

Board Meeting

Thursday, January 14, 2016



We Bring the World to New Jersey

AGENDA
REGULAR SESSION

Thursday, January 14, 2016 - 10:00 a.m.
Two DeKorte Park Plaza, Lyndhurst, NJ

I. **APPROVAL OF MINUTES** - (Action)

- Approval of Regular Session Meeting Minutes of December 17, 2015

II. **PUBLIC PARTICIPATION ON RESOLUTIONS**

III. **APPROVALS** – (Action)

Cash Disbursements Approval and/or Ratification of Cash Disbursements over \$100,000 for December 2015.

Resolution 2016-70 Consideration of a Resolution certifying the Meadowlands Adjustment Payments for CY2016.

Resolution 2016-71 Consideration of a Resolution issuing a decision on the Variance Application submitted as part of File No. 15-067 - Moonachie Land Inc./Ideal Driving, Inc. in the Borough of Moonachie.

Resolution 2016-72 Consideration of a Resolution to deem 100 Park Plaza Drive (Block 227, Lots 4.03 and 4.04) in the Town of Secaucus as An Area in Need of Redevelopment.

IV. **CHIEF EXECUTIVE OFFICER'S REPORT**

V. **PUBLIC COMMENTS**

VI. **EXECUTIVE SESSION**

Resolution 2016-73 Resolution authorizing the New Jersey Sports and Exposition Authority to conduct a meeting, to which the general public shall not be admitted for the purposes of discussing legal matters, personnel matters and contract negotiations.

VII. **APPROVALS** (Action)

Resolution 2016-74 Consideration of a Resolution regarding outside counsel.

Public Comment on Resolution

VIII. **MOTION TO ADJOURN**



**REGULAR SESSION BOARD MEETING
December 17, 2015**

DATE: December 17, 2015
TIME: 10:00 a.m.
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ
RE: **REGULAR SESSION MEETING MINUTES**

Members in Attendance:

Michael Ferguson, Chairman (via phone)
Joseph Buckelew, Vice Chairman
Wayne Hasenbalg, Esq., President and Chief Executive Officer
John Ballantyne, Member
Armando Fontoura, Member
Michael H. Gluck, Esq., Member
George Kolber, Member
Steven Plofker, Member
Anthony Scardino, Member
Robert Yudin, Member
James Wooster, NJ State Treasurer's Representative

Absent:

Andrew Scala, Member
LeRoy Jones, Member

Also Attending:

Ralph J. Marra, Jr., Esq. Sr. Vice President, Chief of Legal and Regulatory Affairs
Christine Sanz, Sr. Vice President/Chief Operating Officer
Adam Levy, Vice President of Legal and Regulatory Affairs
John Duffy, Senior Vice President of Sports Complex Operations & Facilities
Helen Strus, Director of Marketing & Communications/External Affairs
Sara J. Sundell, Director, Land Use Management
Assistant Counsel, Governor's Authorities Unit
Christine Ferrante, Executive Assistant/Paralegal
Fred Dressel, HMMC

Vice Chairman Buckelew called the meeting to order.

Vice Chairman Buckelew stated that the New Jersey Sports and Exposition Authority gave notice of the time, place, and date of this meeting by providing such notice to the Secretary of State for the State of New Jersey, The Star-Ledger, The Record, and other newspapers and by posting the notice at the offices of the Authority.

I. APPROVAL OF MINUTES

Vice Chairman Buckelew presented the minutes of the Regular Session Board Meeting held on November 19, 2015.

Upon motion made by Commissioner Scardino and seconded by Commissioner Fontoura, the minutes of the Regular Session Board Meeting held on November 19, 2015, were unanimously approved by a vote of 11-0.

II. PUBLIC PARTICIPATING ON RESOLUTIONS –

- David Drumeler, Secaucus Town Administrator spoke in favor of Resolution 2015-68.

III. APPROVALS

- Approval of Cash Disbursements Over \$100,000 and Professional Invoices

Vice Chairman presented the report of cash disbursements over \$100,000 and Professional Invoices for the months of November 2015.

Upon motion by Commissioner Fontoura and seconded by Commissioner Yudin, the cash disbursements over \$100,000 for the month of November 2015, were approved subject to the following recusals:

<u>Member</u>	<u>Recused as to</u>
Chairman Ferguson	PSE&G

Resolution 2015-66 Resolution designating the Borough of Carlstadt as the Redeveloper of the property identified as Block 124, Lots 1-5 in the Borough of Carlstadt.

Ms. Sundell explained Resolution 2015-66 to the commissioners.

Vice Chairman Buckelew presented Resolution 2015-66. Upon motion by Commissioner Fontoura and seconded by Commissioner Yudin, proposed resolution 2015-66 was approved by a vote of 11-0.

Resolution 2015-67 Resolution issuing a decision on the Use Variance application submitted as part of File No. 15-346 BCC/New Ambulance Parking/Training – Variance – Block 230, Lot 10.02 in the Township of Lyndhurst.

