO APPROVE: Mr. Burke  SECOND: Mr. Kosoffsky  AYES: 9
RESOLUTION ATTACHED AND MARKED EXHIBIT: 4

Mr. Latoof entered the meeting at this time.

LOCAL DEVELOPMENT FINANCING FUND

PROJECT: Central Jersey Waste & Recycling Inc.  APPL.#24882
LOCATION: Trenton/Mercer Cty.
PROCEEDS FOR: equipment acquisition and building construction
FINANCING: $1,500,000 Local Development Financing Fund loan
MOTION TO APPROVE: Mr. Manning  SECOND: Mr. Kosoffsky  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 5

PROJECT: New York Terminals II, LLC.  APPL.#27317
LOCATION: Elizabeth/Union Cty.
PROCEEDS FOR: refinance existing debt and construction
FINANCING: $2,000,000 Local Development Financing Fund loan
MOTION TO APPROVE: Mr. Latoof  SECOND: Mr. Poliner  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 6

PETROLEUM UNDERGROUND STORAGE TANK PROGRAM

The following residential projects were presented under the Petroleum Underground Storage Tank Program.
MOTION TO APPROVE: Mr. Kirschner  SECOND: Mr. Latoof  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 7

PROJECT: Martin Berlin  APPL.#26728
LOCATION: Brick Twp./Ocean Cty.
PROCEEDS FOR: upgrade, closure and site remediation
FINANCING: $118,695 Petroleum UST Remediation, Upgrade, & Closure Fund Grant
PROJECT: Mary Brash  
LOCATION: Shrewsbury/Monmouth Cty.  
PROCEEDS FOR: upgrade, closure and site remediation  
FINANCING: $392,611 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

PROJECT: George Johnston and Virginia Johnston  
LOCATION: Barrington/Camden Cty.  
PROCEEDS FOR: upgrade, closure and site remediation  
FINANCING: $113,700 Petroleum UST Remediation, Upgrade, & Closure Fund Grant

PROJECT: Vincent Scaglione  
LOCATION: Wayne Twp./Passaic Cty.  
PROCEEDS FOR: upgrade, closure and site remediation  
FINANCING: $125,695 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 July 2009. (For Informational Purposes Only)

HAZARDOUS DISCHARGE SITE REMEDIATION FUND PROGRAM

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

MOTION TO APPROVE: Mr. Kelly   SECOND: Mr. Latoff   AYES: 10  
RESOLUTION ATTACHED AND MARKED EXHIBIT: 8

PROJECT: Township of Berkley (Bayview Park)  
LOCATION: Berkley/Ocean Cty.  
PROCEEDS FOR: remedial action  
FINANCING: $297,468 Hazardous Discharge Site Remediation Fund

PROJECT: Jersey City Redevelopment Agency (Turnpike Dump #5)  
LOCATION: Jersey City/Hudson Cty.  
PROCEEDS FOR: remedial investigation  
FINANCING: $199,650 Hazardous Discharge Site Remediation Fund

PROJECT: Borough of Red Bank  
LOCATION: Red Bank/Monmouth Cty.  
PROCEEDS FOR: remedial investigation
FINANCING: $284,903 Hazardous Discharge Site Remediation Fund

PROJECT: Jewish Community Federation of Greater Clifton APPL.#27092
LOCATION: Clifton/Passaic Cty.
PROCEEDS FOR: remedial action
FINANCING: $253,593 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 2009. (For Informational Purposes Only)

CLEAN ENERGY SOLUTIONS

The next item is to approve scoring criteria to the Clean Energy Solutions Edison Innovative Projects Program approved at the June 9, 2009 meeting. The Board is also requested to approve a Memorandum of Understanding between the Board of Public Utilities and the Authority concerning EDA receipt and management of ARRA federal stimulus funds.
MOTION TO APPROVE: Mr. Ryan SECOND: Mr. Manning AYES: 10 RESOLUTION ATTACHED AND MARKED EXHIBIT: 9

