

NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

DATE: January 23, 2008
TIME: 10:00 a.m.
PLACE: Lyndhurst, New Jersey
RE: MONTHLY MEETING

1. Pledge of Allegiance
2. Sunshine Law Statement
3. Roll Call
4. REVIEW OF MINUTES - December 19, 2007 Pg. 1
5. PUBLIC PARTICIPATION ON RESOLUTIONS
6. VARIANCES/SPECIAL EXCEPTIONS Pg. 4

Resolution No. 08-01 Consideration of a Resolution Regarding
The Approval of One Bulk Variance To
Construct Four New Parking Spaces and an
Adjoining Vehicular Turn-Around Area
Within the Required Front Yard facing NJ
State Highway Route 3 Westbound Whereas
No Vehicular Use Areas Are Permitted in
Required Front Yards or Within Required
Buffer Areas. The Parking Lot Improvements
Are Proposed for the Premises Identified as
30 Wood Avenue, Block 118, Lot 3, in the
Town of Secaucus (File #07-439, Wood Avenue
LLC/Tele-Dynamics-C.O./Variance).
7. TAX SHARING Pg. 7

Resolution No. 08-02 Consideration of a Resolution Certifying
The 2008 Intermunicipal Tax Sharing Pool.

NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

MONTHLY MEETING

Pg. 3

13. REPORTS

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

14. NEW BUSINESS

15. PUBLIC PARTICIPATION

16. CLOSED SESSION

- A. Adopt Resolution No. 08-08 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

NEW JERSEY MEADOWLANDS COMMISSION

DATE: December 19, 2007
TIME: 10:00 a.m.
PLACE: Lyndhurst, NJ
RE: MONTHLY MEETING MINUTES

COMMISSIONERS PRESENT:

Joseph V. Doria, Jr., Chairman
Eleanore S. Nissley
James A. Anzevino
Michael J. Gonnelli
Leonard R. Kaiser
Arleen Walther

STAFF PRESENT:

Robert R. Ceberio, Executive Director
Irfan Bora, Director of Finance & Management/
Chief Financial Officer
Thomas Marturano, Director of Natural Resources
Ileana Kafrouni, Director of Land Use Management
Christine A. Sanz, Director of Legal Affairs/Chief Counsel
Francisco Artigas, Director of MERI
Christopher Gale, Director of Communications
Christine Piatek, Deputy Attorney General
Fred J. Dressel, HMMC
Lynn Johnson, Executive Assistant

1. Pledge of Allegiance
2. Executive Director Ceberio read the Notice of Meeting required under the Sunshine Law.
3. Roll Call
4. REVIEW OF MINUTES

Minutes of the November 28 open meeting and closed session minutes, were moved by Commissioner Nissley, seconded by Commissioner Gonnelli and unanimously carried.

5. PUBLIC PARTICIPATION ON RESOLUTIONS

- No one from the public spoke.

6. VARIANCE/SPECIAL EXCEPTIONS

Resolution No. 07-113 - Resolution issuing a decision on the variance application submitted as part of File No. 06-724, Prologis/Interstate Intermodal - Site Improvement & Front Yard Loading Variance Block 5, Lot 7.02 in the Town of Secaucus

Motion to adopt the resolution was made by Commissioner Nissley, seconded by Commissioner Kaiser and carried with Commissioner Gonnelli abstaining.

7. BUDGET

Resolution No. 07-114 - Resolution adopting the 2008 NJMC Budget.

Motion to adopt the resolution was made by Commissioner Kaiser, seconded by Commissioner Nissley and unanimously carried.

8. SITE SUITABILITY RECOMMENDATIONS

Resolution No. 07-115 - Resolution issuing a decision on the suitability recommendation as required by the NJMC Emergency Restraints upon further development for File No. 07-716, Genzyme/Building Addition Block 4014, Lot 11 in the Borough of Ridgefield.

Motion to adopt the resolution was made by Commissioner Gonnelli, seconded by Commissioner Anzevino and unanimously carried.

9. REPORTS

Executive Director Ceberio reported on the status of the Route 17 flood control project.

Chairman Doria congratulated staff on the outstanding 2006/2007 annual report.

10. PUBLIC PARTICIPATION

- Lonnie Bedell, South Hackensack resident.
- Margaret Schak, Rutherford Taxpayers Association, former Mayor and former Executive Director of the HMMC.
- Fred Dressel, Executive Director HMMC.
- Frank McCormack, Secaucus resident

Motion to adjourn meeting was made by Commissioner Nissley, seconded by Commissioner Walther with all in favor.

ROBERT R. CEBERIO, SECRETARY

RESOLUTION#	07-113	07-114	07-115
Chairman Doria	Y	Y	Y
Comm. Anzevino	Y	Y	Y
Comm. Gonnelli	A	Y	Y
Comm. Kaiser	Y	Y	Y
Comm. Macri	---	---	---
Comm. Nissley	Y	Y	Y
Comm. Walther	Y	Y	Y

Y = Yes R = Recuse
 A = Abstain N = No

**RESOLUTION ISSUING A DECISION ON THE VARIANCE APPLICATION
SUBMITTED AS PART OF FILE NO. 07-439,
WOOD AVENUE LLC/ TELE-DYNAMICS-C.O./VARIANCE
BLOCK 118, LOT 3, IN THE TOWN OF SECAUCUS**

WHEREAS, an application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission ("NJMC") by Mark K. Follender, Esq., of the firm Scarinci & Hollenbeck, LLC, on behalf of 30 Wood Avenue, LLC, for the premises located at 30 Wood Avenue, Block 118, Lot 3, in the Town of Secaucus; and

WHEREAS, the variance is sought in connection with the applicant's proposal to construct four new parking spaces and an adjoining vehicular turn-around area within the required front yard facing NJ State Highway Route 3 Westbound (Route 3) on the subject premises; and

WHEREAS, the applicant requested relief from N.J.A.C. 19:4-8.2(b)1 which states that no vehicular use areas are permitted in required front yards or within required buffer areas. The applicant is proposing to construct four new parking spaces and an adjoining vehicular turn-around area within the required front yard facing Route 3 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 Secaucus Home News and the Jersey Journal; and

WHEREAS, the applicant requested a waiver of the public hearing regarding the aforementioned variance relief as per N.J.A.C. 19:4-4.17(j), and said waiver was granted. In place of oral testimony at a public hearing, the applicant submitted a Planning Report, prepared by Burgis Associates, Inc., signed and sealed by Sean Moronski, P.P., AICP, dated October 26, 2007; and

WHEREAS, a comprehensive report dated January 14, 2008, 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 approval of the bulk variance request to construct four new parking spaces and an adjoining vehicular turn-around area within the required front yard facing Route 3 on the subject premises; and

WHEREAS, the members of the NJMC have reviewed the full record of the variance request, recommendations on the application by the Director of

Land Use Management and Chief of Regulatory Affairs and by the Executive Director, and 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 four new parking spaces and an adjoining vehicular turn-around area within the required front yard facing Route 3 on the subject premises 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 30 Wood Avenue, LLC, Variance application for one bulk variance request to construct four new parking spaces and an adjoining vehicular turn-around area within the required front yard facing NJ State Highway Route 3 Westbound on the subject premises is hereby **APPROVED WITH THE FOLLOWING CONDITION** for the reasons set forth in the January 14, 2008 recommendation:

1. All existing and proposed exterior on-site lighting shall be shielded and positioned to prevent glare from becoming a hazard or nuisance, or having a negative impact on site users, adjacent properties, or the traveling public.

The foregoing was adopted on Commission vote.

Joseph V. Doria, Jr.
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 January 23, 2008.

Robert R. Ceberio
Secretary

Resolution No. 08-01

Memorandum



New Jersey Meadowlands Commission

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

From: Ileana Kafrouni Date: January 23, 2008

Subject: Variance Recomm. Wood Avenue LLC/Tele-Dynamics C.O./Variance (File 07-439)

An application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission by Mark K. Follender, Esq., of the firm Scarinci & Hollenbeck, LLC, on behalf of 30 Wood Avenue, LLC, for the premises located at 30 Wood Avenue, Block 118, Lot 3, in the Town of Secaucus, New Jersey. Said premises are located in the Commission's Commercial Park zone.

The bulk variance is sought in connection with the applicant's proposal to construct four new parking spaces and an adjoining vehicular turn-around area within the required front yard facing NJ State Highway Route 3 Westbound on the subject premises. The applicant has requested variance relief from N.J.A.C. 19:4-8.2(b)1 which states that no vehicular use areas are permitted in required front yards or within required buffer areas. The applicant requested a waiver of the public hearing regarding the aforementioned variance relief as per N.J.A.C. 19:4-4.17(j), and said waiver was granted. In place of oral testimony at a public hearing, the applicant submitted a Planning Report, prepared by Burgis Associates, Inc., signed and sealed by Sean Moronski, P.P., AICP, dated October 26, 2007.

In a comprehensive report dated January 14, 2008, the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director recommended conditional approval of the bulk variance request in connection with the applicant's proposal to construct four new parking spaces and an adjoining vehicular turn-around area within the required front yard facing NJ State Highway Route 3 Westbound 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.

**RESOLUTION CERTIFYING THE
INTERMUNICIPAL TAX SHARING POOL FOR CY2008**

WHEREAS, pursuant to Section 72, P.L. 1968, Chapter 404, the New Jersey Meadowlands Commission is required on or before February 1, 2008, to certify to the financial officer of each constituent Hackensack Meadowlands municipality an amount known as the Meadowlands Adjustment Payment; and

WHEREAS, the Meadowlands Adjustment Payments for the adjustment year 2008 have been computed and are shown on the schedule attached hereto; and

WHEREAS, the NJMC's Operating Fund Budget is amended by \$335,611 to fund costs associated with the Tax Sharing Stabilization Fund.

NOW THEREFORE BE IT RESOLVED by the New Jersey Meadowlands Commission that the Meadowlands Adjustment Payments, as shown on the attached schedule, are hereby certified to the financial officers of each constituent municipality.

The foregoing was adopted on Commission vote.

Joseph V. Doria, Jr.
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 January 23, 2008.

Robert R. Ceberio
Secretary

Memorandum



New Jersey Meadowlands Commission

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

From: Irfan A. Bora and Edward H. Bulmer Date: January 23, 2008

Subject: CERTIFICATION OF CY2008 INTERMUNICIPAL TAX SHARING ACCOUNT

As per Article 9 of the New Jersey Meadowlands Commission's enabling legislation, attached are exhibits and schedules showing the computations of the NJMC Intermunicipal Tax Sharing Formula for the calendar year 2008. The Adjustment Payment Schedule for CY2008 reflects the three-year trailing averaging as required by the 1999 amendments to the formula.

As in the past, the municipalities of Secaucus and Kearny continue to be the largest payer and recipient from the pool respectively. Also included as part of the formula are stabilization fund calculations. The NJMC will, again this year, fund the stabilization payments from its own operating account.

The adoption and certification by the NJMC of the CY2008 computations will allow the inclusion of these figures in the respective municipal budgets. Each municipality is able to utilize the information from Exhibit A in order to budget revenues and expenses, or both, if a recipient of NJMC stabilization fund payments. The payment of stabilization funds is currently scheduled for July 15. A copy of this certification will also be forwarded to the Director of the Division of Local Government Services in the New Jersey State Department of Community Affairs.

