NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

DATE: March 12, 2007
TIME: 10:00 a.m.
PLACE: Lyndhurst, New Jersey
RE: SPECIAL MEETING

1. Pledge of Allegiance

2. Sunshine Law Statement

3. Roll Call

4. PUBLIC PARTICIPATION ON RESOLUTIONS

5. CONSENT AGENDA

Resolution No. 07-15	Consideration of a Resolution To Approve Four Bulk Variance Requests For Parking Within Required Front Yard Setbacks of Both Veterans Boulevard and Ramp "A", One Variance Request for Construction of a Screen Wall Within the Front Yard Setback of Veterans Boulevard, and One Variance Request for the Encroachment of The Proposed Structure 15 Feet Into the Required Front Yard Setback Along Ramp "A", at 390 Veterans Boulevard, Block 124, Lot 33, in the Borough of Carlstadt (File #06-436, Carlstadt Partners, LLC/Coast To Coast Installations, Inc.-New Building.	Pg. 1
Resolution No. 07-16	Consideration of a Resolution Regarding The Denial of One Bulk Variance for a 10.10 Foot Building Addition Encroachment Into the Required Front Yard Located at 175 Moonachie Road, Block 38, Lots 1 and 2, in the Borough of Moonachie (File #03-376, Simon/Moonachie Road LLC-Building Addition).	Pg. 6

Resolution No. 07-17	Consideration of a Resolution in the Matter of File #06-149 Hartz/HLJ - Billboard Variance To Deny One Bulk Variance Sought To Erect One Additional Sign on the Existing Billboard At the Premises Located at 150 Harmon Meadow Boulevard, Block 227.01, Lot 1, In the Town of Secaucus.	Pg. 9

6. RIVER BARGE PARK

Resolution No. 07-18	Consideration of a Resolution Authorizing the Executive Director To Enter Into a Contract for the Architectural Design, Engineering Services and Construction Management for River Barge Park.	Pg. 12

7. SECAUCUS HIGH SCHOOL WETLAND ENHANCEMENT SITE

Resolution No. 07-19	Consideration of a Resolution Authorizing the Executive Director To Enter Into a Contract for Project Construction.	Pg. 15
Resolution No. 07-20	Consideration of a Resolution Authorizing the Executive Director To Enter Into an Agreement with Louis Berger Group, Inc. for Construction Management Services.	Pg. 18

8. BUILDING CODE REGULATIONS

Resolution No. 07-21	Consideration of a Resolution Concerning Re-Adoption of Building Code Regulations.	Pg. 21

9. REDEVELOPMENT

Resolution No. 07-22	Consideration of a Resolution To Expand the Lewis Avenue In Need of Redevelopment Study Area in the City of Jersey City.	Pg. 24

10. MEADOWLANDS EMPLOYMENT OPPORTUNITY CENTER

Resolution No. 07-23	Consideration of a Resolution Concerning Year 2 Funding for the Meadowlands Employment Opportunity Center.	Pg. 27

11. CONVENTION AND VISITORS BUREAU

Resolution No. 07-24	Consideration of a Resolution Authorizing the Executive Director to Appropriate Year 3 Funding for the Convention and Visitors Bureau.	Pg. 29

12. MEADOWFEST

Resolution No. 07-25	Consideration of a Resolution To Appropriate $140,000 for the Support of Meadowfest	Pg. 31

13. LEGAL

Resolution No. 07-26	Consideration of a Resolution Adopting a Final Decision in Riverview v. NJMC	Pg. 33

14. GREEN BUILDING

Resolution No. 07-27	Consideration of a Resolution Authorizing the Executive Director To Enter Into a Memorandum of Understanding with Rutgers University - Center for Green Building to Examine the Costs and Benefits of Green Building.	Pg. 35

15. AFFORDABLE HOUSING

Resolution No. 07-28	Consideration of a Resolution Authorizing the New Jersey Meadowlands Commission and its Staff to File a Notice of Proposal and a Hold Public Hearing for Proposed Repeal and/or Amendment of NJMC Regulations Regarding Affordable Housing and Implementing an Interim Affordable Housing Policy.	Pg. 38

16. COMPREHENSIVE ACTION PLAN

Resolution No. 07-29	Consideration of a Resolution Authorizing the Executive Director to Enter Into a Contract with Rutgers University to Assist the NJMC with the 2006 Comprehensive Action Plan.	Pg. 43

17. REPORTS

A. Commissioners
B. Executive Director
C. Director
D. HMMC Executive Director

18. NEW BUSINESS

19. PUBLIC PARTICIPATION

20. CLOSED SESSION

A. Adopt Resolution No. 07-30 to hold Closed Session.
B. Adjournment to Closed Session. The Commission Reserves the Right to Reconvene into Public Session, if necessary, to take Action on Closed Session Items.

PLEASE CONTACT THE NJMC OFFICE (201-460-1700) PRIOR TO MEETING IF SPECIAL REQUIREMENTS ARE NEEDED UNDER ADA

RESOLUTION ISSUING A DECISION ON THE VARIANCE APPLICATION SUBMITTED AS PART OF FILE NO. 06-436 CARLSTADT PARTNERS, LLC/COAST TO COAST INSTALLATIONS - NEW BUILDING BLOCK 124, LOT 33, IN THE TOWN OF SECAUCUS

WHEREAS, an application for four (4) bulk variances was filed with the New Jersey Meadowlands Commission ("NJMC") by Edwin Cohen of Carlstadt Partners, LLC for the premises identified as 390 Veterans Boulevard, Block 124, Lot 33, in the Borough of Carlstadt; and

WHEREAS, the variances are sought in connection with the applicant's proposal to construct a new warehouse/office structure measuring approximately 15,000 square feet and located in the NJMC's Light Industrial B zone; and

WHEREAS, the applicant requested relief from N.J.A.C.19:4-5.84, which requires a minimum front yard setback of 35 feet within the Light Industrial B zone. The proposed building provides a front yard setback of 20 feet along Ramp A, which connects southbound Washington Avenue to Veterans Boulevard; and

WHEREAS, the applicant also requested relief from N.J.A.C. 19:4-8.2(b)1, which does not permit vehicular use areas within required front yards. The site plan submitted indicates that all or a portion of four (4) parking spaces encroach into the front yard setback of Ramp A, leaving a setback of approximately 10.5 feet; and

WHEREAS, the applicant also requested relief from N.J.A.C. 19:4-8.2(b)1, which does not permit vehicular use areas within required front yards. The site plan submitted indicates that all or a portion of four (4) parking spaces encroach into the front yard setback along Veterans Boulevard; and

WHEREAS, the applicant also requested relief from N.J.A.C. 19:4-8.10 which does not permit fences or walls within the required 35 foot front yard. A proposed wall, which screens the loading area, is located within the required front yard of Veterans Boulevard and is set back approximately 27 feet from the property line; and

WHEREAS, notice of the requested variance relief was given to the public and all interested parties as required by law and was published in Leader Free Press and the Record newspapers; and

WHEREAS, a public hearing was held in the Office of the NJMC on December 5, 2006, before Sharon Mascaró, Chief Engineer and Sharon Escoriaza, Staff Engineer; and

WHEREAS, a comprehensive report dated February 15, 2006 has been prepared indicating the recommendations of the Director of Land Use Management and the Executive Director in this matter; and

WHEREAS, the report recommends approval of the bulk variance request for the encroachment of the proposed structure onto the required front yard along Ramp A, maintaining a setback of 20 feet; and

WHEREAS, the report also recommends approval of the bulk variance request to permit vehicular use areas in the required front yard of Ramp A, specifically all or a portion of four (4) parking spaces encroaching into the front yard and leaving a setback of approximately 10.5 feet; and