The next item amends the Clean Energy Solutions Capital Investment program (CESCI): terms/conditions to authorize the Authority in cases where an applicant has a 10% or greater ownership in the project to rely on pro-forma financials to demonstrate that the project can achieve a DSCR of 1.2:1 and in addition to considering the assignment of other public grant funding in lieu of personal guarantees, authorize the Authority to seek assurances (e.g. guarantees, obligations, etc.) from the parent entity or other principals; other collateral; and/or the assignment of assets (e.g. renewable energy credits) that total 120% of the loan amount (as long as aggregate state funding does not exceed 50% of the project cost) as means to secure loan repayment and adequate DSCR.
MOTION TO APPROVE: Mr. Latoof SECOND: Mr. Kirschner AYES: 10 RESOLUTION ATTACHED AND MARKED EXHIBIT: 10

INCENTIVE PROGRAMS

BUSINESS INCENTIVE EMPLOYMENT PROGRAM

PROJECT: AustarPharma, LLC APPL.#27662
LOCATION: Edison Twp./Middlesex Cty. BUSINESS: pharmaceuticals
GRANT AWARD: 60% Business Employment Incentive grant, 10 years
MOTION TO APPROVE: Mr. Kirschner SECOND: Mr. Latoof AYES: 10 RESOLUTION ATTACHED AND MARKED EXHIBIT: 11
PROJECT: I D Systems, Inc.  APPL.#27306
LOCATION: TBD  BUSINESS: electronic device technology
GRANT AWARD: 40% Business Employment Incentive grant, 10 years
MOTION TO APPROVE:  Mr. Latoof  SECOND:  Mr. Kossoffsky  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

PROJECT:  Sanchez Cano S.A. and Affiliates  APPL.#27618
LOCATION: Franklin/Somerset Cty.  BUSINESS: food products
GRANT AWARD: 60% Business Employment Incentive grant, 10 years
MOTION TO APPROVE:  Mr. Manning  SECOND:  Mr. Latoof  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

PROJECT:  Deloitte LLP  APPL.# 17444
LOCATION: TBD
REQUEST: based on significant leasehold improvement of $3.8 million and considering the impact of 950 new jobs in New Jersey with an average salary of $105,000, staff recommends making an exception to the 20% cap. The term of the existing BEIP grant will not be extended as a result of this modification.
MOTION TO APPROVE:  Mr. Kirschner  SECOND:  Mr. Kossoffsky  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

PROJECT:  Deloitte LLP  PPL.# 27838
LOCATION: TBD.  BUSINESS: financial advisory
GRANT AWARD: 70% Business Employment Incentive grant, 10 years
MOTION TO APPROVE:  Mr. Kirschner  SECOND:  Mr. Latoof  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

PROJECT:  Direct Cabinet Sales  APPL.# 27731
LOCATION: TBD  BUSINESS: kitchen cabinetry
GRANT AWARD: 30% Business Employment Incentive grant, 10 years
MOTION TO APPROVE:  Mr. Latoof  SECOND:  Mr. Kossoffsky  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11

PROJECT:  Pitney Bowes Inc  APPL.# 27896
LOCATION: TBD.  BUSINESS: parcel shipping
GRANT AWARD: 30% Business Employment Incentive grant, 10 years
MOTION TO APPROVE:  Mr. Latoof  SECOND:  Mr. Manning  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 11
BUSINESS RETENTION AND RELOCATION ASSISTANCE GRANT

PROJECT:  I.D. Systems, Inc.  
LOCATION: Hackensack/Bergen Cty.  
BUSINESS: technology  
GRANT AWARD: $60,500 (estimate), 5 years  
MOTION TO APPROVE: Mr. Latoof  SECOND: Mr. Kosofsky  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 12

PROJECT: Medin Corporation & Fabulous Fabricators LLC  
dba Source One  
LOCATION: Patterson/Passaic Cty.  
BUSINESS: manufacturing  
GRANT AWARD: $142,800 (estimate), 5 years  
MOTION TO APPROVE: Mr. Latoof  SECOND: Mr. Kosofsky  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 13

PROJECT: Direct Cabinet Sales  
LOCATION: Linden/Union Cty  
BUSINESS: cabinetry  
GRANT AWARD: $60,500 (estimate), 5 years  
MOTION TO APPROVE: Mr. Latoof  SECOND: Mr. Kosofsky  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 14