If you have any questions or comments, please do not hesitate to contact us.

attachments

NEW JERSEY MEADOWLANDS COMMISSION
INTERMUNICIPAL ACCOUNT
2008 ADJUSTMENT PAYMENT SCHEDULE

MUNICIPALITY	ADJUSTMENT PAYMENT REC (PAY)	NIMC STABILIZATION FUND PAYMENT	STABILIZED ADJ. PAYMENT REC (PAY)	SCHEDULE					
				PAYABLE			RECEIVABLE		
				DUE 5/15/2008	DUE 8/15/2008	DUE 11/15/2008	DUE 5/15/2008	DUE 8/15/2008	DUE 11/15/2008
CARLSTADT	(\$1,390,808)	\$230,005	(\$1,160,803)	(\$463,603)	(\$463,603)	(\$463,603)	\$0	\$0	\$0
EAST RUTHERFORD	\$58,950	\$72,003	\$130,953	\$0	\$0	\$0	\$19,650	\$19,650	\$19,650
LITTLE FERRY	(\$415,447)	\$1,325	(\$414,122)	(\$138,482)	(\$138,482)	(\$138,482)	\$0	\$0	\$0
LYNDHURST	(\$388,522)	\$0	(\$388,522)	(\$129,507)	(\$129,507)	(\$129,507)	\$0	\$0	\$0
MOONACHIE	(\$281,993)	\$9,736	(\$272,257)	(\$93,998)	(\$93,998)	(\$93,998)	\$0	\$0	\$0
NORTH ARLINGTON	\$837,996	\$0	\$837,996	\$0	\$0	\$0	\$279,332	\$279,332	\$279,332
RIDGEFIELD	\$1,163,575	\$0	\$1,163,575	\$0	\$0	\$0	\$387,858	\$387,858	\$387,858
RUTHERFORD	(\$101,196)	\$0	(\$101,196)	(\$33,732)	(\$33,732)	(\$33,732)	\$0	\$0	\$0
SOUTH HACKENSACK	(\$228,344)	\$22,542	(\$205,802)	(\$76,115)	(\$76,115)	(\$76,115)	\$0	\$0	\$0
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$994,165	\$0	\$994,165	\$0	\$0	\$0	\$331,388	\$331,388	\$331,388
KEARNY	\$4,162,082	\$0	\$4,162,082	\$0	\$0	\$0	\$1,387,361	\$1,387,361	\$1,387,361
NORTH BERGEN	(\$1,085,185)	\$0	(\$1,085,185)	(\$361,728)	(\$361,728)	(\$361,728)	\$0	\$0	\$0
SECAUCUS	(\$3,325,271)	\$0	(\$3,325,271)	(\$1,108,424)	(\$1,108,424)	(\$1,108,424)	\$0	\$0	\$0
TOTAL		\$335,611		(\$2,405,589)	(\$2,405,589)	(\$2,405,589)	\$2,405,589	\$2,405,589	\$2,405,589

TOTAL RECEIVABLE	(5)	\$7,216,766
TOTAL PAYABLE	(8)	(\$7,216,766)
TOTAL NIMC STABILIZATION FUND PAYMENT		\$335,611

IMACCT

EXHIBIT A-1

NJMC TAX SHARING FORMULA
ADJUSTMENT PAYMENT SCHEDULE AND
STABILIZATION FUND

2008 Tax Sharing Schedule
Final 01/04/08

	2006		2007		2008		ADJUSTMENT PAYMENT THREE - YEAR AVERAGE (2008)		ADJUSTMENT PAYMENT (2007)		TAX SHARING STABILIZATION CALCULATION			
	PRE-ADJUSTMENT PAYMENT	ADJUSTMENT PAYMENT	PRE-ADJUSTMENT PAYMENT	ADJUSTMENT PAYMENT	PRE-ADJUSTMENT PAYMENT	ADJUSTMENT PAYMENT	ADJUSTMENT PAYMENT	ADJUSTMENT PAYMENT	ADJUSTMENT PAYMENT	ADJUSTMENT PAYMENT	CALCULATED DIFFERENCE (ADI 3YR - ADI 2YR)	MAXIMUM ALLOWABLE DIFF. @ 5%	STABILIZED ADJUSTMENT PAYMENT	STABILIZATION FUND
CARLSTADT	(\$909,611)	(\$1,353,992)	(\$1,908,821)	(\$1,105,526)	(\$1,390,808)	(\$1,105,526)	(\$1,105,526)	(\$1,105,526)	(\$1,105,526)	(\$285,282)	(\$55,276)	(\$1,160,802)	\$230,005	
EAST RUTHERFORD	\$116,841	\$52,565	\$7,445	\$137,847	\$58,950	\$137,847	\$137,847	\$137,847	\$137,847	(\$78,897)	(\$6,892)	\$130,955	\$72,003	
LITTLE FERRY	(\$394,397)	(\$436,382)	(\$415,563)	(\$394,401)	(\$415,447)	(\$394,401)	(\$394,401)	(\$394,401)	(\$394,401)	(\$21,046)	(\$19,720)	(\$414,121)	\$1,325	
LYNDHURST	(\$417,500)	(\$384,730)	(\$363,536)	(\$385,363)	(\$388,522)	(\$385,363)	(\$385,363)	(\$385,363)	(\$385,363)	(\$3,159)	\$0	\$0	\$0	
MOONACHIE	(\$234,730)	(\$301,407)	(\$309,843)	(\$259,293)	(\$281,993)	(\$259,293)	(\$259,293)	(\$259,293)	(\$259,293)	(\$22,700)	(\$12,965)	(\$272,258)	\$9,736	
NORTH ARLINGTON	\$777,892	\$848,441	\$887,654	\$753,967	\$837,996	\$887,654	\$887,654	\$887,654	\$887,654	\$84,029	\$0	\$0	\$0	
RIDGEFIELD	\$1,132,006	\$1,191,368	\$1,167,352	\$1,135,214	\$1,163,575	\$1,167,352	\$1,167,352	\$1,167,352	\$1,135,214	\$28,361	\$0	\$0	\$0	
RUTHERFORD	(\$184,728)	(\$69,419)	(\$49,442)	(\$148,508)	(\$101,196)	(\$148,508)	(\$148,508)	(\$148,508)	(\$148,508)	\$47,312	\$0	\$0	\$0	
SOUTH HACKENSACK	(\$192,495)	(\$237,688)	(\$254,850)	(\$196,002)	(\$228,344)	(\$254,850)	(\$254,850)	(\$254,850)	(\$254,850)	(\$32,342)	(\$9,800)	(\$205,802)	\$22,542	
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
JERSEY CITY	\$907,263	\$1,032,566	\$1,042,666	\$920,371	\$994,165	\$1,042,666	\$1,042,666	\$1,042,666	\$920,371	\$73,794	\$0	\$0	\$0	
KEARNY	\$3,957,962	\$4,265,187	\$4,263,097	\$4,068,747	\$4,162,082	\$4,263,097	\$4,263,097	\$4,263,097	\$4,068,747	\$93,335	\$0	\$0	\$0	
NORTH BERGEN	(\$1,087,949)	(\$1,191,432)	(\$976,175)	(\$1,108,806)	(\$1,085,185)	(\$976,175)	(\$976,175)	(\$976,175)	(\$1,108,806)	\$23,621	\$0	\$0	\$0	
SECAUCUS	(\$3,470,755)	(\$3,415,076)	(\$3,089,982)	(\$3,418,246)	(\$3,325,271)	(\$3,089,982)	(\$3,325,271)	(\$3,418,246)	(\$3,418,246)	\$92,975	\$0	\$0	\$0	
BERGEN COUNTY	(\$306,522)	(\$691,244)	(\$1,239,604)	(\$462,065)	(\$745,790)	(\$1,239,604)	(\$1,239,604)	(\$462,065)	(\$462,065)				\$335,611	
HUDSON COUNTY	\$306,521	\$691,245	\$1,239,606	\$462,066	\$745,791	\$1,239,606	\$1,239,606	\$462,066	\$462,066				\$0	
	(\$1)	\$1	\$2	\$1	\$1	\$2	\$1	\$1	\$1				\$335,611	

ADJTB

	2005 COMPARISON YEAR		1970 BASE YEAR		EQUILIZATION RATIO NISA54:1.35:1	1970 AGGREGATE TRUE VALUATION (Col. 4/Col.5)	EQUILIZATION INCREASE/DECREASE OF TRUE VALUE IN COMPARISON YEAR (Col. 3 - 6)	2005 MUNICIPAL TAX RATE (ADJUSTED)
	2005 AGGREGATE ASSESSED VALUATION (1)	2005 EQUALIZATION RATIO NISA54:1.35:1 * (2)	2005 AGGREGATE TRUE VALUATION (Col. 1/Col.2)	1970 AGGREGATE ASSESSED VALUATION (4)				
CARLSTADT	\$720,933,523	54.15 %	\$1,331,363,847	\$72,295,483	72.05 %	\$100,340,712	\$1,231,023,135	\$2.678
EAST RUTHERFORD	\$441,359,700	58.14	\$759,132,611	\$41,975,219	89.51	\$46,894,446	\$712,238,165	\$2.526
LITTLE FERRY	\$209,740,367	113.50	\$184,793,275	\$14,203,275	98.28	\$14,451,847	\$170,341,428	\$1.750
LYNDHURST	\$360,544,967	55.25	\$652,570,076	\$12,098,803	69.11	\$17,506,388	\$635,063,488	\$3.169
MOONACHIE	\$456,080,808	109.71	\$415,714,892	\$49,175,466	106.62	\$46,122,178	\$369,592,714	\$1.314
NORTH ARLINGTON	\$3,634,100	52.18	\$6,964,546	\$330,900	68.96	\$479,843	\$6,484,703	\$3.726
RIDGEFIELD	\$192,613,700	108.53	\$177,473,076	\$20,349,950	90.05	\$22,598,501	\$154,876,575	\$1.222
RUTHERFORD	\$91,291,000	50.70	\$180,061,144	\$15,347,700	102.94	\$14,909,365	\$165,151,779	\$3.685
SOUTH HACKENSACK	\$51,469,100	76.71	\$67,095,685	\$6,072,150	76.34	\$7,954,087	\$59,141,598	\$2.560
TEKERBORO	\$0	0.00	\$0	\$18,602,200	108.48	\$17,148,046	\$0	\$0.000
JERSEY CITY	\$63,039,400	34.59	\$182,247,470	\$15,980,900	90.1	\$17,736,848	\$164,510,622	\$4.619
KEARNY	\$98,450,100	32.61	\$301,901,564	\$31,008,267	82.27	\$37,690,856	\$264,210,708	\$7.705
NORTH BERGEN	\$291,470,700	51.29	\$568,279,782	\$26,623,623	78.46	\$33,932,734	\$534,347,048	\$4.028
SECAUCUS	\$2,094,030,710	63.47	\$3,299,244,856	\$95,145,123	72.35	\$131,506,735	\$3,167,738,121	\$2.724
BERGEN COUNTY	\$2,527,667,265	NA	3,775,171,152	\$250,451,146	NA	\$288,405,613	\$3,503,913,585	NA
HUDSON COUNTY	\$2,546,990,910	NA	4,351,673,672	\$168,757,913	NA	\$220,867,173	\$4,130,806,499	NA
ALL MUNICIPALITIES	\$5,074,658,175	NA	8,126,844,824	\$419,209,059	NA	\$509,272,786	\$7,634,720,084	NA