WHEREAS, the report also recommends approval of the bulk variance request to permit vehicular use areas in the required front yard of Veterans Boulevard, specifically all or a portion of four (4) parking spaces encroaching into the front yard of Veterans Boulevard; and

WHEREAS, the report also recommends approval of the bulk variance request to permit the construction of a screen wall, specifically encroaching eight feet into the front yard setback of Veterans Boulevard; and

WHEREAS, the members of the NJMC have reviewed the full record including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and Chief of Regulatory Affairs and by the Executive Director, the submissions of the applicant and all written public comments; and

WHEREAS, the members of the NJMC concur with the recommendations of the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director; and

WHEREAS, the NJMC hereby determines that the requested variance to permit encroachment of the proposed structure onto the front yard of Ramp A, providing a setback of 20 feet, where the required setback is 35 feet, conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e); and

WHEREAS, the NJMC hereby determines that the requested variance to permit vehicular use areas in the required front yard of Ramp A, providing a setback of 10.5 feet, where the required setback is 35 feet, conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e); and

WHEREAS, the NJMC hereby determines that the requested variance to permit vehicular use areas in the required front yard of Veterans Boulevard, providing a setback of 19 feet, where the required setback is 35 feet, conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e); and

WHEREAS, the NJMC hereby determines that the requested variance to permit the construction of a screen wall which encroaches into the front yard of Veterans Boulevard eight feet, conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e).

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the Carlstadt Partners, LLC/Coast to Coast Installations, Inc. - New Building Variance application for the bulk variance to permit the encroachment of the proposed structure into the front yard of Ramp A, leaving a setback of 20 feet, is hereby **APPROVED** for the reasons set forth in the February 15, 2007 recommendation;

BE IT FURTHER RESOLVED, by the New Jersey Meadowlands Commission, that the Carlstadt Partners, LLC/Coast to Coast Installations, Inc. - New Building Variance application for one bulk variance to permit vehicular use areas in the required front yard of Ramp A, providing a setback of 10.5 feet, where the required setback is 35 feet, is hereby **APPROVED** for the reasons set forth in the February 15, 2007 recommendation;

BE IT FURTHER RESOLVED, by the New Jersey Meadowlands Commission, that the Carlstadt Partners, LLC/Coast to Coast Installations, Inc. - New Building Variance application for one bulk variance to permit vehicular use areas in the required front yard of Veterans Boulevard, providing a setback of 19 feet, where the required setback is 35 feet, is hereby **APPROVED** for the reasons set forth in the February 15, 2006 recommendation;

BE IT FURTHER RESOLVED, by the New Jersey Meadowlands Commission, that the Carlstadt Partners, LLC/Coast to Coast Installations, Inc. - New Building Variance application for one bulk variance to permit the construction of a screen wall which encroaches into the front yard of Veterans Boulevard eight feet, is hereby **APPROVED** for the reasons set forth in the February 15, 2006 recommendation.

The foregoing was adopted on Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

Robert R. Ceberio
Secretary

Resolution No. 07-15

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni, P.P., AICP, Director of LUM Date: March 12, 2007

Subject: Variance Recommendation: Carlstadt Partners, LLC/Coast to Coast Installations, Inc. - New Building (File 06-436)

Application for four (4) bulk variances was filed with the New Jersey Meadowlands Commission by Mr. Edwin Cohen on behalf of Carlstadt Partners, LLC, for the premises located at 390 Veterans Boulevard, and identified as Block 124, Lot 33, in the Borough of Carlstadt, New Jersey. Said premises are located in the Commission's Light Industrial B zone. The variances are sought in connection with the applicant's proposal to construct a new warehouse/office structure measuring approximately 15,000 square feet.

The applicant has requested variance relief from N.J.A.C.19:4-5.84, which requires a minimum front yard setback of 35 feet within the Light Industrial B zone. The proposed building provides a front yard setback of 20 feet along Ramp A, which connects southbound Washington Avenue to Veterans Boulevard.

The applicant has also applied for two variances which request relief from N.J.A.C. 19:4-8.2(b)1, which does not permit vehicular use areas within required front yards. In conjunction with the second variance request, the site plan submitted indicates that all or a portion of four (4) parking spaces encroach into the front yard setback of Ramp A, leaving a setback of approximately 10.5 feet. In the third variance request, the site plan submitted indicates that all or a portion of four (4) parking spaces encroach into the front yard setback along Veterans Boulevard.

The last variance request is for relief from N.J.A.C. 19:4-8.10 which does not permit fences or walls within the required 35 foot front yard. A proposed wall, which screens the loading area, is located within the required front yard of Veterans Boulevard and is set back approximately 27 feet from the property line. A public hearing was held in the Office of the NJMC on December 5, 2006 on this matter.

In a comprehensive report dated February 15, 2007, the Chief Engineer and the Executive Director recommended approval for the four (4) bulk variances requested for the construction of a new warehouse/office structure measuring approximately 15,000 square feet.

At this time, the Commission is required to issue a decision on the four (4) variance requests described above. A resolution requesting the same is attached for your consideration.

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RESOLUTION ISSUING A DECISION ON THE VARIANCE APPLICATION SUBMITTED AS PART OF FILE NO. 03-376 SIMON/MOONACHIE ROAD LLC-BUILDING ADDITION BLOCK 38, LOTS 1 AND 2, IN THE BOROUGH OF MOONACHIE

WHEREAS, an application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission ("NJMC") by Michael P. Feltman, Esq., of the firm Sokol, Behot & Fiorenzo, on behalf of 38 Moonachie Road, LLC, for the premises identified as 175 Moonachie Road, Block 38, Lots 1 and 2, in the Borough of Moonachie; and

WHEREAS, the variance is sought in connection with the applicant's proposal to construct a 9,449 square foot warehouse/office/accessory retail building addition on the subject premises and located in the NJMC's Light Industrial A zone; and

WHEREAS, the applicant requested relief from N.J.A.C. 19:4-5.77(a)3i, which requires a minimum front yard setback of 50 feet. The applicant is proposing to construct a 9,449 square foot building addition with a front yard setback of 39.90 feet along Moonachie Road on the subject premises; and

WHEREAS, notice of the requested variance relief was given to the public and all interested parties as required by law and was published in The Record; and

WHEREAS, a public hearing was held in the Office of the NJMC on November 21, 2006, before Sharon Mascaró, Chief Engineer, and Mark Skerbetz, Senior Staff Planner; and

WHEREAS, a comprehensive report dated January 24, 2007, has been prepared indicating the recommendations of the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director in this matter; and

WHEREAS, the report recommends denial of the bulk variance request to construct a 9,449 square foot building addition with a front yard setback of 39.90 feet along Moonachie Road on the subject premises; and

WHEREAS, the members of the NJMC have reviewed the full record including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and Chief of Regulatory Affairs and by the Executive Director, the submissions of the applicant; and

WHEREAS, the members of the NJMC concur with the recommendations of the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director; and

WHEREAS, the NJMC hereby determines that the requested variance to construct a 9,449 square foot building addition with a front yard setback of 39.90 feet along Moonachie Road on the subject premises does not conform with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e); and

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the Simon/Moonachie Road LLC-Building Addition application for one bulk variance request to construct a 9,449 square foot building addition with a front yard setback of 39.90 feet along Moonachie Road on the subject premises is hereby **DENIED** for the reasons set forth in the January 24, 2007, recommendation.