PROJECT: Pitney Bowes Inc  
LOCATION: Clifton City/Passaic Cty  
BUSINESS: shipping  
GRANT AWARD: $187,200 (estimate), 5 years  
MOTION TO APPROVE: Mr. Latoof  SECOND: Mr. Kirschner  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 15

UEZ/SALEM SALES TAX EXEMPTION

PROJECT: E.I. du Pont de Nemours & Company  
LOCATION: Deepwater/Salem Cty.  
TAX BENEFIT: $900,000  
MOTION TO APPROVE: Mr. Ryan  SECOND: Mr. Poliner  AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 16

BOARD MEMORANDUMS

PROJECT: The Acorn Montessori School, Inc.  
LOCATION: Clinton Twp./Hunterdon Cty.  
FINANCING: $2,480,000 Tax-Exempt Bond  
APPL.# 16457
REQUEST: consent to a change in the amortization of the Bond from 20 years to interest only payments for one year followed by a 24 year amortization with a balloon payment due on the maturity date of July 1, 2026.

MOTION TO APPROVE: Mr. Poliner SECOND: Mr. Manning AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 17

PUBLIC HEARING: Yes
PUBLIC COMMENT: None

PROJECT: ACLS Pleasantville, Inc. APPL.#25412
LOCATION: Pleasantville/Atlantic Cty.
FINANCING: $575,414 Direct Loan
REQUEST: modify the Board’s approval to allow the payment of interest expense on shareholder loans to the extent a minimum fixed charge coverage ratio is maintained as measured by Citizen’s Bank

MOTION TO APPROVE: Mr. Latoof SECOND: Mr. Kosoffsky AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 18

PROJECT: Landis Theater Properties, LLC APPL.#22125
LOCATION: Vineland/Cumberland Cty.
FINANCING: $8,000,000 New Market Tax Credit Allocation
REQUEST: (1) increase the NMTC allocation approval for the Landis project from $8 million to a maximum $10.3 million and (2) modify the amount of the total recapture guarantee provided by the Authority to US Bank from $2.64 million to a maximum $4.02 million.

MOTION TO APPROVE: Mr. Latoof SECOND: Mr. Kirschner AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 19

PROJECT: Vineland Development Corporation APPL.#26414
LOCATION: Vineland/Cumberland Cty.
FINANCING: $5,600,000 New Market Tax Credit Allocation
REQUEST: (1) increase the NMTC allocation approval for the Vineland Development Corporation Project from $5.6 million to $6.2 million and (2) modify the amount of the total recapture guarantee provided by the Authority from $2.184 million to $2.418 million.

MOTION TO APPROVE: Mr. Manning SECOND: Mr. Kirschner AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 20

The next item was to approve Valley National Bank as a Preferred Lender.

MOTION TO APPROVE: Mr. Latoof SECOND: Mr. Kosoffsky AYES: 10
RESOLUTION ATTACHED AND MARKED EXHIBIT: 21
The next item was a summary of projects approved under Delegated Authority in July 2009. (For Informational Purposes Only)

**New Jersey Business Growth Fund:** PA.B. Inc. and The Boat House Restaurant, Inc.; Placko Signs, LLC or Nominee; R & R Investments LLC and R. Filderman and Sons dba R & R Associates; Severino Pasta Manufacturing Company Inc.

**Fast Start Direct Loan Program:** CarpetCycle, LLC; HHP Enterprises, LLC or Nominee; Mitchell Hardware Company.

**NJ Main Street Program:** Bylanda Foods, LLC; Duran & Pandos; Fulcrum Facilities Services, LLC; Swift Electrical Supply Company, Inc.

**Preferred Lender Program:** Parkway-Kew Corporation

**REAL ESTATE**

The next item was to enter into a License Agreement with Comcast Cable Communications Management, LLC, a service provider to tenants at the Waterfront Technology Center in Camden.

**MOTION TO APPROVE:** Mr. LaToof  **SECONd:** Kirschner  **AYES:** 10

**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. Kirschner, and seconded by Mr. Latoof, the meeting was adjourned at 11:00 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.

Maureen Hassett, Assistant Secretary