EXHIBIT B

	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
	2005 EFFECTIVE TAX RATE (Col. 8 * Col. 2)	2005 INCREASE OF H.M. PUPILS OVER BASE YEAR 1970 (10)	2005 COST PER PUPIL IN COMPARISON YEAR (11)	2005 COUNTY PORTION OF TAX RATE (12)	2005 MUNICIPAL/SCHOOL VET./S.C. PORTION OF TAX RATE (13)	2005 APPORTIONMENT RATE (COL. 9 * COL. 13) (14)	PERCENT OF H.M.D. LAND AREA FOR EACH MUNICIPALITY (15)	2005 YEAR INCREASE IN TAXES OVER 1970 BASE YEAR (Col. 7 * Col. 9) (16)
CARLSTADT	\$1.450	0		12.110 %	87.890 %	1.2744050%	12.155 %	\$17,849,835
EAST RUTHERFORD	\$1.469	0		11.672	88.328	1.2975383%	10.268	\$10,462,779
LITTLE FERRY	\$1.986	0		8.731	91.269	1.8126023%	2.271	\$3,382,981
LYNDHURST	\$1.751	0		9.632	90.368	1.5823437%	10.130	\$11,119,962
MOONACHE	\$1.442	0		11.816	88.184	1.2716133%	4.556	\$5,329,527
NORTH ARLINGTON	\$1.944	0		8.391	91.609	1.7808790%	2.588	\$126,063
RIDGEFIELD	\$1.326	0		13.222	86.778	1.1506763%	5.210	\$2,053,663
RUTHERFORD	\$1.868	0		8.850	91.150	1.7026820%	2.980	\$3,085,035
SOUTH HACKENSACK	\$1.964	0		9.008	90.992	1.7870829%	0.465	\$1,161,541
TETERBORO	\$0.000	0		0.000	0.000	0.0000000%		\$0
JERSEY CITY	\$1.598	0		25.831	74.169	1.1852206%	5.050	\$2,628,880
KEARNY	\$2.513	0		17.902	82.098	2.0631227%	17.854	\$6,639,615
NORTH BERGEN	\$2.066	0		21.402	78.598	1.6238347%	6.915	\$11,039,610
SECAUCUS	\$1.729	393	\$14,184	27.998	72.002	1.2449146%	19.759	\$54,770,192
BERGEN COUNTY	NA	0	NA	NA	NA	NA	50.421	\$54,571,386
HUDSON COUNTY	NA	393	NA	NA	NA	NA	49.579	\$75,078,297
ALL MUNICIPALITIES	NA	393	NA	NA	NA	NA	100.000	\$129,649,683

EXHIBIT B

	(17)	(18)	(19)	(20)	(21)	(22)
	LESS PORTION OF COL 12 COUNTY TAX PERCENT (Col. 16 * Col. 12)	(SECTION 13:17 - 67) 2005 TAXES COLLECTED LESS COUNTY TAXES POST 1970 RATABLES (Col. 14 * Col. 7)	DIRECT RETENTION (60% OF COL 18)	TOTAL SUBJECT TO TAX SHARING (COL. 18 - COL. 19)	GUARANTEE PAYMENTS	SCHOOL SERVICE PAYMENTS (Col. 10 * Col. 11)
CARLSTADT	\$2,161,615	\$15,688,220	\$9,412,932	\$6,275,288	\$0	\$0
EAST RUTHERFORD	\$1,221,216	\$9,241,563	\$5,544,938	\$3,696,625	\$0	\$0
LITTLE FERRY	\$295,368	\$3,087,613	\$1,852,568	\$1,235,045	\$0	\$0
LYNDHURST	\$1,071,075	\$10,048,887	\$6,029,332	\$4,019,555	\$0	\$0
MOONACHIE	\$629,737	\$4,699,790	\$2,819,874	\$1,879,916	\$0	\$0
NORTH ARLINGTON	\$10,578	\$115,485	\$69,291	\$46,194	\$0	\$0
RIDGEFIELD	\$271,535	\$1,782,128	\$1,069,277	\$712,851	\$0	\$0
RUTHERFORD	\$273,026	\$2,812,010	\$1,687,206	\$1,124,804	\$0	\$0
SOUTH HACKENSACK	\$104,632	\$1,056,909	\$634,145	\$422,764	\$0	\$0
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$679,066	\$1,949,814	\$1,169,888	\$779,926	\$0	\$0
KEARNY	\$1,188,624	\$5,450,991	\$3,270,595	\$2,180,396	\$0	\$0
NORTH BERGEN	\$2,362,697	\$8,676,913	\$5,206,148	\$3,470,765	\$0	\$0
SECAUCUS	\$15,334,558	\$39,435,634	\$23,661,380	\$15,774,254	\$0	\$5,574,312
BERGEN COUNTY	\$6,038,782	\$48,532,605	29,119,563	\$19,413,042	\$0	\$0
HUDSON COUNTY	\$19,564,945	\$55,513,332	33,308,011	\$22,205,341	\$0	\$5,574,312
ALL MUNICIPALITIES	\$25,603,727	\$104,045,957	62,427,574	\$41,618,383	\$0	\$5,574,312

	(23)	(24)	(25)	(26)	(27)	(28)
	APPORTIONMENT PAYMENTS [%IN COL. 15 * [COL. 20 -(COLS. 21+22)]	TOTAL CREDIT DUE MUNICIPALITY (TOTAL OF COLUMNS 21+22+23)	2008 PRE-ADJUSTMENT PAYMENT (Col. 24 - 20)	ADJUSTMENT FOR 2007 RECALCULATION	ADJUSTMENT FOR 2006 RECALCULATION	TOTAL 2008 ADJUSTMENT PAYMENT
CARLSTADT	\$4,381,049	\$4,381,049	(\$1,894,239)	(\$8,403)	(\$6,179)	(\$1,908,821)
EAST RUTHERFORD	\$3,700,825	\$3,700,825	\$4,200	\$925	\$2,320	\$7,445
LITTLE FERRY	\$818,417	\$818,417	(\$416,628)	\$205	\$860	(\$415,563)
LYNDHURST	\$3,651,300	\$3,651,300	(\$368,255)	\$913	\$3,806	(\$363,536)
MOONACHE	\$1,569,936	\$1,569,936	(\$309,980)	\$393	(\$256)	(\$309,843)
NORTH ARLINGTON	\$932,821	\$932,821	\$886,627	\$233	\$794	\$887,654
RIDGEFIELD	\$1,877,860	\$1,877,860	\$1,165,009	\$469	\$1,874	\$1,167,352
RUTHERFORD	\$1,074,005	\$1,074,005	(\$50,799)	\$269	\$1,088	(\$49,442)
SOUTH HACKENSACK	\$167,677	\$167,677	(\$255,087)	\$42	\$195	(\$254,850)
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$1,820,262	\$1,820,262	\$1,040,336	\$456	\$1,874	\$1,042,666
KEARNY	\$6,435,308	\$6,435,308	\$4,254,912	\$1,609	\$6,576	\$4,263,097
NORTH BERGEN	\$2,492,592	\$2,492,592	(\$978,173)	\$1,109	\$889	(\$976,175)
SECAUCUS	\$7,122,020	\$12,696,332	(\$3,077,922)	\$1,781	(\$13,841)	(\$3,089,982)
BERGEN COUNTY	\$18,173,890	\$18,173,890	(\$1,239,152)	(\$4,954)	\$4,502	(\$1,239,604)
HUDSON COUNTY	\$17,870,182	\$23,444,494	\$1,239,153	\$4,955	(\$4,502)	\$1,239,606
ALL MUNICIPALITIES	\$36,044,072	\$41,618,384	\$1	\$1	\$0	\$2

TS2006 2008 RECALCULATION

EXHIBIT B-1

	2003 COMPARISON YEAR				1970 BASE YEAR				2003 EFFECTIVE TAX RATE (Col. 8 * Col. 2) (9)
	2003 AGGREGATE ASSESSED VALUATION (1)	2003 EQUALIZATION RATIO NISA54:1.35:1 * (2)	2003 AGGREGATE TRUE VALUATION (Col. 1/Col.2) (3)	1970 AGGREGATE ASSESSED VALUATION (4)	1970 EQUALIZATION RATIO NISA54:1.35:1 (5)	1970 AGGREGATE TRUE VALUATION (Col. 4/Col.5) (6)	EQUALIZATION INCREASE/DECREASE OF TRUE VALUE IN COMPARISON YEAR (Col. 3 - 6) (7)	2003 MUNICIPAL TAX RATE (ADJUSTED) (8)	
CARLSTADT	\$705,281,548	65.42 %	\$1,078,082,464	\$72,295,483	72.05 %	\$100,340,712	\$977,741,752	\$2.242	\$1.467
EAST RUTHERFORD	\$425,743,416	68.02	\$625,909,168	\$41,975,219	89.51	\$46,894,446	\$579,014,722	\$2.296	\$1.562
LITTLE FERRY	\$99,624,400	64.55	\$154,336,793	\$14,203,275	98.28	\$14,451,847	\$139,884,946	\$3.414	\$2.204
LYNDHURST	\$360,135,642	69.80	\$515,953,642	\$12,098,803	69.11	\$17,506,588	\$498,447,054	\$2.973	\$2.075
MOONACHIE	\$229,477,331	71.07	\$322,889,167	\$49,175,466	106.62	\$46,122,178	\$276,766,989	\$2.413	\$1.715
NORTH ARLINGTON	\$3,634,100	71.10	\$5,111,252	\$330,900	68.96	\$479,843	\$4,631,409	\$3.441	\$2.447
RIDGEFIELD	\$88,448,700	57.34	\$154,253,052	\$20,349,950	90.05	\$22,598,501	\$131,654,551	\$2.006	\$1.150
RUTHERFORD	\$104,090,000	64.95	\$160,261,740	\$15,347,700	102.94	\$14,909,365	\$145,352,375	\$3.385	\$2.199
SOUTH HACKENSACK	\$48,958,300	85.08	\$57,543,841	\$6,072,150	76.34	\$7,954,087	\$49,589,754	\$2.287	\$1.946
TETERBORO	\$0	0.00	\$0	\$18,602,200	108.48	\$17,148,046	\$0	\$0.000	\$0.000
JERSEY CITY	\$63,616,233	50.51	\$125,947,798	\$15,980,900	90.1	\$17,736,848	\$108,210,950	\$4.619	\$2.333
KEARNY	\$91,912,000	43.56	\$211,000,918	\$31,008,267	82.27	\$37,690,856	\$173,310,062	\$6.955	\$3.030
NORTH BERGEN	\$326,175,600	70.56	\$462,267,007	\$26,623,623	78.46	\$33,932,734	\$428,334,273	\$3.786	\$2.671
SECAUCUS	\$2,087,633,409	80.55	\$2,591,723,661	\$95,145,123	72.35	\$131,506,735	\$2,460,216,926	\$2.561	\$2.063
BERGEN COUNTY	\$2,065,393,437	NA	3,074,341,119	\$250,451,146	NA	\$288,405,613	\$2,803,083,552	NA	NA
HUDSON COUNTY	\$2,569,337,242	NA	3,390,939,384	\$168,757,913	NA	\$220,867,173	\$3,170,072,211	NA	NA
ALL MUNICIPALITIES	\$4,634,730,679	NA	6,465,280,503	\$419,209,059	NA	\$509,272,786	\$5,973,155,763	NA	NA