The foregoing was adopted on Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-16

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: March 12, 2007

Subject: Variance Recommendation: Simon/Moonachie Road LLC-Building Addition (File 03-376)

An application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission by Commission by Michael P. Feltman, Esq., of the firm Sokol, Behot & Fiorenzo, on behalf of 38 Moonachie Road, LLC, for the premises identified as 175 Moonachie Road, Block 38, Lots 1 and 2, in the Borough of Moonachie, New Jersey. Said premises are located in the Commission's Light Industrial A zone. The bulk variance is sought in connection with the applicant's proposal to construct a 9,449 square foot warehouse/office/accessory retail building addition on the subject premises.

The applicant has requested variance relief from N.J.A.C. 19:4-5.77(a)3i, which requires a minimum front yard setback of 50 feet. The applicant is proposing to construct a 9,449 square foot building addition with a front yard setback of 39.90 feet along Moonachie Road. A public hearing on this matter was held in the Office of the NJMC on November 21, 2006.

In a comprehensive report dated January 24, 2007, the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director recommended denial of the bulk variance request in connection with the applicant's proposal to construct a 9,449 square foot building addition with a front yard setback of 39.90 feet along Moonachie Road on the subject premises.

At this time, the Commission is required to issue a decision on the variance application described above. A resolution requesting the same is attached for your consideration.

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RESOLUTION ISSUING A DECISION ON THE VARIANCE APPLICATION SUBMITTED AS PART OF FILE NO. 06-149 HARTZ/HLJ BILLBOARD VARIANCE BLOCK 227.01, LOT 1, IN THE TOWN OF SECAUCUS

WHEREAS, an application for one bulk variance has been filed with the New Jersey Meadowlands Commission (NJMC) by Joseph Jacobs of HLJ, LLC for the premises identified as 150 Harmon Meadow Boulevard, Block 227.01, Lot 1, in the Town of Secaucus; and

WHEREAS, the variance is sought in connection with the applicant's proposal to erect one additional 14 foot by 48 foot sign above the existing billboard at the subject premises; and

WHEREAS, the applicant requested relief from N.J.A.C. 19:4-8.14(h)7iii, which provides that the maximum permitted number of billboard signs is one per lot. Therefore, a bulk variance is required; and

WHEREAS, notice of the requested variance relief was given to the public and all interested parties as required by law and was published in the Secaucus Home News and the Jersey Journal newspapers; and

WHEREAS, a public hearing was held in the Office of the NJMC on June 27, 2006, before Sharon Mascaró, Chief Engineer; Mia Petrou, Senior Staff Planner; and Shawn Alsop, Senior Staff Engineer; and

WHEREAS, a comprehensive report dated November 22, 2006, has been prepared indicating the recommendations of the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director in this matter; and

WHEREAS, the report recommends denial of the bulk variance request to permit an additional billboard sign on the existing pole at the subject premises; and

WHEREAS, the applicant appealed the recommendation in a letter dated December 5, 2006 by the applicant's attorney, Louis Rainone, Esq. of DeCotiis, Fitzpatrick, Cole & Wisler, LLC; and

WHEREAS, the applicant withdrew the appeal of the recommendation report in a letter dated February 8, 2007 by the applicant's attorney, Louis Rainone, Esq. of DeCotiis, Fitzpatrick, Cole & Wisler, LLC; and

WHEREAS, the members of the NJMC have reviewed the full record, including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and Chief of Regulatory Affairs and by the Executive Director, the submissions of the applicant and all written public comments; and

WHEREAS, the members of the NJMC concur with the recommendations of the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director; and

WHEREAS, the NJMC hereby determines that the requested variance to erect one additional 14 foot by 48 foot sign above the existing billboard at the subject premises does not conform with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e).

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the Hartz/HLJ Billboard Variance request for the construction of one additional 14 foot by 48 foot sign above the existing billboard at the subject premises is hereby **DENIED** for the reasons set forth in the November 22, 2006, recommendation.

The foregoing was adopted on Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-17

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: March 12, 2007

Subject: Variance Recommendation: Hartz/HLJ - Billboard Variance (File 06-149)

Application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission by Joseph Jacobs of HLJ, LLC for the premises identified as 150 Harmon Meadow Boulevard, Block 227.01, Lot 1, in the Town of Secaucus, New Jersey. Said premises are located in the Commission's Regional Commercial zone. The variance is sought in connection with the applicant's proposal to erect one additional 14 foot by 48 foot sign above the existing billboard at the subject premises.

The applicant has requested variance relief from N.J.A.C. 19:4-8.14(h)7iii, which provides that the maximum permitted number of billboard signs is one per lot. The applicant is proposing to erect a second sign above the existing billboard at the subject premises. Therefore, a bulk variance is required. A public hearing was held in the Office of the NJMC on June 27, 2006 on this matter.

In a comprehensive report dated November 22, 2006, the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director recommended denial of the bulk variance request to permit a second sign above the existing billboard at the subject premises.

The applicant appealed the recommendation in a letter dated December 5, 2006 by the applicant's attorney, Louis Rainone, Esq. of DeCotiis, Fitzpatrick, Cole & Wisler, LLC, but later withdrew the appeal of the recommendation on February 8, 2007.

At this time, the Commission is required to issue a decision on the variance application described above. A resolution requesting the same is attached for your consideration.

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RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT FOR ARCHITECTURAL DESIGN, ENGINEERING SERVICES AND CONSTRUCTION MANAGEMENT FOR RIVER BARGE PARK

WHEREAS, the New Jersey Meadowlands Commission (NJMC) purchased the former Barge Club property in Carlstadt in the fall of 2005; and

WHEREAS, NJMC resolution 05-91 appropriated funds for the park construction; and

WHEREAS, the NJMC has developed a master plan for the River Barge Park; and

WHEREAS, the first phase of the project, Contract LA 06-03 *The Wood Salvage and Demolition at the Barge Club* was approved at last month's commissioner meeting (resolution 07-06); and

WHEREAS, the next phase involved assembling a dynamic team of design professionals
to perform the architectural design, engineering services and construction management of the park; and

WHEREAS, a Request for Proposals (RFP) outlining the scope of work was issued to four pre-qualified architectural firms; and

WHEREAS, DMR Architects of Hasbrouck Heights was ranked the highest, with a bid amount of $681,200; and

WHEREAS, the Agency may negotiate professional services contracts with the highest ranked firm; and

WHEREAS, DMR Architects re-evaluated their proposal to match the lowest bid of $573,800; and

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Meadowlands Commission that the Executive Director is hereby authorized to enter into a professional service contract with DMR Architects at a cost of $573,800 of which $33,000 will be reimbursed by the Meadowlands Conservation Trust for the design of the Education Pavilion.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

Robert R. Ceberio
Secretary

Resolution No. 07-18

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert Ceberio, Executive Director

From: Thomas Marturano Date: March 12, 2007

Subject: Architectural Design, Engineering Services and Construction Management for River Barge Park

The Work of this Contract marks the second phase of the ultimate development of the River Barge Park in Carlstadt. The first phase, *The Wood Salvage & Demolition at the Barge Club, Contract 06-03* was approved at last month's commission meeting (Resolution # 07-06).

In this next phase, the Commission accepted proposals from four pre-qualified architectural firms for architectural and engineering design services, permitting and construction management for the River Barge Park. NJMC sought a team of experienced and innovative professionals eager to embrace this unique opportunity to create a compelling destination for the residents of Bergen County.

A Request for Proposal (RFP) outlining the scope of work was issued on December 13, 2006. Specific requirements include site investigation, design development, preparation of construction plans, technical specifications, permit applications and construction management for all buildings, solar carports, bulkhead, ramps and marina within the park. The NJMC landscape architecture group will be responsible for the overall site design and other park elements including the park access road, parking areas and all hardscape areas.