Commissioner Yudin asked if the training facility will be done in an open area and if there is any residential nearby. Ms. Sundell explained that the training area will be done in an open area and adjacent to office and warehouse buildings. She further explained that on the other side of the building and down the street is residential, which is not in view or hearing distance.

Vice Chairman Buckelew presented Resolution 2015-67. Upon motion by Commissioner Plofker and seconded by Commissioner Fontoura, proposed resolution 2015-67 was approved by a vote of 11-0.

IV. AWARDS/CONTRACTS

Resolution 2015-68 Resolution authorizing the President and CEO to enter into a Memorandum of Understanding with the Town of Secaucus to undertake certain activities on property owned by the NJSEA located at Block 203, Lots 40 and 40.01 in the Town of Secaucus.

Ms. Sanz explained Resolution 2015-68 to the commissioners.

Vice Chairman Buckelew presented Resolution 2015-68. Upon motion by Commissioner Scardino and seconded by Commissioner Ballantyne, proposed resolution 2015-68 was approved by a vote of 11-0.

V. CEO REPORT

President Hasenbalg thanked David Drumeler for coming on behalf of the mayor in support of the MOU with Secaucus.

President Hasenbalg spoke about the MetLife announcement made yesterday to host the Copa America Centenario Soccer finals at MetLife Stadium on June 26, 2016. This will be the first time the finals will be held outside of South America. NJSEA was involved in bid process and will be part of a working group and committee to help support activities around this event. President Hasenbalg went on to say that this is a historic event.

President Hasenbalg wished everyone a Merry Christmas and all the best for the Holidays.

VI. PUBLIC COMMENTS

- Joe Unger, resident of Carlstadt
- Fred Dressel, HMMC Director

VII. EXECUTIVE SESSION

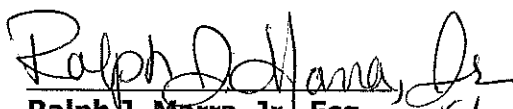
Vice Chairman Buckelew stated a need for the Board to enter into Executive Session to discuss contractual matters and litigation matters.

Resolution 2015-69 Resolution authorizing the NJSEA to enter into a meeting to which the general public shall not be admitted to discussing legal matters, personnel matters and contract negotiations.

Upon motion made by Chairman Gluck and seconded by Commissioner Ballantyne, Resolution 2015-69 was approved by a vote of 11-0.

Vice Chairman Buckelew requested a motion to conclude the open meeting. Upon motion made by Commissioner Gluck and seconded by Commissioner Ballantyne, the public meeting was adjourned by a vote of 11-0.

I certify that this is a true and accurate transcript of the Regular Session Minutes of the New Jersey Sports and Exposition Authority Board meeting of December 17, 2015.


Ralph J. Marra, Jr., Esq.
Assistant Secretary



CASH DISBURSEMENTS
\$100,000 OR MORE
DECEMBER 2015

SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
NEW JERSEY STATE POLICE	787,762.11	A	OVERTIME CHARGES: AUG 2015 - OCT 2015
NRG BUSINESS SOLUTIONS	338,979.54	A	ELECTRICITY CHARGES: NOV 2015
PUBLIC SERVICE ELECTRIC & GAS	107,703.48	A	ELECTRIC TRANSMISSION: NOV 2015
SPORTS COMPLEX TOTAL	<u>1,234,445.13</u>		

SPORTS COMPLEX MAINTENANCE RESERVE/CAPITAL

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
SOUTHWEST AMBULANCE SALES LLC	129,700.00	A	PURCHASE OF AMBULANCE: 2015 FORD E450 MEDIX
SPORTS COMPLEX MAINTENANCE TOTAL	<u>129,700.00</u>		

MONMOUTH PARK RACETRACK MAINTENANCE RESERVE/CAPITAL

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF OCEANPORT	226,457.67	A	CAFO SPECIAL ASSESSMENT AGREEMENT: 1ST QUARTER 2016
McCAULEY CONSTRUCTION CO., INC.	330,028.90	A	FIRE CODE RETROFIT PHASE III PROJECT
MPR MAINTENANCE TOTAL	<u>556,486.57</u>		



CASH DISBURSEMENTS
\$100,000 OR MORE
December 2015

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
HBC COMPANY, INC	\$107,221.00	A	NJMC MASSTR PHASE 4 – FINAL INVOICE INVOICE #9 JULY 2015
KEARNY, TOWN OF	\$100,007.68	A	HOST COMMUNITY – TRANSFER STATION- PERIOD ENDING NOV 2015
NORTH BERGEN, TOWNSHIP	\$100,778.96	A	SEMI-ANNUAL SUPPLEMENTAL PAYMENT – BLK 451 LOT 12B
RUTHERFORD, BOROUGH OF	\$125,000.00	A	CY2015 PILOT PAYMENT BLK 220 LOTS 2.01, 14 & 15.03
WASTE MANAGEMENT OF NJ	\$395,954.91	A	OPERATIONS CONTRACT – KEEGAN LANDFILL- NOV 2015