TS2006

	(18)	(19)	(20)	(21)	(22)	(23)	(24)
	2003 TAXES COLLECTED LESS COUNTY TAXES POST 1970 RATABLES (Col. 14 * Col. 7)	DIRECT RETENTION (60% OF COL.18)	TOTAL SUBJECT TO TAX SHARING (COL. 18 - COL. 19)	GUARANTEE PAYMENTS	SCHOOL SERVICE PAYMENTS (Col. 10 * Col. 11)	APPORTIONMENT PAYMENTS (%IN COL. 15 * [COL. 20 -(COLS. 21+22)])	TOTAL CREDIT DUE MUNICIPALITY (TOTAL OF COLUMNS 21+22+23)
CARLSTADT	\$12,367,085	\$7,420,251	\$4,946,834	\$0	\$0	\$3,939,278	\$3,939,278
EAST RUTHERFORD	\$8,027,189	\$4,816,313	\$3,210,876	\$0	\$0	\$3,327,646	\$3,327,646
LITTLE FERRY	\$2,837,128	\$1,702,277	\$1,134,851	\$0	\$0	\$735,890	\$735,890
LYNDHURST	\$9,413,892	\$5,648,335	\$3,765,557	\$0	\$0	\$3,283,115	\$3,283,115
MOONACHIE	\$4,145,071	\$2,487,043	\$1,658,028	\$0	\$0	\$1,411,628	\$1,411,628
NORTH ARLINGTON	\$104,677	\$62,806	\$41,871	\$0	\$0	\$838,758	\$838,758
RIDGEFIELD	\$1,284,334	\$770,600	\$513,734	\$0	\$0	\$1,688,503	\$1,688,503
RUTHERFORD	\$2,931,326	\$1,758,796	\$1,172,530	\$0	\$0	\$965,706	\$965,706
SOUTH HACKENSACK	\$872,587	\$523,552	\$349,035	\$0	\$0	\$150,769	\$150,769
TEKERBORO	\$0	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$1,916,243	\$1,149,746	\$766,497	\$0	\$82,382	\$1,636,712	\$1,719,094
KEARNY	\$4,173,309	\$2,503,985	\$1,669,324	\$0	\$0	\$5,786,393	\$5,786,393
NORTH BERGEN	\$8,841,342	\$5,304,805	\$3,536,537	\$0	\$0	\$2,241,247	\$2,241,247
SECAUCUS	\$35,761,970	\$21,457,182	\$14,304,788	\$0	\$4,578,575	\$6,403,859	\$10,982,434
BERGEN COUNTY	\$41,983,289	25,189,973	\$16,793,316	\$0	\$0	\$16,341,293	\$16,341,293
HUDSON COUNTY	\$50,692,864	30,415,718	\$20,277,146	\$0	\$4,660,957	\$16,068,211	\$20,729,168
ALL MUNICIPALITIES	\$92,676,153	\$55,605,691	\$37,070,462	\$0	\$4,660,957	\$32,409,504	\$37,070,461

TS2006

EXHIBIT B-1

	2006 PRE-ADJUSTMENT PAYMENT (Col. 24 - 20)		ADJUSTMENT FOR 2005		ADJUSTMENT FOR 2004		TOTAL 2006		2006 ADI. PAYMENT		DIFFERENCE (30)
	(25)	(26)	(27)	(28)	(29)	(30)	(31)	(32)			
CARLSTADT	(\$1,007,556)	\$65,748	\$40,600	(\$901,208)	(\$901,208)	\$0	(\$901,208)	\$0	\$0	\$0	\$0
EAST RUTHERFORD	\$116,770	(\$6,337)	\$5,483	\$115,916	\$115,916	\$0	\$115,916	\$0	\$0	\$0	\$0
LITTLE FERRY	(\$398,961)	(\$3,305)	\$7,664	(\$394,602)	(\$394,602)	\$0	(\$394,602)	\$0	\$0	\$0	\$0
LYNDHURST	(\$482,442)	(\$14,631)	\$78,860	(\$418,213)	(\$418,213)	\$0	(\$418,213)	\$0	\$0	\$0	\$0
MOONACHIE	(\$246,400)	(\$6,210)	\$17,487	(\$235,123)	(\$235,123)	\$0	(\$235,123)	\$0	\$0	\$0	\$0
NORTH ARLINGTON	\$796,887	(\$3,051)	(\$16,177)	\$777,659	\$777,659	\$0	\$777,659	\$0	\$0	\$0	\$0
RIDGEFIELD	\$1,174,769	(\$7,203)	(\$36,029)	\$1,131,537	\$1,131,537	\$0	\$1,131,537	\$0	\$0	\$0	\$0
RUTHERFORD	(\$206,824)	\$3,165	\$18,662	(\$184,997)	(\$184,997)	\$0	(\$184,997)	\$0	\$0	\$0	\$0
SOUTH HACKENSACK	(\$198,266)	(\$749)	\$6,478	(\$192,537)	(\$192,537)	\$0	(\$192,537)	\$0	\$0	\$0	\$0
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$952,597	(\$7,203)	(\$38,587)	\$906,807	\$906,807	\$0	\$906,807	\$0	\$0	\$0	\$0
KEARNY	\$4,117,069	(\$25,280)	(\$135,436)	\$3,956,353	\$3,956,353	\$0	\$3,956,353	\$0	\$0	\$0	\$0
NORTH BERGEN	(\$1,295,290)	\$11,789	\$194,443	(\$1,089,058)	(\$1,089,058)	\$0	(\$1,089,058)	\$0	\$0	\$0	\$0
SECAUCUS	(\$3,322,355)	(\$6,733)	(\$143,448)	(\$3,472,536)	(\$3,472,536)	\$0	(\$3,472,536)	\$0	\$0	\$0	\$0
BERGEN COUNTY	(\$452,023)	\$27,427	\$123,028	(\$301,568)	(\$301,568)	\$0	(\$301,568)	\$0	\$0	\$0	\$0
HUDSON COUNTY	\$452,021	(\$27,427)	(\$123,028)	\$301,566	\$301,566	\$0	\$301,566	\$0	\$0	\$0	\$0
ALL MUNICIPALITIES	(\$2)	\$0	\$0	(\$2)	(\$2)	\$0	(\$2)	\$0	\$0	\$0	\$0

2008 RECALCULATION

EXHIBIT B-2

	2004 COMPARISON YEAR				1970 BASE YEAR				EFFECTIVE TAX RATE (Col. 8 * Col. 2) (9)
	2004 AGGREGATE ASSESSED VALUATION (1)	2004 EQUALIZATION RATIO NISA54:1.35:1 * (2)	2004 AGGREGATE TRUE VALUATION (Col. 1/Col.2) (3)	1970 AGGREGATE ASSESSED VALUATION (4)	1970 EQUALIZATION RATIO NISA54:1.35:1 (5)	1970 AGGREGATE TRUE VALUATION (Col. 4/Col.5) (6)	EQUALIZATION INCREASE/DECREASE OF TRUE VALUE IN COMPARISON YEAR (Col. 3 - 6) (7)	2004 MUNICIPAL TAX RATE (ADJUSTED) (8)	
CARLSTADT	\$694,303,748	58.53 %	\$1,186,235,688	\$72,295,483	72.05 %	\$100,340,712	\$1,085,894,976	\$2,442	\$1,429
EAST RUTHERFORD	\$432,650,045	65.53	\$660,232,024	\$41,975,219	89.51	\$46,894,446	\$613,337,578	\$2,434	\$1,595
LITTLE FERRY	\$99,613,900	58.69	\$169,728,915	\$14,203,275	98.28	\$14,451,847	\$155,277,068	\$3,630	\$2,130
LYNDHURST	\$360,551,300	62.69	\$575,133,674	\$12,098,803	69.11	\$17,506,588	\$557,627,086	\$3,032	\$1,901
MOONACHIE	\$230,075,429	61.73	\$372,712,504	\$49,175,466	106.62	\$46,122,178	\$326,590,326	\$2,497	\$1,541
NORTH ARLINGTON	\$2,826,400	61.00	\$4,633,443	\$330,900	68.96	\$479,843	\$4,153,600	\$3,562	\$2,173
RIDGEFIELD	\$87,235,700	51.90	\$168,084,200	\$20,349,950	90.05	\$22,598,501	\$145,485,699	\$2,286	\$1,186
RUTHERFORD	\$93,559,300	58.25	\$160,616,824	\$15,347,700	102.94	\$14,909,365	\$145,707,459	\$3,502	\$2,040
SOUTH HACKENSACK	\$51,469,100	84.48	\$60,924,598	\$6,072,150	76.34	\$7,954,087	\$52,970,511	\$2,454	\$2,073
TETERBORO	\$0	0.00	\$0	\$18,602,200	108.48	\$17,148,046	\$0	\$0,000	\$0,000
JERSEY CITY	\$63,532,900	44.01	\$144,360,145	\$15,980,900	90.1	\$17,736,848	\$126,623,297	\$4,620	\$2,033
KEARNY	\$90,364,558	38.41	\$235,263,103	\$31,008,267	82.27	\$37,690,856	\$197,572,247	\$7,389	\$2,838
NORTH BERGEN	\$296,058,300	60.42	\$490,000,497	\$26,623,623	78.46	\$33,932,734	\$456,067,763	\$3,892	\$2,352
SECAUCUS	\$2,119,738,115	68.51	\$3,094,056,510	\$95,145,123	72.35	\$131,506,735	\$2,962,549,775	\$2,628	\$1,800
BERGEN COUNTY	\$2,052,284,922	NA	3,358,301,869	\$250,451,146	NA	\$288,405,613	\$3,087,044,302	NA	NA
HUDSON COUNTY	\$2,569,693,873	NA	3,963,680,255	\$168,757,913	NA	\$220,867,173	\$3,742,813,082	NA	NA
ALL MUNICIPALITIES	\$4,621,978,795	NA	7,321,982,124	\$419,209,059	NA	\$509,272,786	\$6,829,857,384	NA	NA

TS2007

	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
	2004 INCREASE OF H.M. PUPILS OVER BASE YEAR 1970	2004 COST PER PUPIL IN COMPARISON YEAR	2004 COUNTY PORTION OF TAX RATE	2004 MUNICIPAL/SCHOOL VET./S.C. PORTION OF TAX RATE	2004 APPORTIONMENT RATE (COL. 9 * COL. 13)	PERCENT OF H.M.D. LAND AREA FOR EACH MUNICIPALITY	2004 YEAR INCREASE IN TAXES OVER 1970 BASE YEAR (Col. 7 * Col. 9)	LESS PORTION OF COL. 12 COUNTY TAX PERCENT (Col. 16 * Col. 12)
CARLSTADT	0		12.405 %	87.595 %	1.2517326%	12.155 %	\$15,517,439	\$1,924,938
EAST RUTHERFORD	0		12.192	87.808	1.40053765%	10.268	\$9,782,734	\$1,192,711
LITTLE FERRY	0		8.531	91.469	1.9482897%	2.271	\$3,307,402	\$282,154
LYNDHURST	0		9.519	90.481	1.7200438%	10.130	\$10,600,491	\$1,009,061
MOONACHIE	0		11.396	88.604	1.3653876%	4.356	\$5,032,757	\$573,533
NORTH ARLINGTON	0		7.919	92.081	2.0009201%	2.588	\$90,258	\$7,148
RIDGEFIELD	0		15.410	84.590	1.0032374%	5.210	\$1,725,460	\$265,893
RUTHERFORD	0		8.768	91.232	1.8611328%	2.980	\$2,972,432	\$260,623
SOUTH HACKENSACK	0		9.791	90.209	1.8700326%	0.465	\$1,098,079	\$107,513
TEKERBORO	0		0.000	0.000	0.0000000%	-	\$0	\$0
JERSEY CITY	30	\$2,492	25.901	74.099	1.5064327%	5.050	\$2,574,252	\$666,757
KEARNY	0		18.922	81.078	2.3009936%	17.854	\$5,607,100	\$1,060,975
NORTH BERGEN	0		21.740	78.260	1.8406752%	6.915	\$10,726,714	\$2,331,988
SECAUCUS	397	\$13,025	28.282	71.718	1.2909240%	19.759	\$53,325,896	\$15,081,630
BERGEN COUNTY	0	NA	NA	NA	NA	50.421	\$50,127,052	\$5,623,574
HUDSON COUNTY	427	NA	NA	NA	NA	49.579	\$72,233,962	\$19,141,350
ALL MUNICIPALITIES	427	NA	NA	NA	NA	100.000	\$122,361,014	\$24,764,924