Proposals were received on February 14, 2007 and were ranked by the RFP Review Committee as follows:

1. **DMR Architects,** Hasbrouck Heights : bid price $681,200

2. **Cubellis Ecoplan,** Englewood Cliffs : bid price $573,800

3. **Fredric Rosen, Architect,** Ridgefield : bid price $627,000

4. **The Biber Partnership,** Summit : bid price $629,560

We asked the highest ranked firm if they would match the proposed price given by the lowest priced firm. This would result in the highest ranked firm performing the work at the lowest price. DMR re-evaluated their proposal and matched the lowest bid of $573,800. We are therefore, submitting for your consideration and approval a resolution authorizing the Executive Director to enter into a contract with DMR Architects for Architectural Design, Engineering Services and Construction Management at the River Barge Park at a cost of $573,800.

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RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE SECAUCUS HIGH SCHOOL WETLANDS SITE ENHANCEMENT

WHEREAS, one of the mandates of the New Jersey Meadowlands (NJMC) is to protect the delicate balance of nature; and

WHEREAS, the NJMC has recently approved a new Master Plan which makes the commitment that the NJMC will serve as trustee of the natural resources of the Meadowlands District; and

WHEREAS, wetland enhancement supports the NJMC goal of environmental improvement in the District;

WHEREAS, a reconnaissance study conducted by the U.S. Army Corps of Engineers (USACE) identified the New Jersey Meadowlands as a priority restoration area within the Hudson-Raritan Estuary (HRE); and

WHEREAS, the NJMC has a 99-year lease for the majority of the Secaucus High School Wetland Site (Site), identified as Lot 38 in Block 226 and may enter into a purchase agreement for the acquisition of the remaining property at the Site identified as Lot 17 in Block 226 as authorized in Resolution 99-28; and

WHEREAS, various Federal and State regulations require the creation or enhancement of wetlands to compensate for unavoidable losses of wetland values, process know as compensatory wetland mitigation; and

WHEREAS, the NJMC entered into a sponsorship agreement with the USACE that commits the NJMC to enhance 15.38 acres of wetlands at the Site as mitigation for the Meadowlands Mills/Mack-Cali Limited Partnership Meadowlands Xanadu Redevelopment Project; and

WHEREAS, the planned construction includes a boardwalk to allow the public to view the Site and to connect parts of the Secaucus Greenway along the river; and

WHEREAS, the NJMC has obtained permits and certification from the USACE and the NJDEP authorizing enhancement of the Site including an additional 15.78 acres,

WHEREAS, the NJMC retained the Louis Berger Group to prepare contract documents in conjunction with NJMC staff for the construction of the wetlands enhancement; and

WHEREAS, the project was publicly advertised as required by law; and

WHEREAS, 15 prospective bidders obtained the contract documents during the bid period; and

WHEREAS, a total of 7 bids were received on February 27, 2007; and

WHEREAS, a review of the bids indicates that Dawson Corporation was the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director is hereby authorized to enter into a contract with Dawson Corporation for the construction of the Secaucus High School Wetlands Enhancement project for a cost not to exceed $4,400,000.

The foregoing Resolution was adopted by Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-19

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Thomas R. Marturano Date: March 12, 2007

Subject: Construction of the Secaucus High School Wetlands Site Enhancement

The New Jersey Meadowlands Commission has a goal of restoration and enhancement of degraded wetlands as a mechanism to achieve its mandate to protect the environmental balance of the Meadowlands. This objective is stated in the Natural Environment System Plan as part of the NJMC Master Plan. Such action is consistent with the identification of the New Jersey Meadowlands as a priority restoration area within the Hudson-Raritan Estuary by the U.S. Army Corps of Engineers.

The NJMC entered into a sponsorship agreement with the USACE that commits the NJMC to enhance 15.38 acres of wetlands at the Secaucus High School Wetland Site (Site), identified as Lot 38 in Block 226, as mitigation for the Meadowlands Mills/Mack-Cali Limited Partnership Meadowlands Xanadu Redevelopment Project. The NJMC plans to enhance an additional 15.78 acres of wetlands at the Site as part of the project. The construction includes a boardwalk to allow the public to view the Site and to connect parts of the Secaucus Greenway along the river.

Accordingly, the NJMC retained the Louis Berger Group to prepare contract documents in the conjunction with NJMC staff for the project. The project was publicly advertised, as required by law. During the bid period 15 prospective bidders purchased the contract documents.

The following bids were received on February 27, 2007:

Bidder	Bid Amount
1. Dawson Corporation	$4,363,854.00
2. Union Paving and Construction	$5,282,250.00
3. Rosangela Construction	$6,185,400.00
4. Geo Con	$6,444,150.00
5. Applied Landscape Technologies	$6,809,360.00
6. Rencor Inc.	$7,349,600.00
7. Vollers Construction Inc.	$7,935,450.00

Staff review of the bids indicates that the bid submitted by Dawson Corporation is the lowest responsive bid and that the bid is complete and reasonable.

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RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH THE LOUIS BERGER GROUP, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE SECAUCUS HIGH SCHOOL WETLANDS ENHANCEMENT

WHEREAS, the NJMC entered into a sponsorship agreement with the USACE that commits the NJMC to enhance 15.38 acres of wetlands at the Secaucus High School Wetland Site (Site), identified as Lot 38 in Block 226, as mitigation for the Meadowlands Mills/Mack-Cali Limited Partnership Meadowlands Xanadu Redevelopment Project ; and

WHEREAS, the NJMC has obtained permits and certification from the USACE and the NJDEP authorizing enhancement of the Site including an additional 15.78 acres and a boardwalk that will connect the High School and Mill Creek Park; and

WHEREAS, the NJMC entered into a contract with the Louis Berger Group to provide professional services for the preparation of contract documents for the Site enhancement; and

WHEREAS, the construction of the Site enhancement has been approved by the NJMC and the contract term is 270 days; and

WHEREAS, the construction activities will require construction management services to ensure all work is done in accordance with the contract documents; and

WHEREAS, the Louis Berger Group has submitted a proposal to perform the construction management services and their proposal has been reviewed by staff and found to be proper and reasonable; and

NOW, THEREFORE, BE IT RESOLVED that the Executive Director is hereby authorized to enter into a contract with the Louis Berger Group, Inc. to perform construction management services for the Secaucus High School Wetlands Site Enhancement in an amount not to exceed $183,000.00.

The foregoing Resolution was adopted by Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-20

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Thomas R. Marturano Date: March 12, 2007

Subject: Louis Berger Group, Inc. to Provide Construction Management Services for the Secaucus High School Wetlands Site Enhancement

The New Jersey Meadowlands Commission has a goal of restoration and enhancement of degraded wetlands as a mechanism to achieve its mandate to protect the environmental balance of the Meadowlands. This objective is stated in the Natural Environment System Plan as part of the NJMC Master Plan. Such action is consistent with the identification of the New Jersey Meadowlands as a priority restoration area within the Hudson-Raritan Estuary by the U.S. Army Corps of Engineers.

The NJMC entered into a sponsorship agreement with the USACE that commits the NJMC to enhance 15.38 acres of wetlands at the Secaucus High School Wetlands Site as mitigation for the Meadowlands Mills/Mack-Cali Limited Partnership Meadowlands Xanadu Redevelopment Project. The NJMC plans to include the enhancement of an additional 15.78 acres of wetlands at the Site as part of the project.

The Louis Berger Group, Inc. was retained to prepare construction documents for the Secaucus High School Wetlands Enhancement. Construction of the wetlands enhancement has been approved by the Commission. In order to ensure the work is completed in accordance with the contract documents, the Louis Berger Group was asked to submit a proposal for construction management services for the project.