TS2007

EXHIBIT B-2

	(18)	(19)	(20)	(21)	(22)	(23)	(24)
	(SECTION 1317 - 67)	DIRECT	TOTAL SUBJECT	GUARANTEE	SCHOOL SERVICE	APPORTIONMENT PAYMENTS	TOTAL CREDIT DUE
	2004 TAXES COLLECTED	RETENTION	TO TAX SHARING	PAYMENTS	PAYMENTS	(%IN COL. 15 *	MUNICIPALITY
	LESS COUNTY TAXES	(60% OF COL 18)	(COL. 18 - COL. 19)		(Col. 10 * Col. 11)	[COL. 20 -(COLS. 21+22)]	(TOTAL OF COLUMNS
	POST 1970 RATIFIABLES						21+22+23)
	(Col. 14 * Col. 7)						
CARLSTADT	\$13,592,501	\$8,155,501	\$5,437,000	\$0	\$0	\$4,107,407	\$4,107,407
EAST RUTHERFORD	\$8,590,023	\$5,154,014	\$3,436,009	\$0	\$0	\$3,469,671	\$3,469,671
LITTLE FERRY	\$3,025,247	\$1,815,148	\$1,210,099	\$0	\$0	\$767,298	\$767,298
LYNDHURST	\$9,591,430	\$5,754,858	\$3,836,572	\$0	\$0	\$3,423,239	\$3,423,239
MOONACHIE	\$4,459,224	\$2,675,534	\$1,783,690	\$0	\$0	\$1,471,877	\$1,471,877
NORTH ARLINGTON	\$83,110	\$49,866	\$33,244	\$0	\$0	\$874,556	\$874,556
RIDGEFIELD	\$1,459,567	\$875,740	\$583,827	\$0	\$0	\$1,760,568	\$1,760,568
RUTHERFORD	\$2,711,809	\$1,627,085	\$1,084,724	\$0	\$0	\$1,006,923	\$1,006,923
SOUTH HACKENSACK	\$990,566	\$594,340	\$396,226	\$0	\$0	\$157,204	\$157,204
TEKERBORO	\$0	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$1,907,495	\$1,144,497	\$762,998	\$0	\$74,760	\$1,706,568	\$1,781,328
KEARNY	\$4,546,125	\$2,727,675	\$1,818,450	\$0	\$0	\$6,033,358	\$6,033,358
NORTH BERGEN	\$8,394,726	\$5,036,836	\$3,357,890	\$0	\$0	\$2,336,904	\$2,336,904
SECAUCUS	\$38,244,266	\$22,946,560	\$15,297,706	\$0	\$5,170,925	\$6,677,177	\$11,848,102
BERGEN COUNTY	\$44,503,477	26,702,086	\$17,801,391	\$0	\$0	\$17,038,743	\$17,038,743
HUDSON COUNTY	\$53,092,612	31,855,568	\$21,237,044	\$0	\$5,245,685	\$16,754,007	\$21,999,692
ALL MUNICIPALITIES	\$97,596,089	\$8,557,654	\$39,038,435	\$0	\$5,245,685	\$33,792,750	\$39,038,435

	2007 PRE-ADJUSTMENT PAYMENT (Col. 24 - 20) (25)	ADJUSTMENT FOR 2006 RECALCULATION (26)	ADJUSTMENT FOR 2005 RECALCULATION (27)	TOTAL 2007 ADJUSTMENT PAYMENT RECALCULATED (28)	2007 ADJ. PAYMENT RECALCULATED (29)	DIFFERENCE (30)
CARLSTADT	(\$1,329,593)	(\$8,403)	(\$6,179)	(\$1,344,175)	(\$1,353,992)	\$9,817
EAST RUTHERFORD	\$33,662	\$925	\$2,320	\$36,907	\$52,565	(\$15,658)
LITTLE FERRY	(\$442,801)	\$205	\$860	(\$441,736)	(\$436,382)	(\$5,354)
LYNDHURST	(\$413,333)	\$913	\$3,806	(\$408,614)	(\$384,730)	(\$23,884)
MOONACHIE	(\$311,813)	\$393	(\$256)	(\$311,676)	(\$301,407)	(\$10,269)
NORTH ARLINGTON	\$841,312	\$233	\$794	\$842,339	\$848,441	(\$6,102)
RIDGEFIELD	\$1,176,741	\$469	\$1,874	\$1,179,084	\$1,191,368	(\$12,284)
RUTHERFORD	(\$77,801)	\$269	\$1,088	(\$76,444)	(\$69,419)	(\$7,025)
SOUTH HACKENSACK	(\$239,022)	\$42	\$195	(\$238,785)	(\$237,688)	(\$1,097)
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$1,018,330	\$456	\$1,874	\$1,020,660	\$1,032,566	(\$11,906)
KEARNY	\$4,214,908	\$1,609	\$6,576	\$4,223,093	\$4,265,187	(\$42,094)
NORTH BERGEN	(\$1,020,986)	\$1,109	\$889	(\$1,018,988)	(\$1,191,432)	\$172,444
SECAUCUS	(\$3,449,603)	\$1,781	(\$13,841)	(\$3,461,663)	(\$3,415,076)	(\$46,587)
BERGEN COUNTY	(\$762,648)	(\$4,954)	\$4,502	(\$763,100)	(\$691,244)	(\$71,856)
HUDSON COUNTY	\$762,649	\$4,955	(\$4,502)	\$763,102	\$691,245	\$71,857
ALL MUNICIPALITIES	\$1	\$1	\$0	\$2	\$1	\$1

MUNICIPALITY:	IN LIEU OF TAX PAYMENT	TAX RATE	ASSUMED ASSESSED VALUATION COL. 1/2	EQUALIZATION RATIO 54-1.35.1	EQUALIZED VALUATION COL. 3/4
CARLSTADT	\$0	N/A	N/A	N/A	N/A
EAST RUTHERFORD (A,B)	\$3,626,715	2.500	\$145,068,600	58.14	\$249,515,996
LITTLE FERRY	\$0	N/A	N/A	N/A	N/A
LYNDHURST	\$0	N/A	N/A	N/A	N/A
MOONACHIE	\$16,335	\$1.350	\$1,210,000	\$109.71	\$1,102,908
NORTH ARLINGTON	\$0	N/A	N/A	N/A	N/A
RIDGEFIELD	\$0	N/A	N/A	N/A	N/A
RUTHERFORD	\$0	N/A	N/A	N/A	N/A
SOUTH HACKENSACK	\$0	N/A	N/A	N/A	N/A
TETERBORO	\$0	N/A	N/A	N/A	N/A
JERSEY CITY	\$0	N/A	N/A	N/A	N/A
KEARNY	\$0	N/A	N/A	N/A	N/A
NORTH BERGEN (B)	\$0	N/A	N/A	N/A	N/A
SECAUCUS (B)	\$47,176	2.860	\$1,649,510	63.47	\$2,598,882
BERGEN COUNTY	\$3,643,050		\$146,278,600	-	\$250,618,904
HUDSON COUNTY	\$47,176		\$1,649,510	-	\$2,598,882
ALL MUNICIPALITIES	\$3,690,226		\$147,928,110	-	\$253,217,786

(A) INCLUDES PAYMENT FROM N.J.S.E.A.

(B) NJMC OWNED PROPERTIES

NEW JERSEY MEADOWLANDS COMMISSION
2005 COMPARISON YEAR
REVISION OF TAX RATES
TO ADJUST FOR COMPOUNDING

SCHEDULE 2

GENERAL TAX RATE COL. 7* 2005	SEC. 12-D* TAX LEVY ON WHICH TAX RATE IS COMPUTED (2)	ADJUSTMENT PAYMENT 2005 (3)	ADJ. TAX LEVY (2-3) (4)	NET VALUATION TAXABLE COL 6* (5)	ADJ. TAX RATE (4)/(5) (6)	NET COUNTY TAXES APPORTIONED (7)	TAX RATE % COUNTY TAXES (7)/(4) (8)	TAX RATE % ALL OTHER USES (9)
2.780	\$29,302,004	(\$1,052,976)	\$28,249,028	\$1,055,036,099	\$2.678	\$3,420,837	12.110%	87.890%
2.500	\$22,050,865	\$244,135	\$22,295,000	\$882,647,583	\$2.526	\$2,602,249	11.672%	88.328%
1.780	\$21,973,962	(\$352,423)	\$21,621,539	\$1,235,795,240	\$1.750	\$1,887,747	8.731%	91.269%
3.200	\$45,715,490	(\$354,058)	\$45,361,432	\$1,431,510,850	\$3.169	\$4,369,270	9.632%	90.368%
1.350	\$10,808,822	(\$241,743)	\$10,567,079	\$804,097,900	\$1.314	\$1,248,646	11.816%	88.184%
3.650	\$29,366,648	\$635,567	\$30,002,215	\$805,206,400	\$3.726	\$2,517,522	13.222%	91.609%
1.170	\$21,570,991	\$1,082,268	\$22,653,259	\$1,854,169,156	\$1.222	\$2,995,107	8.391%	86.778%
3.710	\$46,333,181	(\$191,377)	\$46,141,804	\$1,252,104,081	\$3.685	\$4,083,469	8.850%	91.150%
2.610	\$10,011,623	(\$157,823)	\$9,853,800	\$384,936,698	\$2.560	\$887,679	9.008%	90.992%
NA	NA	NA	NA	NA	NA	NA	NA	NA
4.605	\$251,889,591	\$821,284	\$252,710,875	\$5,470,850,530	\$4.619	\$65,277,811	25.831%	74.169%
7.329	\$77,588,723	\$3,983,091	\$81,571,814	\$1,058,747,069	\$7.765	\$14,602,604	17.902%	82.098%
4.071	\$100,106,860	(\$1,047,037)	\$99,059,823	\$2,459,049,775	\$4.028	\$21,200,580	21.402%	78.598%
2.860	\$70,995,280	(\$3,368,908)	\$67,626,372	\$2,482,968,997	\$2.724	\$18,953,942	27.998%	72.002%

HMDC
STUDENT ENROLLMENT
AS OF SEPTEMBER 30, 2005
WITH BASE YEAR 1970

SCHEDULE 3

MUNICIPALITY:	LOCAL DISTRICT SCHOOL ENROLLMENT	REGIONAL DISTRICT SCHOOL ENROLLMENT	LOCAL and REGIONAL SCHOOL ENROLLMENT	1970 BASE YEAR H.M.D.C. SCHOOL ENROLLMENT	2005 H.M.D.C. ENROLLMENT	INCREASE (DECREASE) STUDENT ENROLLMENT
CARLSTADT	487	210	697	14	0	-14
EAST RUTHERFORD	745	263	1008	26	0	-26
LITTLE FERRY	1337	0	1337	274	218	-56
LYNDHURST	2225	0	2225	0	0	0
MOONACHIE	410	0	410	223	141	-82
NORTH ARLINGTON	1540	0	1540	0	0	0
RIDGEFIELD	1794	0	1794	0	0	0
RUTHERFORD	2482	0	2482	0	0	0
SOUTH HACKENSACK	309	0	309	0	0	0
TETERBORO	0	0	0	0	0	0
JERSEY CITY	27815	0	27815	16	10	-6
KEARNY	5174	0	5174	0	0	0
NORTH BERGEN	7121	0	7121	29	0	-29
SECAUCUS	1812	0	1812	408	801	393
BERGEN COUNTY	11329	473	11802	537	359	-178
HUDSON COUNTY	41922	0	41922	453	811	358
ALL MUNICIPALITIES	53251	473	53724	990	1170	180

NEW JERSEY MEADOWLANDS COMMISSION
2005 SCHOOL TAX DATA

MUNICIPALITY:	(1) LOCAL TAXES AS REQUIRED BY DISTRICT SCHOOL BUDGET	(2) LOCAL TAXES AS REQUIRED BY REGIONAL SCHOOL BUDGET	(3) BY LOCAL MUNICIPAL BUDGET	(4) TOTAL SCHOOL TAXES COLUMNS (1-2+3)	(5) TOTAL SCHOOL DISTRICT ENROLLMENT	(6) COST PER PUPIL COL. 4/5
CARLSTADT	\$8,176,340	\$5,191,018	\$0	\$13,367,358	697	\$19,178
EAST RUTHERFORD	\$10,400,495	\$4,181,578	\$0	\$14,582,073	1008	\$14,466
LITTLE FERRY	\$12,522,663	\$0	\$0	\$12,522,663	1337	\$9,366
LYNDHURST	\$24,184,808	\$0	\$0	\$24,184,808	2225	\$10,870
MOONACHIE	\$5,734,368	\$0	\$0	\$5,734,368	410	\$13,986
NORTH ARLINGTON	\$16,780,343	\$0	\$0	\$16,780,343	1540	\$10,896
RIDGEFIELD	\$10,924,449	\$0	\$0	\$10,924,449	1794	\$6,089
RUTHERFORD	\$28,424,857	\$0	\$0	\$28,424,857	2482	\$11,452
SOUTH HACKENSACK	\$4,167,345	\$0	\$0	\$4,167,345	309	\$13,487
TETERBORO	\$247,973	\$0	\$0	\$247,973	0	\$0
JERSEY CITY	\$72,094,096	\$0	\$7,648,469	\$79,742,565	27815	\$2,867
KEARNY	\$40,436,465	\$0	\$0	\$40,436,465	5174	\$7,815
NORTH BERGEN	\$35,893,117	\$0	\$0	\$35,893,117	7121	\$5,040
SECAUCUS	\$25,701,672	\$0	\$0	\$25,701,672	1812	\$14,184
BERGEN COUNTY	\$121,563,641	\$9,372,596	\$0	\$130,936,237	11802	
HUDSON COUNTY	\$174,123,350	\$0	\$7,648,469	\$181,771,819	41922	
ALL MUNICIPALITIES	\$295,688,991	\$9,372,596	\$7,648,469	\$312,710,056	53724	

Final - 12/12/06

HMSCST

**RESOLUTION APPROVING AMENDMENTS TO GUIDELINES
CONCERNING SCARCE RESOURCE RESTRAINTS WITHIN THE
HACKENSACK MEADOWLANDS DISTRICT IN ACCORDANCE WITH
THE APPELLATE DIVISION DECISION IN A-4174-03T3; A-3107-04T1**

WHEREAS, in a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing; and

WHEREAS, the NJMC will not be able to implement new zoning regulations concerning affordable housing until the New Jersey Council on Affordable Housing publishes revised rules; and

WHEREAS, on July 25, 2007, the Commission adopted Resolution No. 07-68, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing"; and

WHEREAS, in the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing," the Commission directed the staff to prepare and implement, as soon as practicable, Guidelines that will govern the review of and restraints upon applications for further development in the Meadowlands District; and

WHEREAS, the proposed Guidelines entitled, "Emergency Restraints upon Further Development in the Meadowlands District, Instituted by the New Jersey Meadowlands Commission" were adopted by the Commission on September 19, 2007, by Resolution 07-74; and

WHEREAS, these Guidelines reference May 21, 2007 as the start date for all applications that are subject to the requirements of the Emergency Restraints; and

WHEREAS, the NJMC staff proposes revisions to the Emergency Restraints to eliminate the reference to the May 21, 2007 start date; and

WHEREAS, the NJMC staff recommends that the Commission adopt this revision to the Guidelines, attached hereto and made part of this resolution.

NOW THEREFORE BE IT RESOLVED that the New Jersey Meadowlands Commission hereby adopts the revised guidelines entitled "Emergency Restraints upon Further Development in the Meadowlands District, Instituted by the New Jersey Meadowlands Commission (Revised 1/23/08)"; and

BE IT FURTHER RESOLVED that the Revised Guidelines shall apply to all zoning certificate applications already filed with the NJMC which have not received zoning certificate approval as of the date of this resolution, and shall apply to all zoning certificate applications NJMC receives on or after the date of this resolution. The Guidelines shall remain in effect until the NJMC promulgates new regulations concerning affordable housing, or the Guidelines are withdrawn or rescinded by Commission action or court order, whichever occurs first.

The foregoing was adopted on Commission vote.

Joseph V. Doria, Jr.
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 January 23, 2008.

Robert R. Ceberio
Secretary

Resolution No. 08-03

Memorandum



New Jersey Meadowlands Commission

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

From: Ileana Kafrouni

Date: January 23, 2008

Subject: Amendments to Guidelines Concerning Scarce Resource Restraints

The NJMC adopted "Emergency Restraints Upon Further Development in the Meadowlands District" on September 19, 2007. At such time and thereafter, Kevin Walsh, Esq., counsel for the Fair Share Housing Corporation, offered public comment requesting that the NJMC modify the restraints so that they encompass all open zoning certificate applications, rather than limiting the applications to those received on or after May 21, 2007 (the date of the relevant Appellate Division decision that triggered the restraints). The Chairman of the NJMC, Joseph V. Doria, directed staff to meet with Mr. Walsh and the mayors of the NJMC municipalities to discuss this modification.

Staff met on two separate occasions with Mr. Walsh and the mayors of the NJMC communities that wished to participate to discuss this issue and to discuss solutions to the issues facing municipalities with respect to affordable housing generally. Those mayors included Mayor Dressel, Mayor Elwell, Mayor Santos and representatives of Jersey City and South Hackensack, as well as several consultants for the Town of Secaucus. The mayors and Mr. Walsh were provided with a list of applications that would be affected and those applications were discussed.

As a result of those meetings, the NJMC determined that the application of the Emergency Restraints Upon Further Development in the Meadowlands District to all applications pending, which have not obtained zoning certificate approval, further advances the policies of the Commission with respect to affordable housing and is consistent with legal precedent governing affordable housing. As such, the attached guidelines are proposed to be revised to apply to all zoning certificate applications already filed with the NJMC which have not received zoning certificate approval as of the date of this resolution, and to apply to all zoning certificate applications received by the NJMC on or after the date of this resolution.

The Guidelines shall remain in effect until the NJMC promulgates new regulations concerning affordable housing, or the Guidelines are withdrawn or rescinded by Commission action or court order, whichever occurs first.

At this time, the Commission staff proposes to amend the Scarce Resource Restraints as described above. A resolution requesting the same is attached for your consideration.

**Emergency Restraints upon Further Development in the Meadowlands District,
Instituted by the New Jersey Meadowlands Commission**

*Adopted by the NJMC at the 9/19/07 Commission Meeting
Revised by the NJMC at the 1/23/08 Commission Meeting*

I. Intent and Purpose

In a decision issued May 21, 2007, the Appellate Division affirmed that the New Jersey Meadowlands Commission (NJMC) is authorized to affirmatively plan for affordable housing in the Meadowlands District. IMO Adoption of N.J.A.C. 19:3, 393 N.J. Super. 173 (App.Div.2007). The Commission will address these planning issues promptly following publication of amended Third Round rules by the Council on Affordable Housing (COAH) Id. at 179; see also, IMO Adoption of N.J.A.C. 5:94 and 5:95, 390 N.J. Super. 1 (App Div.) Certif. denied, N.J. (2007). The Appellate Division further directed the NJMC to consider whether, and if so, to what extent, further development in the District should be avoided pending adoption of the new zoning rules. 393 N.J. Super. at 184.

The NJMC has determined that immediate restraints on further development in the Meadowlands District, as described herein, are necessary, because continued non-inclusionary development will substantially and adversely impact existing opportunities for lower income housing within the District.

In NJMC Resolution No. 07-68 adopted at its July 25, 2007 meeting, the NJMC directed its staff to prepare guidelines that will govern the review of and restraints upon applications for development in the District. The NJMC has directed that these guidelines be implemented as soon as practicable.

The guidelines that appear herein shall apply to all zoning certificate applications already filed with the NJMC which have not received zoning certificate approval as of January 23, 2008, and to all zoning certificate applications that the NJMC receives on or after January 23, 2008. The guidelines shall remain in effect until the NJMC's new zoning regulations governing affordable housing become effective or these guidelines are withdrawn or rescinded by Commission action or court order, whichever shall occur first.

II. NJMC Guidelines for Period of Emergency Restraints

- (a) Compliance with these guidelines and all pertinent COAH requirements shall be a condition of any zoning certificate issued by NJMC with respect to applications already filed with the NJMC pursuant to N.J.A.C. 19:4-4.2, which have not received zoning certificate approval as of January 23, 2008, and to all zoning certificate applications that the NJMC receives on or after January 23, 2008.
- (b) The NJMC shall not issue a certificate of completion and/or occupancy certification unless the proposed project complies with these guidelines.

- (c) These guidelines shall constitute the controlling instrument with respect to development in the District.
- (d) Zoning certificate applications for the following are exempt from these guidelines:
 - 1. Development limited to one or two market-rate dwelling units;
 - 2. Development by municipal, county, state, and federal government; and utilities, housing and improvement authorities;
 - 3. Signs, fences, site improvements, tanks, antennae, communications transmission towers, recycling and/or refuse areas, compactor pads, and external mechanical equipment; and
 - 4. Change in use within an existing structure, provided that the aforementioned change does not increase the occupancy load by 25 or more people.
- (e) A team of three (3) NJMC staff members, one of whom shall be a licensed professional planner and one of whom shall be a licensed professional engineer ("Review Team") shall review each application for a zoning certificate and prepare a recommendation regarding the suitability of the subject property for affordable housing. The recommendation shall be forwarded to the Commission for final action.
 - 1. A site shall be deemed unsuitable for affordable housing if it is located within one of the following zones:
 - i. Environmental Conservation;
 - ii. Parks and Recreation;
 - iii. Aviation Facilities; or
 - iv. Public Utilities.
 - 2. A site located within the following zones is generally deemed unsuitable for housing. However, a property owner may request that the Review Team evaluate the suitability of a particular site based on specific site characteristics, including size, location, surrounding land uses, environmental factors, and access to appropriate streets and adequate infrastructure:
 - i. Light Industrial B;
 - ii. Intermodal A;
 - iii. Intermodal B; or
 - iv. Heavy Industrial.

3. A site shall be deemed unsuitable for affordable housing pursuant to any of the following:
 - i. The parcel contains less than 7,500 square feet of buildable land;
 - ii. Former and existing land uses, either on the site or in the vicinity, may expose residents to environmental hazard, unless the site is remediated to NJDEP residential standards;
 - iii. The size, shape, or layout of any existing structures, or other physical limitation(s) not listed previously, precludes residential use;
 - iv. The site does not meet applicable COAH site suitability requirements at N.J.A.C. 5:94-1.4 and 4.5; or
 - v. The site is unsuitable for residential use pursuant to sound planning principles.
- (f) The development of any site determined to be suitable for affordable housing shall be halted until new NJMC zoning regulations governing affordable housing become effective. Exceptions shall be made with respect to development described in Paragraphs (g) and (h) below.
- (g) The Review Team shall permit applications for residential development to proceed in accordance with N.J.A.C. 19:4-4 where a minimum of 20 percent of the units are designated as affordable housing.
 1. The development may include accessory uses intended to contribute to the comfort, convenience, or necessity of residents. These accessory uses may result in an increased affordable housing obligation.
 2. The NJMC acknowledges the need for municipalities to provide balanced affordable housing opportunities for families with children and older householders. Therefore, to promote a balance, development with age-restricted affordable housing may be halted if the Review Team determines that such development will result in the creation of affordable age-restricted units in excess of 25 percent of the municipality's growth share obligation, calculated in accordance with N.J.A.C. 5:94-2.
- (h) Applications for non-residential development on sites the Review Team deems unsuitable for affordable housing pursuant to Paragraph (e) shall proceed in accordance with the procedures in N.J.A.C. 19:4-4 as long as the applicant provides for affordable housing elsewhere within the municipality subject to the following formula:

1. One affordable housing unit shall be provided for every 25 new jobs created, pursuant to the standards published by COAH as N.J.A.C. 5:94, Appendix E.
 2. When these calculations result in a fraction of a unit, that figure shall be rounded to the nearest hundredth decimal place to facilitate that calculation of a payment in lieu of construction.
 3. The NJMC reserves the right to promulgate rules to achieve consistency when COAH adopts amendments to its third round rules.
- (i) The applicant shall address the affordable housing requirement calculated in Paragraph (h) through one or a combination of the following methods:
1. Construction of affordable housing units elsewhere within the subject municipality. A written agreement between the developer and the municipality for the construction of affordable units elsewhere within the municipality shall be provided to the Review Team prior to issuance of any zoning certificate.
 2. A payment in lieu of construction to the Commission, which shall be determined and collected as follows:
 - i. The payment shall be calculated in accordance with the per-unit rates provided in Table 1 below.