As a result of the NJMC's request, the Louis Berger Group submitted a proposal for full time construction management services in the amount of $183,000.00 for the 270 day term of the contract. NJMC staff has reviewed the proposal and has found it to be complete and reasonable.

Therefore, I recommend that the Commission award the contract for construction management services for the Secaucus High School wetlands Enhancement project to the Louis Berger Group, for an amount not to exceed $183,000.00.

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RESOLUTION AUTHORIZING NEW JERSEY MEADOWLANDS COMMISSION AND ITS STAFF TO FILE A NOTICE OF PROPOSAL AND HOLD A PUBLIC HEARING FOR PROPOSED READOPTION OF NJMC REGULATIONS REGARDING BUILDING CODE

WHEREAS, the New Jersey Meadowlands Commission (NJMC) is authorized by N.J.S.A. 13:17-1, *et seq.*, to adopt codes and standards regarding the zoning and rezoning of lands within the Meadowlands District; and

WHEREAS, pursuant to Executive Order No. 66 (1978), N.J.A.C. 19:6-1 et seq. (Building Code), currently in place, will "sunset" or expire on December 9, 2007; and

WHEREAS, N.J.A.C. 19:6-1 et seq., which comprises the NJMC's building code regulations, must be readopted in order to maintain the validity of these regulations; and

WHEREAS, the NJMC staff has undergone a review of these regulations to determine their continuing usefulness; and

WHEREAS, the NJMC staff has determined that these regulations are necessary and responsive to the purpose for which they were originally promulgated; and

WHEREAS, if these regulations are allowed to expire, public health and safety in the Meadowlands District would be negatively impacted since the NJMC would be unable to conduct construction plan review and enforce the state's construction code; and

WHEREAS, the NJMC staff is proposing to readopt these regulations without amendments;

NOW, THEREFORE, BE IT RESOLVED that the New Jersey Meadowlands Commission hereby authorizes the staff to prepare and submit a Notice of Proposal to the Office of Administrative Law for publication in the New Jersey Register and hold a public hearing to receive input from interested parties regarding the proposed readoption of N.J.A.C. 19:6 governing the NJMC's building code regulations.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

Robert R. Ceberio
Secretary

Resolution No. 07-21

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: March 12, 2007

Subject: SP-565 Readoption - N.J.A.C. 19:6 (Building Code)

Pursuant to Executive Order No. 66 (1978), N.J.A.C. 19:6-1 et seq. (Building Code), currently in place, will "sunset" or expire on December 9, 2007. In order to maintain their validity, these regulations must be readopted. The Staff has reviewed these regulations to determine their continuing usefulness, and it was determined that these regulations continue to be necessary and responsive to the purpose for which they were originally promulgated. The readoption is an administrative measure and no amendments are proposed.

If these rules are allowed to expire, the NJMC would be unable to conduct construction plan review and enforce the state's construction code, thereby significantly impacting public health and safety and contrary to the NJMC's mandate to provide for the orderly and comprehensive development of the Hackensack Meadowlands District.

At this time, NJMC staff is requesting authorization to file a Notice of Proposal with the Office of Administrative Law for publication in the New Jersey Register regarding the proposed readoption. In addition, the staff is requesting authorization to hold a public hearing regarding this matter. A resolution requesting the same is attached for your consideration.

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RESOLUTION TO EXPAND THE LEWIS AVENUE IN NEED OF REDEVELOPMENT STUDY AREA WITHIN THE HACKENSACK MEADOWLANDS DISTRICT IN JERSEY CITY

WHEREAS, N.J.S.A. 13:17-20 provides for the procedure to declare a renewal area within the Hackensack Meadowlands District for the purpose of redevelopment; and

WHEREAS, N.J.S.A. 13:17-20 requires the Commission to adopt, prior to declaring any portion of the District a renewal area, a resolution providing for the preliminary investigation of the site; and

WHEREAS, the statute requires NJMC staff to prepare maps showing the boundaries of the area to be investigated, provide a statement of reasons for the investigation, and conduct a public hearing to obtain public comments; and

WHEREAS, the NJMC staff investigated an area in and adjacent to Lewis Avenue, within the Hackensack District in Jersey City more specifically defined as follows (former lot designations are indicated in parentheses):

- Block 662, Lots 1 (200), 2 (201), 3 (202), 4 (203), 5 (204), 6 (205), 7 (206), 8 (207), 9 (206), 10 (209), 12 (210A), 13 (211a), 14 (212), 15 (213), 16 (214), 17 (215), 18 (216), 19 (217), 20 (218), 21 (1), 22 (2), 23 (3), 24 (11), 25 (12), 26 (13), 27 (14), 28 (15), 29 (174), 30 (175), 31 (176), 32 (177), 33 (178), 34 (179), 35 (180), 36 (181), 37 (182A), 38 (184A), 39 (185), 40 (186), 41 (187), 42 (188), 43 (189), 44 (190), 45 (191), 46 (192), 47 (193), 48 (194), 49 (195) 50 (196), 51 (197), 52 (198), 53 (199); and

- Block 664, Lots 1 (157), 2 (158A), 3 (159A), 4 (160), 5 (161), 6 (162), 7 (163), 8 (164), 9 (165), 10 (166), 11 (167), 12 (168), 13 (169A), 14 (169B), 15 (170), 16 (171), 17 (172), 18 (173), 10 (1), 20 (2), 21 (A1), 22 (B1), 23 (133A), 24 (134A), 25 (135), 26 (136), 28 (138), 29 (139A), 30 (139B), 31 (140A), 32 (140B), 33 (141A), 34 (141B), 35 (142A), 36 (142B), 37 (142C), 38 (143A), 39 (143B), 40 (A), 41 (B), 42 (C), 43 (D), 44 (E), 45 (F), 46 (G), 47 (H), 48 (J), 49 (H), 50 (L), 51 (M), 52(N), 53 (O), 54 (P), 55 (Q), 56 (R), 57 (S), 58 (T), 59 (U), 60 (V), 61 (W), 62 (X), 63 (Y), 64 (Z), 65 (155), 66 (156); and

- Block 666, Lots 6 (116) & 6(117); and

WHEREAS, the NJMC staff prepared a draft Lewis Avenue In Need of Redevelopment Investigation Study, dated January 2007, for this study area and conducted a public hearing on January 16, 2007; and

WHEREAS, a written comment was submitted at the public hearing by the City of Jersey City requesting the NJMC assess the potential of expanding the aforementioned study area in Jersey City to generally include the area south of the NJ Transit Boonton Line within the Hackensack Meadowlands District, encircling the current Lewis Avenue study area; and

WHEREAS, upon completion of the procedures above, the NJMC staff must determine whether the expanded area meets the criteria to be deemed in need of redevelopment and provide a recommendation to the Commission regarding whether the both the current and expanded areas should be designated as renewal sites for the purposes of redevelopment; and

WHEREAS, NJMC staff requests authorization to investigate the redevelopment potential of the expanded study area adjacent to the Lewis Avenue Redevelopment Investigation study area; and

NOW, THEREFORE BE IT RESOLVED, that the NJMC staff is hereby authorized to conduct an investigation of the expanded study area adjacent to the Lewis Avenue In Need of Redevelopment Investigation study area in Jersey City to determine if the area is in need of redevelopment.

The foregoing was adopted on Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-22

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio

From: Ileana Kafrouni *Date:* March 12, 2007

Subject: Request to Expand the Study Area for the Lewis Avenue In Need of Redevelopment Investigation

On July 14, 2004, the Commission authorized staff to prepare the Lewis Avenue In Need of Redevelopment Investigation, following statutory requirements. The public hearing was held on January 16, 2007, regarding the January 2007 findings report. At the public hearing, the NJMC received a letter from Jersey City requesting that the NJMC assess the potential of expanding the Lewis Avenue In Need of Redevelopment Investigation boundary in Jersey City to include the area south of the NJ Transit Boonton Line within the Hackensack Meadowlands District.

NJMC staff is requesting Commission authorization to perform the necessary investigation and assessment and prepare an "In Need of Redevelopment Report" of the expanded study area. Upon completion of the findings report, a public hearing shall be held by NJMC staff to afford the opportunity for public comment.

The Commission will then be able to decide whether the criteria are met for the expanded study area to be deemed in need redevelopment and, if so, the Commission may authorize staff to proceed with the preparation of a redevelopment plan. It is anticipated by staff, that the recommendations of the Lewis Avenue In Need of Redevelopment Investigation findings report, dated January 2007, as supplemented by the findings prepared for the expanded area, be presented the Commission as a comprehensive request.

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RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROPRIATE YEAR 2 FUNDING FOR THE MEADOWLANDS EMPLOYMENT OPPORTUNITY CENTER FROM THE MAGNET PROGRAM

WHEREAS, the NJMC Board of Commissioners approved a funding plan on December 15, 2004 that named the Meadowlands Area Grants for Natural and Economic Transformation (MAGNET), which recommends an appropriation of $100,000 per year for a five-year period for a Meadowlands Employment Opportunity Center; and

WHEREAS, the funds would be provided, as stipulated above, on a reimbursable basis should said funds become available; and

WHEREAS, in June, 2005 the NJMC approved Resolution #05-59 which appropriated $100,000 to the Meadowlands Regional Chamber of Commerce for the start up of a Meadowlands Employment Opportunity Center; and

WHEREAS, the Chamber has created the Meadowlands Employment Opportunity Center and all terms and conditions of the initial grant have been satisfied; and

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission that this resolution authorizes the Executive Director to appropriate Year 2 funding in the amount of $100,000 for CY2007 expenses contingent upon it being on a reimbursable basis, with proper reporting documents and audit.

The foregoing was adopted on Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-23

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Irfan A. Bora Date: March 12, 2007

Subject: Meadowlands Employment Opportunity Center

In June, 2005 the NJMC approved Resolution #05-59 which appropriated $100,000 to the Meadowlands Regional Chamber of Commerce for the start up of a Meadowlands Employment Opportunity Center. The Chamber has since created the Center and all terms and conditions of the initial grant have been satisfied and funding provided.

As part of our MAGNET program, $100,000 per year was set aside for a five-year period for administrative support for the Employment Opportunity Center; to be provided on a reimbursable basis. This resolution would authorize Year 2 funding in the amount of $100,000 for CY2007 expenses contingent upon it being on a reimbursable basis, with proper reporting documents and audit.

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RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROPRIATE YEAR 3 FUNDING FOR THE CONVENTION AND VISITORS BUREAU FROM THE MAGNET PROGRAM

WHEREAS, the NJMC Board of Commissioners approved a funding plan on December 15, 2004 that named the Meadowlands Area Grants for Natural and Economic Transformation (MAGNET), which recommends an appropriation of $100,000 per year for a five-year period for the Meadowlands Convention and Visitors Bureau; and

WHEREAS, the funds would be provided, as stipulated above, on a reimbursable basis should said funds become available; and

WHEREAS, in April, 2006 the NJMC approved Resolution #06-33 which appropriated $100,000 for the first year and $100,000 for the second year of funding for the Convention and Visitors Bureau; and

WHEREAS, the Chamber has submitted a financial report outlining their expenses for both years and reimbursement for these expenses has been made.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission that this resolution authorizes the Executive Director to appropriate Year 3 funding in the amount of $100,000 for CY2007 expenses contingent upon it being on a reimbursable basis, with proper reporting documents and audit.

The foregoing was adopted on Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-24

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Irfan A. Bora *Date:* March 12, 2007

Subject: Meadowlands Convention and Visitors Bureau - Year 3 Funding

As part of our MAGNET program $100,000 per year was set aside for a five-year period, to be provided on a reimbursable basis, for administrative support of the MCVB starting in 2005.

In April, 2006 the NJMC approved Resolution #06-33 appropriating $100,000 for the first year and $100,000 for the second of year of funding for the Convention and Visitors Bureau. The Chamber has submitted financial reports along with supporting documentation outlining their expenses for both years and reimbursement has been made.

This resolution would authorize the Executive Director to appropriate Year 3 funding in the amount of $100,000 for CY2007 contingent upon it being on a reimbursable basis, with proper reporting documents and audit.

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RESOLUTION TO APPROPRIATE $140,000 FOR THE SUPPORT OF A MEADOWFEST

WHEREAS, the New Jersey Meadowlands Commission's Master Plan, approved January 8, 2004 - further supported by the 2007 Economic Growth Plan and Comprehensive Action Plan - calls for the enhancement and capitalization on the Meadowland's waterways as defining assets and cultivation of a unique sense of place; and

WHEREAS, part of that strategy is the continuance of the successful annual festival called Riverfest which provided a "town fair" atmosphere with entertainment, games, and educational outreach to celebrate the recovery of the Meadowlands environment and activities designed to promote the new identity of the District; and

WHEREAS, with the creation of the Meadowlands-Liberty Convention and Visitors Bureau, through NJMC financial support, that organization received a grant of $120,000 in 2006 to continue the event as an expanded Meadowfest; and

WHEREAS, to support and further expand this event, a $140,000 grant for 2007 would defray the costs for planning and operation, and ensure its success;

NOW, THEREFORE, BE IT RESOLVED that the NJMC hereby authorizes the appropriation of a maximum of $140,000 for a grant supporting the Meadowlands Liberty Convention and Visitors Bureau in producing Meadowfest for 2007.

The foregoing Resolution was adopted by Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-25

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Christopher Gale Date: March 12, 2007

Subject: $140,000 Appropriation for the Support of a Meadowfest

The purpose of this resolution is to appropriate $140,000 for a grant to support the continuance of the Meadowfest event to be operated by the Meadowlands Liberty Convention and Visitors Bureau.

Consistent with the New Jersey Meadowlands Commission's Master Plan Strategy 2 in the Natural Environment System and Strategy 1 in the Economic Development System, approved January 8, 2004, the NJMC has continued to enhance and capitalize on the Meadowland's waterways as defining assets and cultivate a unique sense of place. These goals have further been reinforced by the 2007 Economic Growth Plan and the Comprehensive Action Plan. Part of that strategy was the continuance of the successful annual festival called Riverfest which provided a "town fair" atmosphere with entertainment, games, and educational outreach to celebrate the recovery of the Meadowlands environment and activities designed to promote the new identity of the District. In 2006 the event was reestablished under the auspices of the Meadowlands-Liberty Convention and Visitors Bureau through a $120,000 grant and renamed Meadowfest to encompass a broader array of activities.

To continue support for the event and facilitate its continued expansion as a signature festival for the region, the staff requests the appropriation of a maximum of $140,000 for a second year of Meadowfest programming by the Convention and Visitors Bureau. Funding for the program would proceed from the NJMC Operating Budget.

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RESOLUTION AUTHORIZING THE CHAIRMAN TO ISSUE A FINAL DECISION IN RIVERVIEW ASSOCIATES V. NEW JERSEY MEADOWLANDS COMMISSION

WHEREAS, an Initial Decision was issued in Riverview Associates v. New Jersey Meadowlands Commission, OAL DKT. NO. HMD 118-00, on May 16, 2006; and

WHEREAS, the NJMC has carefully reviewed the entire record, including the Initial Decision, the exceptions, the briefs and exhibits of the parties, and the transcripts of the administrative hearing.