TABLE 1

Payments in Lieu of Construction	
<u>Municipality</u>	<u>Per Unit Amount</u>
Carlstadt	\$147,072
East Rutherford	\$141,433
Jersey City	\$140,690
Kearny	\$142,887
Little Ferry	\$142,186
Lyndhurst	\$144,924
Moonachie	\$146,008
North Arlington	\$144,268
North Bergen	\$142,867
Ridgefield	\$153,596
Rutherford	\$145,328
Secaucus	\$144,128
South Hackensack	\$143,178
Teterboro	\$143,255

- ii. When the calculation results in a fraction of a unit, that figure shall be rounded to the nearest hundredth decimal place and multiplied by the per-unit payment rate.
 - iii. The submission of such payment to the NJMC shall be a condition of any zoning certificate.
 - iv. The NJMC shall not issue a certificate of completion or occupancy certification for the development that generated the affordable housing requirement until such payment is received in full or until a guaranteed payment plan is effectuated.
3. In a municipality that has an adopted growth share ordinance, a payment in lieu of construction fee shall be calculated and collected by the municipality, and not by the Commission. Proof of payment to the municipality shall be submitted to the NJMC prior to the issuance of any certificate of completion or occupancy certification.
- (j) The entire development shall be subject to the bulk requirements of the zone in which it is to be constructed unless altered by the NJMC pursuant to these guidelines.
 - (k) The maximum permitted residential density in any zone that does not provide a density for housing shall be 30 dwelling units per acre. An increase in this density will be considered by the NJMC subject to the submittal by the applicant of a planning report prepared by a NJ-licensed professional planner. The planning report shall be reviewed by the Review Team and a recommendation shall be made to the Commission.
 - (l) A rental bonus of three dwelling units per acre shall be permitted for every 25 affordable units reserved for renter households, exclusive of any density permitted in accordance with Paragraph (k).
 - (m) The minimum parking requirement for affordable units shall be one space for each affordable unit. In multiple family dwelling developments, affordable units shall not be required to provide visitor parking.
 - (n) The administration of affordable housing units provided in accordance with these guidelines shall conform to the requirements of COAH's substantive rules, N.J.A.C. 5:94 and the New Jersey Housing and Mortgage Finance Agency (HMFA)'s Uniform Housing Affordability Controls, N.J.A.C. 5:80-26, as amended and supplemented.
1. These provisions include, but are not limited to, requirements regarding phasing of units, controls on affordability, proportion of units allocated to persons of

low- or moderate-income, heating sources, maximum rent and/or sales prices, affordability average, bedroom distribution, and affirmative marketing.

2. The municipality shall be responsible for such administration, and may designate a COAH-approved entity to administer the affordable units for the duration of the required administration period.
 - i. The cost and expense of such administration may be imposed upon the developer pursuant to the terms and conditions of a duly adopted municipal ordinance.
 - ii. The entity shall assume the responsibilities of the administrative agent set forth by HMFA in N.J.A.C. 5:80-26.
 - iii. The municipality may request the NJMC to serve as the administrative agent.
 - iv. Funds from the sale of affordable units with extinguished affordability controls shall be deposited into the municipality's escrow account established in accordance with Paragraph (o).
- (o) All payments in lieu of constructing affordable housing units on site and funds from units with extinguished controls, collected by the NJMC in accordance with these guidelines, shall be deposited in an interest-bearing escrow account established by NJMC for the municipality in which the units would have been constructed.
 1. The escrow accounts shall be created pursuant to the terms of a three-party escrow agreement between each constituent municipality, the financial institution, and the NJMC.
 2. The NJMC shall include in future rulemaking provisions regarding the release of these funds to a municipality for the purpose of creating affordable housing.

III. Notice Requirements

- (a) The NJMC staff shall post, on the NJMC website at www.njmeadowlands.gov, a list of all applications received on or after January 1, 2007.
- (b) All recommendations regarding site suitability shall be brought before the Commission and shall be subject to the same public notice requirements as any Commission agenda item.
- (c) The NJMC staff shall notify a municipality of any zoning certificate application that will affect that municipality under these guidelines.

IV. Appeals

Property owners who believe that the NJMC's application of these guidelines to a proposed development or specific property adversely affects them may file an appeal as provided by NJMC regulations. See N.J.A.C. 19:4-4.19.

**RESOLUTION ISSUING A DECISION ON THE
SUITABILITY RECOMMENDATION AS REQUIRED BY THE
NJMC EMERGENCY RESTRAINTS UPON FURTHER DEVELOPMENT
FILE NO. 07-705, Progressive/New Building
(formerly, Rutherford Tarragon Develop./New Building)
BLOCK 219, LOT 67.07, IN THE BOROUGH OF RUTHERFORD**

WHEREAS, in a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing; and

WHEREAS, on July 25, 2007, the Commission adopted Resolution No. 07-68, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing"; and

WHEREAS, on September 19, 2007, the Commission adopted Resolution No. 07-74, which approved Guidelines entitled, "Emergency Restraints upon Further Development in the Meadowlands District, Instituted by the New Jersey Meadowlands Commission," that will govern the review of and restraints upon applications for further development in the Meadowlands District; and

WHEREAS, the Guidelines govern all zoning certificate applications received on or after May 21, 2007 and remain in effect until the NJMC promulgates new regulations concerning affordable housing, or the Guidelines are withdrawn or rescinded by Commission action or court order, whichever occurs first; and

WHEREAS, the Guidelines set forth the criteria for a Review Team, comprised of three NJMC staff members including one New Jersey-licensed professional engineer and one New Jersey-licensed professional planner, to review each zoning certificate application to determine the suitability of the subject site for residential use; and

WHEREAS, a zoning certificate application was submitted to the NJMC on November 8, 2007 by Francis X. Regan, Esq., on behalf of the Zarembo Group, LLC, for the premises identified as 290 Veterans Boulevard, Block 219, Lot 67.07, in the Borough of Rutherford, New Jersey and which is located in the Light Industrial A zone; and

WHEREAS, the application proposes to construct an 11,869 square foot automobile insurance claim center on the subject property, and as such, is not exempt from the Emergency Restraints; and

WHEREAS, the application was forwarded to the Review Team for review of the application in accordance with the Emergency Restraints; and

WHEREAS, a suitability review, dated January 16, 2008, and attached hereto, has been prepared, indicating the recommendation of the Review Team in this matter; and

WHEREAS, the suitability review recommends that the subject property is unsuitable for residential use; and

WHEREAS, the members of the NJMC have reviewed the suitability review and recommendation prepared by the Review Team, regarding the subject property; and

WHEREAS, the members of the NJMC concur with the recommendation of the Review Team; and

WHEREAS, the NJMC hereby determines that the subject property is unsuitable for residential use.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the subject property located at Block 219, Lot 67.07, in the Borough of Rutherford is unsuitable for residential use.

The foregoing was adopted on Commission vote.

Joseph V. Doria, Jr.
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 January 23, 2008.

Robert R. Ceberio
Secretary

Resolution No. 08-04

Memorandum



New Jersey Meadowlands Commission

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

From: Ileana Kafrouni Date: January 23, 2008

Subject: Site Suitability Recommendation for 290 Veterans Boulevard in the Borough of Rutherford

In a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing. The Commission followed up by adopting Resolution No. 07-68, on July 25, 2007, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing. Thereafter, on September 19, 2007, the Commission adopted Resolution No. 07-74, which approved Guidelines entitled, "Emergency Restraints upon Further Development in the Meadowlands District, Instituted by the New Jersey Meadowlands Commission."

These Guidelines will govern the review of and restraints upon zoning certificate applications for further development in the Meadowlands District. The Guidelines apply to all zoning certificate applications received on or after May 21, 2007 and will remain in effect until the NJMC promulgates new regulations concerning affordable housing, or the Guidelines are withdrawn or rescinded by Commission action or court order, whichever occurs first. The Guidelines set forth the criteria for a Review Team, comprised of three NJMC staff members including one New Jersey-licensed professional engineer and one New Jersey-licensed professional planner, to review each zoning certificate application to determine the suitability of the subject site for residential use.

A zoning certificate application was submitted to the NJMC on November 8, 2007, by Francis X. Regan, Esq., on behalf of the Zaremba Group, LLC, for the premises identified as 290 Veterans Boulevard, Block 219, Lot 67.07, in the Borough of Rutherford, New Jersey, and which is located in the Light Industrial A zone. The application proposes the construction of an 11,869 square foot automobile insurance claim center on the subject property, and as such, is not exempt from the Emergency Restraints.

The application was forwarded to the Review Team for review of the application in accordance with the Emergency Restraints. A suitability review, dated January 16, 2008, has been prepared, indicating that the Review Team recommends that the subject property is unsuitable for residential use.

At this time, Staff is recommending that the members of the NJMC concur with the suitability recommendation prepared by the Review Team, regarding the subject property, which determines that the subject property is unsuitable for residential use.

Suitability Review - Summary

File No. 07-705

Progressive/New Building

(formerly, Rutherford Tarragon Develop./New Building)

Block 219, Lot 67.07, in the Borough of Rutherford

January 16, 2008

A zoning certificate application (File No. 07-705) was submitted to the NJMC on November 8, 2007, by Francis X. Regan, Esq., on behalf of Zarembo, LLC, for the premises identified as 290 Veterans Boulevard, Block 219, Lot 67.07, in the Borough of Rutherford, New Jersey. The application proposes the construction of an 11,869 square foot automobile insurance claim center on the subject property.

The subject property is located in the Light Industrial A zone. As such, the site characteristics of the property have been evaluated in accordance with the "Emergency Restraints upon Further Development in the Meadowlands District, Instituted by the New Jersey Meadowlands Commission," adopted by the NJMC on September 19, 2007.

Proposed Use

As previously mentioned, the applicant proposes to construct an 11,869 square foot automobile insurance claim center on Block 219, Lot 67.07. A use variance would be required as this use is not permitted in the Light Industrial A zone.

In accordance with Section II(e)3 of the Emergency Restraints, a site shall be deemed unsuitable if any of the following apply:

i. Size of Property

Properties that contain less than 7,500 square feet of buildable land are deemed unsuitable to support the development of housing.

- Lot 67.07 has an area of 3.825 acres and currently contains a 50,300 square foot warehouse/office building with associated paved parking areas. As it currently exists, Lot 67.07 does not have significant areas of excess open space. The regulations require a minimum front yard setback of 50 feet, a side yard setback of 30 feet on any one side (90 feet total), and a rear yard setback of 75 feet. In addition, a minimum of 15 percent of the site must be maintained as open space. Deducting the existing impervious areas, wetlands, and required open space and setbacks from the overall lot area results in an available buildable area of only 2,450 square feet.

- If the existing improvements were removed, using the aforementioned bulk requirements, there would be approximately 49,200 square feet of buildable area. This buildable area would be sufficient for residential development.

ii. Former and Existing Land Uses

The existence of former and existing land uses, either on-site or in the vicinity of the site or in the vicinity, may expose residents to environmental hazard, unless the site is remediated to NJDEP residential standards.