NOW, THEREFORE, BE IT RESOLVED that the NJMC hereby authorizes the Chairman to issue the attached Final Decision.

The foregoing Resolution was adopted by Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-26

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Christine A. Sanz *Date:* March 12, 2007

Subject: Riverview Decision

An Initial Decision was issued in Riverview Associates v. New Jersey Meadowlands Commission, OAL DKT. NO. HMD 118-00, on May 16, 2006.

The NJMC has carefully reviewed the entire record, including the Initial Decision, the exceptions, the briefs and exhibits of the parties, and the transcripts of the administrative hearing and recommends that the Chairman issue the attached final decision.

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RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH RUTGERS UNIVERSITY - CENTER FOR GREEN BUILDING TO EXAMINE THE COSTS AND BENEFITS OF GREEN BUILDING

WHEREAS, the New Jersey Meadowlands Commission (NJMC) recently adopted green building incentives in its land use policies; and

WHEREAS, the NJMC is currently in the construction phase of the New Jersey Meadowlands Commission Center for Environmental and Scientific Education building, which will meet the highest green building standards; and

WHEREAS, the NJMC, through its Renewable Energy Master Plan and 2007 Economic Growth Plan, will continue to facilitate and promote green building concepts throughout the Meadowlands region; and

WHEREAS, it will be helpful to the NJMC's green building efforts to have a Life Cycle Cost analysis and an Environmental Life Cycle assessment of green building design to present to developers, private property owners, and Meadowlands' stakeholders who are interested in pursuing green building concepts; and

WHEREAS, Rutgers University Center for Green Building at the Edward J. Bloustein School for Planning and Public Policy, has established itself as a leader and valuable resource concerning green building design and implementation in New Jersey.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission that the Executive Director is hereby authorized to enter into a Memorandum of Understanding with Rutgers University, Center for Green Building to conduct a Life Cycle Cost analysis and Environmental Life Cycle assessment of a green building project to be determined by NJMC staff; and

BE IT FURTHER RESOLVED, by the New Jersey Meadowlands Commission that this Memorandum of Understanding will be executed at a cost not to exceed $120,000, and will be funded from the Commission's MAGNET funds.

The foregoing was adopted on Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

Robert R. Ceberio
Secretary

Resolution No. 07-27

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners

From: Robert R. Ceberio Date: March 12, 2007

Subject: Rutgers University Center for Green Building

If approved Resolution 07-27 would authorize the Executive Director to enter into a Memorandum of Understanding (MOU) with the Rutgers University Center for Green Building to conduct a Life Cycle Cost analysis and Environmental Life Cycle assessment of green building concepts for an amount not to exceed $120,000. The New Jersey Meadowlands Commission (NJMC) has shown a commitment to promoting green building practices in the region, and this information can prove to be vital towards encouraging these practices.

A Life Cycle Cost (LCC) analysis will consist of a calculation of the costs and benefits associated with both constructing and operating a building during its lifetime. The Environmental Life Cycle (ELC) assessment will track the environmental impacts associated not only with the use of a building, but also with its construction, associated transportation impacts, use, and demolition. This type of analysis would provide an understanding of the direct and indirect environmental impacts of the construction and operation of a building. One potential site for the LCC analysis and ELC assessment will be the NJMC Center for Environmental and Scientific Education building. However, NJMC staff will work with the Rutgers University Center for Green Building to determine the best site for this process.

A report outlining the LCC and the ELC will be presented to the New Jersey Meadowlands Commission in December 2007.

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RESOLUTION AUTHORIZING NEW JERSEY MEADOWLANDS COMMISSION AND ITS STAFF TO FILE A NOTICE OF PROPOSAL AND HOLD A PUBLIC HEARING FOR PROPOSED REPEAL AND/OR AMENDMENT OF NJMC REGULATIONS REGARDING AFFORDABLE HOUSING AND IMPLEMENTING AN INTERIM AFFORDABLE HOUSING POLICY

WHEREAS, the New Jersey Meadowlands Commission (NJMC) is authorized by N.J.S.A. 13:17-1, *et seq.*, to adopt codes and standards regarding the zoning and rezoning of lands within the Meadowlands District; and

WHEREAS, on January 11, 2007, the NJMC adopted comprehensive new and revised rules governing affordable housing in the Meadowlands District, (N.J.A.C. 19:3-6, 19:4-5.2, 8.4 and 11.1, 11.7, and 12), and subsequently filed a Notice of Adoption with the Office of Administrative Law; and

WHEREAS, these new rules became effective on February 5, 2007, upon their publication in the New Jersey Register; and

WHEREAS, these rules were effectuated to promote consistency with the NJ Council on Affordable Housing's (COAH) Third Round Rules and to assist municipalities in satisfying their affordable housing obligations as a result of development occurring in the Meadowlands District; and

WHEREAS, in a decision dated January 25, 2007 (A-1960/2665/2674/2706-04T3), the Appellate Division of the New Jersey Superior Court invalidated portions of COAH's Third Round Rules, including the growth share methodology and other components of those rules upon which the NJMC's new affordable housing regulations are based; and

WHEREAS, due to this decision, the NJMC staff recommends the Commission repeal and/or amend the NJMC's new regulations governing affordable housing; and

WHEREAS, the NJMC's affordable housing requirements based on the invalidated methodology are currently effective, the NJMC staff recommends the Commission adopt a policy guiding affordable housing development in the interim period until such repeal or amendment becomes effective; and

WHEREAS, the NJMC staff recommends the Commission authorize staff to halt implementation of the new regulations at this time, and to direct applicants to contact the respective municipality in which proposed

development is located regarding affordable housing requirements while the COAH matter is being resolved in the courts, since COAH's First Round and Second Round rules remain effective; and

WHEREAS, the NJMC staff further recommends the Commission authorize staff to utilize the prior affordable housing regulation at N.J.A.C. 19:4-3.8 as a guideline, until such time as NJMC reproposes the prior rule and its effective date which states:

> *The NJMC encourages the development of residential uses in accordance with New Jersey State Council on Affordable Housing (COAH) guidelines. The municipality may satisfy its COAH responsibility with any residential development in the District. The NJMC will accept petitions for rezonings from municipalities seeking to rezone land in the District to meet their COAH obligations and processed in accordance with N.J.A.C. 19:3. Applications for variances to allow density increases to meet COAH obligations shall also be considered and processed in accordance with N.J.A.C. 19:4-4.14.*

WHEREAS, in the absence of such policy, land use administration and economic development in the District would be significantly negatively impacted, since zoning certificates would contain conditions to satisfy affordable housing requirements that are no longer valid, and compliance with affordable housing requirements is required prior to the NJMC's issuance of a certificate of completion or occupancy certification.

NOW, THEREFORE, BE IT RESOLVED that the New Jersey Meadowlands Commission hereby authorizes the staff to prepare and submit a Notice of Proposal to the Office of Administrative Law for publication in the New Jersey Register and hold a public hearing to receive input from interested parties regarding the proposed repeal and/or amendment of N.J.A.C. 19:3-6, 19:4-5.2, 8.4 and 11.1, 11.7 and 12 governing the NJMC's affordable housing regulations; and

BE IT FURTHER RESOLVED, that the NJMC hereby authorizes an interim affordable housing policy as follows:

1. The NJMC staff shall halt implementation of the NJMC's new affordable housing regulations until such repeal or amendment of the subject regulations shall occur; and
2. The NJMC staff shall direct applicants to contact the respective municipality in which proposed development is located regarding affordable housing requirements while this matter is being resolved in the courts; and

3. The NJMC staff shall utilize the prior affordable housing regulation at N.J.A.C. 19:4-3.8 as a guideline, which states:
   The NJMC encourages the development of residential uses in accordance with New Jersey State Council on Affordable Housing (COAH) guidelines. The municipality may satisfy its COAH responsibility with any residential development in the District. The NJMC will accept petitions for rezonings from municipalities seeking to rezone land in the District to meet their COAH obligations and processed in accordance with N.J.A.C. 19:3. Applications for variances to allow density increases to meet COAH obligations shall also be considered and processed in accordance with N.J.A.C. 19:4-4.14.