- A Phase II Environmental Site Assessment, dated October 2007, prepared by Conestoga-Rovers & Associates for Progressive Casualty Insurance Company, Zaremba Group, LLC, indicates that contaminants in groundwater sampled from the site exceed the NJDEP Groundwater Quality Standards (GWQS).
- Based upon the results of a Phase II Environmental Site Assessment, dated October 2004, prepared by CDM for Mercedes-Benz, USA, LLC, the following contaminants found on site exceed current cleanup criteria of the NJDEP Residential Direct Contact Soil Cleanup Criteria (RDCSCC): Vinyl Chloride, 3,3'-Dichlorobenzidine, Pentachlorophenol, Bis(2-chloroisopropyl)ether, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Thallium, and Zinc.

iii. Size, Shape, or Layout

The size, shape, or layout of existing structures, or other physical limitation(s) not listed previously, precludes residential use.

- Due to the existing improvements, there is very little available area on Lot 67.07 to build residential units. The layout of the existing building, parking and loading areas, open space areas, setbacks, and wetlands would preclude residential use.
- Removal of the existing improvements would mitigate some of the above site layout constraints.
- The site has three front yards, which further constrains its buildable envelope. Removal of the existing site improvements would reduce the impact of, although not entirely eliminate, this constraint.

iv. COAH's Site Suitability Requirements

The site does not meet applicable COAH site suitability requirements at N.J.A.C. 5:94-1.4 and 4.5. A site would not meet COAH site suitability requirements if any one of the following items are applicable:

1. *The application does not comply with pertinent wetland regulations.*
2. *The site contains flood hazard constraints as defined in N.J.A.C. 7:13.*

3. *The site is listed on the State or National Register of Historic Places.*
4. *Adequate infrastructure, including utilities and/or roadways, is not available.*
 - Items 1 through 4 above are not applicable to the subject property.

v. Sound Planning Principles

The site is unsuitable for residential use pursuant to sound planning principles.

- The site as it currently exists, with its building, associated paved parking and loading areas, wetlands, and required open space and setbacks, is substantially built-out. No appropriate area remains on the site to construct residential units.
- If the existing improvements were removed, there would be more area for the construction of residential units. However, with or without the existing improvements, the site is unsuitable for residential use for the following reasons, as discussed above:
 1. The site is located within an industrial area and there is heavy truck traffic in the immediate vicinity.
 2. The area is isolated as it is surrounded by two major highways (Routes 3 and 17) as well as railroad tracks.
 3. The site is remote from residential neighborhoods, public schools, retail stores, recreational facilities, and other public amenities. The only pedestrian access to the rest of the community is across heavily-traveled Route 17.
 4. As a result of low elevations in the vicinity, there is recurring flooding, both on-site and on local roadways, which results in the frequent closure of the local roads and Route 17, thus hindering access to the site for pedestrians and vehicular traffic, including emergency services.

In summary, when the site is considered with the existing improvements, four of the above criteria, per Section II(e)3 of the Emergency Restraints, apply to the subject property. When the site is considered without the existing improvements, two of the above criteria, Former and Existing Land Uses and Sound Planning Principles, apply to the subject property.

Since at least two of the criteria apply to the site, Lot 67.07 is deemed unsuitable for housing. Therefore, the applicant may proceed with the proposed development; however, the proposed development may generate a need for affordable housing within the municipality. As a condition of zoning certificate approval, the applicant shall be required to satisfy the project's affordable housing requirements as per Section II of the Emergency Restraints.

**RESOLUTION ADOPTING NEW RULES AT N.J.A.C. 19:3-7 THAT GOVERN
THE DEBARMENT AND SUSPENSION FROM CONTRACTING**

WHEREAS, the New Jersey Meadowlands Commission (NJMC) is authorized by N.J.S.A. 13:17-6(i) to adopt codes and standards regarding the zoning and rezoning of lands within the Meadowlands District; and

WHEREAS, a Notice of Proposal was filed with the Office of Administrative Law for publication in the September 4, 2007 issue of the New Jersey Register proposing to adopt new rules at N.J.A.C. 19:3-7 regarding the debarment, disqualification and suspension from contracting; and

WHEREAS, a public hearing was held on October 2, 2007 at the Offices of the Commission to receive comment on the rulemaking proposal, two comments were received; and

WHEREAS, the matter was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) on November 7, 2007; and

WHEREAS, based on the record in this matter, the staff recommends that the NJMC adopt the proposed regulations and authorize the NJMC staff to file a Notice of Adoption with the Office of Administrative Law. The new rules will become effective upon publication in the Register.

NOW, THEREFORE, BE IT RESOLVED, that the New Jersey Meadowlands Commission hereby adopts the proposed regulations as set forth in the Notice of Adoption, and authorizes the staff to submit the Notice of Adoption to the Office of Administrative Law for publication in the New Jersey Register.

The foregoing was adopted on Commission vote.

Joseph V. Doria, Jr.
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 January 23, 2008.

Robert R. Ceberio
Secretary

Resolution No. 08-05

Memorandum



New Jersey Meadowlands Commission

To: NJMC Commissioners
Robert R. Ceberio
From: _____ Date: January 23, 2008
Subject: SP-583 Debarment and Suspension from Contracting

On July 25, 2007, the NJMC authorized its staff to file a notice of proposal and hold a public hearing regarding the adoption of proposed new rules governing the debarment and suspension from contracting at N.J.A.C. 19:3-7. The rules were proposed in order to ensure that the NJMC has a mechanism in place to ensure that its contracting processes are carried out in accordance with the most stringent ethical standards legally available.

A Notice of Proposal was filed with the Office of Administrative Law for publication in the New Jersey Register (NJR). The Notice appeared in the September 4, 2007 issue of the NJR. The public comment period ended on November 3, 2007.

A public hearing was held on October 2, 2007 at the Offices of the Commission to receive comment on the proposal. Two public comments were received on the proposal.

On November 7, 2007, the matter was forwarded to the HMMC for its consideration. No comments were provided by the HMMC during its 45-day comment period, which ended on December 24, 2007.

The NJMC staff has received comments and proposes several agency-initiated changes, grammatical corrections, and minor changes in the response to comments in the proposed rules.

Based on the record in this matter, the staff is requesting that the Commission readopt the proposed new rules and authorize the staff to file a Notice of Adoption with the Office of Administrative Law. A resolution requesting same is attached for your consideration.

**RESOLUTION AUTHORIZING NEW JERSEY MEADOWLANDS
COMMISSION AND ITS STAFF TO FILE A NOTICE OF PROPOSAL AND
HOLD A PUBLIC HEARING FOR PROPOSED CHANGES TO THE NJMC
REGULATIONS REGARDING SPECIAL EXCEPTION APPLICATIONS**

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 Hackensack Meadowlands District (HMD); and

WHEREAS, on June 2, 2005, the Commission adopted new regulations that revised the procedure on deciding variance applications in order to be consistent with the decision issued by the Superior Court of New Jersey Appellate Division in In re Amico Tunnel Carwash, bearing docket number A-4656-02T5 ; and

WHEREAS, the regulations adopted on June 2, 2005, applied only to variance decisions and not special exception decisions; and

WHEREAS, special exception applications currently are decided by the Chief Engineer and the Executive Director, while variance decisions are decided by the NJMC Board of Commissioners; and

WHEREAS, the NJMC staff propose to amend the NJMC's Special Exception regulations, specifically, N.J.A.C. 19:4-4.13, to harmonize the procedure for decisions regarding special exceptions with the procedure for decisions regarding variances; and

WHEREAS, until such time as the amended rules are adopted, special exception applications shall be handled in the same manner as variance applications;

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 rule change to the Special Exception regulations; and

BE IT FURTHER RESOLVED that until such time as the amended rules are adopted, the staff is authorized to utilize the procedure promulgated for the decision of variance applications, at N.J.A.C. 19:4-4.14, for the decision of special exception applications.

The foregoing Resolution was adopted by Commission vote.

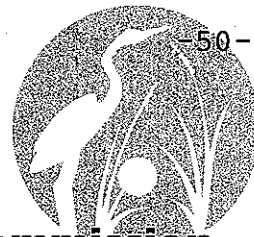
Joseph V. Doria, Jr.
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of January 23, 2008.

Robert R. Ceberio
Secretary

Resolution No. 08-06

Memorandum



New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert Ceberio, Executive Director

From: Ileana Kafrouni Date: January 23, 2008

Subject: Revision of NJMC Regulations regarding Special Exception applications

The NJMC regulations regarding the decision of special exception applications follow a separate procedure from that of variance applications. While variance recommendations are proposed to the Board of Commissioners for decision, special exception applications are decided by the Chief Engineer and the Executive Director.

The procedure for variance decisions was changed on June, 2, 2005 in order to be consistent with the decision issued by the Superior Court of New Jersey Appellate Division in In re Amico Tunnel Carwash. Specifically, the Appellate Division found that the NJMC staff may continue to process variance applications, may hold the public hearings necessary for such applications, and may forward a recommendation to the Board of Commissioners, but that the Commissioners must vote on the final outcome of the application. As a result of the Appellate Division decision in In re Amico Tunnel Carwash, the NJMC promulgated new rules setting forth a revised procedure for variance applications that provides for the decision to be made by vote of the Board of Commissioners.

The In re Amico Tunnel Carwash decision did not address special exceptions, however, in order to harmonize the procedure for decisions regarding special exceptions with the procedure for decisions regarding variances, the NJMC staff proposes to amend the NJMC's Special Exception regulations, specifically, N.J.A.C. 19:4-4.13. For consistency in procedures and until such time as the amended rules are adopted, special exception applications should be decided in the same manner as variance applications.

At this time, the NJMC staff is requesting authorization to file a Notice of Proposal with the Office of Administrative Law for publication in the New Jersey Register in order to obtain public input on proposed regulations, including holding a public hearing on this matter. In addition, the staff is requesting authorization to utilize the procedures promulgated for the decision of variance applications, at N.J.A.C. 19:4-4.14, for the decision of special exception applications submitted prior to the adoption of new rules. A resolution requesting the same is attached for your consideration.

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROPRIATE
\$500,000 FOR SPECIAL COUNSEL TO BE RETAINED BY THE OFFICE OF THE
ATTORNEY GENERAL FOR WORK ASSOCIATED WITH THE
ENCAP REDEVELOPMENT AGREEMENT**

WHEREAS, the New Jersey Meadowlands Commission (NJMC) entered into the Third Amended and Restated Landfill Closure and Development Agreement with EnCap Gold Holdings, LLC (EnCap) on August 9, 2006; and

WHEREAS, due to the default under the Agreement by EnCap and the complex nature of the potential consequences, the staff of the Office of the Attorney General requires further assistance of special counsel.

NOW, THEREFORE, BE IT RESOLVED that the NJMC hereby authorize the Executive Director to appropriate five hundred thousand dollars (\$500,000) for special counsel, Lowenstein Sandler, to be retained by the Office of the Attorney General.

The foregoing was adopted on Commission vote.

Joseph V. Doria, Jr.
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 January 23, 2008.

Robert R. Ceberio
Secretary

Memorandum



New Jersey Meadowlands Commission

To: NJMC Commissioners

From: Robert R. Ceberio and Irfan A. Bora Date: January 23, 2008

Subject: Special Counsel - EnCap Golf Redevelopment Agreement

The New Jersey Meadowlands Commission (NJMC) entered into the Third Amended and Restated Landfill Closure and Development Agreement with EnCap Golf Holdings, LLC (EnCap) on August 9, 2006. Due to the default under the Agreement by EnCap and the complex nature of the potential consequences, the staff of the Office of the Attorney General requires further assistance of special counsel.

Staff recommends that, in consultation with the Attorney General's office, the NJMC authorize the Executive Director to appropriate five hundred thousand dollars (\$500,000) for special counsel, Lowenstein Sandler, to be retained by the Office of the Attorney General.