The foregoing Resolution was adopted by Commission vote.

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Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

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Robert R. Ceberio
Secretary

Resolution No. 07-28

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: March 12, 2007

Subject: NJMC Affordable Housing Policy

On January 11, 2007, the New Jersey Meadowlands Commission adopted comprehensive new rules governing affordable housing in the Meadowlands District, and subsequently filed a Notice of Adoption with the Office of Administrative Law. These new rules became effective on February 5, 2007, upon their publication in the New Jersey Register.

These rules were effectuated to promote consistency with the NJ Council on Affordable Housing's (COAH) Third Round Rules and to assist municipalities in satisfying their affordable housing obligations as a result of development occurring in the Meadowlands District. The regulations included requirements for affordable housing based on the amount of both residential and non-residential development pursuant to the "growth share" methodology in COAH's Third Round rules.

In a decision dated January 25, 2007 (A-1960/2665/2674/2706-04T3), the Appellate Division of the New Jersey Superior Court invalidated portions of COAH's Third Round Rules, including the growth share methodology and other components of those rules upon which the NJMC's new affordable housing regulations are based. The Court also directed COAH to promulgate new regulations within six months of this decision.

Due to this decision, the NJMC staff recommends the Commission repeal and/or amend the NJMC's new regulations governing affordable housing. Therefore, the NJMC staff requests authorization to file a Notice of Proposal to repeal and/or amend the NJMC's new affordable housing regulations at N.J.A.C. 19:3-6, 19:4-5.2, 8.4 and 11.1, 11.7 and 12, and to hold a public hearing regarding this matter.

In addition, since the NJMC's affordable housing requirements based on the invalidated methodology are currently effective, the NJMC staff recommends the Commission adopt a policy guiding affordable housing development in the interim period until such repeal or amendment becomes effective.

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The NJMC staff recommends the Commission authorize staff to halt implementation of the new regulations at this time, and to direct applicants to contact the respective municipality in which proposed development is located regarding affordable housing requirements while the COAH matter is being resolved in the courts, since COAH's First Round and Second Round rules remain effective. The NJMC staff further recommends the Commission authorize staff to utilize the prior affordable housing regulation at N.J.A.C. 19:4-3.8 as a guideline until such time as NJMC reproposes the prior rule and its effective date, as follows:

> *The NJMC encourages the development of residential uses in accordance with New Jersey State Council on Affordable Housing (COAH) guidelines. The municipality may satisfy its COAH responsibility with any residential development in the District. The NJMC will accept petitions for rezonings from municipalities seeking to rezone land in the District to meet their COAH obligations and processed in accordance with N.J.A.C. 19:3. Applications for variances to allow density increases to meet COAH obligations shall also be considered and processed in accordance with N.J.A.C. 19:4-4.14.*

In the absence of such policy, land use administration and economic development in the District would be significantly negatively impacted, since zoning certificates would contain conditions to satisfy affordable housing requirements that are no longer valid, and compliance with affordable housing requirements is required prior to the NJMC's issuance of a certificate of completion or occupancy certification.

At this time, NJMC staff is requesting authorization to file a Notice of Proposal with the Office of Administrative Law for publication in the New Jersey Register regarding the proposed repeal and/or amendment of N.J.A.C. 19:3-6, 19:4-5.2, 8.4 and 11.1, 11.7 and 12. In addition, the staff is requesting authorization to hold a public hearing regarding this matter, and to implement an interim affordable housing policy as described above. A resolution requesting the same is attached for your consideration.

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH RUTGERS UNIVERSITY TO ASSIST THE NJMC WITH THE 2006 COMPREHENSIVE ACTION PLAN

WHEREAS, the Commission's Comprehensive Action Plan (CAP) prepared by the Rutgers National Center for Public Performance and adopted by the NJMC in January, 2007, was developed in response to Governor Corzine's call for strategic planning and greater transparency in state government operations; and

WHEREAS, the NJMC is now ready to embark on the second phase of the project with Rutgers, involving the development of the necessary infrastructure to track the performance metrics in the CAP and to implement a Human Resource Management System at the NJMC; and

WHEREAS, additionally, work will commence on implementing a performance-based budget. This will allow us for the first time to integrate performance-related information into the NJMC budget; and

WHEREAS, the process involves developing crosswalks between budget accounts and performance goals, including development of budgetary guidelines for staff. The budget review process will thus focus on performance goals as the unit of analysis; and

WHEREAS, as part of our effort in determining the NJMC's long-term budget needs, the current five-year financial plan will be updated with year-end and current year-to-date financial information by accounts; and

WHEREAS, a rolling five-year financial plan with both operating and capital activities will be prepared at the end of the fiscal year and result in a consolidated financial report for CY2007; and

WHEREAS, the cost of Rutgers' proposal will not exceed $80,000 and will commence in April 2007. The project will be led by Dr. Marc Holzer, Director for the National Center for Public Performance and professionals from several other institutions.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Meadowlands Commission that the Executive Director is authorized to enter into a contract with Rutgers University at a cost not to exceed $80,000.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

Robert R. Ceberio
Secretary

Resolution No. 07-29

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Edward H. Bulmer *Date:* March 12, 2007

Subject: Rutgers Proposal to assist the NJMC with the 2006 Comprehensive Action Plan

The Commission's recent Comprehensive Action Plan prepared by the Rutgers National Center for Public Performance was developed in response to the Governor Corzine's call for strategic planning and greater transparency in state government operations.

The NJMC is now ready to embark on the second phase of the project with Rutgers, which involves the development of the necessary infrastructure to track the performance metrics in the CAP and to implement a Human Resource Management System at the NJMC.

Additionally, work will commence on implementing a performance-based budget. This will allow us for the first time to integrate performance-related information into the NJMC budget. The process involves developing crosswalks between budget accounts and performance goals, including development of budgetary guidelines for staff. The budget review process will thus focus on performance goals as the unit of analysis.

As part of our effort in determining the NJMC's long-term budget needs, the current five-year financial plan will be updated with year-end and current year-to-date financial information by accounts. A rolling five-year financial plan with both operating and capital activities will be prepared at the end of the fiscal year and results in a consolidated financial report for CY2007.

The cost of Rutgers' proposal will not exceed $80,000 and will commence in April 2007, if approved by the Board. The project will be led by Dr. Marc Holzer, Director for the National Center for Public Productivity and professional from several other institutions.

We would appreciate your review and approval of this request.

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RESOLUTION: CLOSED SESSION

WHEREAS, the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the holding of closed session by public bodies in certain circumstances; and

WHEREAS, the New Jersey Meadowlands Commission is of the opinion that those circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That a closed session of the NJMC will be held to discuss the following:

   •
   •

2. It is anticipated at this time that the above subject matter(s) will be made public upon completion of said matter(s).

This Resolution shall become effective immediately. The foregoing Resolution was adopted by Commission vote.

_____
Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 12, 2007.

_____
Robert R. Ceberio
Secretary

Resolution No. 07-30