CASH DISBURSEMENTS
\$100,000 OR MORE

REFERENCE LETTER

TYPE

A	CONTRACT ON FILE
B	PURCHASE AWARDS - APPROVED AT MONTHLY BOARD MEETING
C	STATE REQUIREMENT FOR RACING
D	STATE VENDOR
E	SOLE SOURCE
F	APPOINTED BY RACING COMMISSION
G	ADVERTISED BID
H	EXECUTIVE DIRECTOR APPROVAL
I	STATUTORY PAYMENT
K	LOWEST PROPOSAL
L	REIMBURSABLE
M	OUTSTANDING PROFESSIONAL INVOICES APPROVED AT MONTHLY BOARD MEETING
N	PURCHASES ON BASIS OF EXIGENCY
*	PURCHASES DIRECT FROM SOURCE
	EXPENDITURE TO BE CHARGED TO MAINTENANCE RESERVE FUND

RESOLUTION 2016-70

**RESOLUTION CERTIFYING THE
MEADOWLANDS ADJUSTMENT PAYMENTS FOR CY2016**

WHEREAS, pursuant to P.L. 2015, c.19, the New Jersey Sports and Exposition Authority is required on or before February 1 of each year, 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 2016 have been computed and are shown on the schedule attached hereto; and

WHEREAS, the tax sharing computations are currently under review by the independent auditing firm of Wiss and Company, LLP.

NOW THEREFORE BE IT RESOLVED by the New Jersey Sports and Exposition Authority that, subject to verification by the independent auditor, the Meadowlands Adjustment Payments, as shown on the attached schedule, are hereby certified to the financial officers of each constituent municipality.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of January 14, 2016.



Ralph J. Marra, Jr., Esq.
Assistant Secretary



MEMORANDUM

To: NJSEA Board Member and Wayne Hasenbalg, President/CEO

From: Daniel Povia and Edward Bulmer

Date: January 14, 2016

Subject: Certification of CY2016 Meadowlands Adjustment Payments

As per P.L. 2015 Chapter 19, attached are exhibits and schedules showing the computations of the Intermunicipal Tax Sharing Formula for the calendar year 2016. The Adjustment Payment Schedule for CY2016 reflects the three-year trailing averaging as required by the 1999 amendments to the formula.

The tax sharing calculations are subject to review and verification by the independent auditing firm of Wiss and Company, LLP. The adoption and certification by the NJSEA of the CY2016 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. A copy of this certification will also be forwarded to the Office of the State Treasurer.

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

:cm

attachment

2016 MEADOWLANDS TAX SHARING SCHEDULE

EXHIBIT A

MUNICIPALITY	ADJUSTMENT PAYMENT REC (PAY)	RECEIVABLE		
		DUE 5/15/2016	DUE 8/15/2016	DUE 11/15/2016
CARLSTADT	(\$1,665,899) *	0	0	0
EAST RUTHERFORD	\$208,494	69,498	69,498	69,498
LITTLE FERRY	(\$594,339) *	0	0	0
LYNDHURST	(\$940,758) *	0	0	0
MOONACHIE	(\$474,693) *	0	0	0
NORTH ARLINGTON	\$919,163	306,387	306,388	306,388
RIDGEFIELD	\$1,019,028	339,676	339,676	339,676
RUTHERFORD	\$233,486	77,829	77,828	77,829
SOUTH HACKENSACK	(\$372,281) *	0	0	0
TETERBORO	\$0	0	0	0
JERSEY CITY	\$1,168,795	389,598	389,598	389,599
KEARNY	\$3,559,931	1,186,644	1,186,644	1,186,643
NORTH BERGEN	(\$1,392,423) *	0	0	0
SECAUCUS	(\$1,668,503) *	0	0	0
TOTAL		2,369,632	2,369,632	2,369,633
TOTAL RECEIVABLE	\$ 7,108,897			(6)
TOTAL PAYABLE	\$ (7,108,897) *			(7)

(*) Adjustment Payments are funded primarily through the Meadowlands Regional Hotel Use Assessment enacted by PL2015, Ch. 19. In the event sufficient assessment revenue is unavailable in any year to pay all of the required adjustment payments to municipalities in the Meadowlands district, the State Treasurer shall provide such funds as may be necessary to make all of the required payments to those municipalities.

2016 MEADOWLANDS TAX SHARING SCHEDULE
EXHIBIT A-1

	2014 PRE-ADJUSTMENT PAYMENT	2015 PRE-ADJUSTMENT PAYMENT	2016 PRE-ADJUSTMENT PAYMENT	ADJUSTMENT PAYMENT THREE - YEAR AVERAGE 2016	ADJUSTMENT PAYMENT 2015
CARLSTADT	(\$997,108)	(\$1,465,256)	(\$2,535,333)	(\$1,665,899)	(\$1,351,040)
EAST RUTHERFORD	(\$184,557)	\$576,948	\$233,092	\$208,494	\$132,482
LITTLE FERRY	(\$577,433)	(\$580,818)	(\$624,767)	(\$594,339)	(\$572,427)
LYNDHURST	(\$779,186)	(\$1,136,587)	(\$906,500)	(\$940,758)	(\$874,195)
MOONACHIE	(\$431,671)	(\$368,236)	(\$624,172)	(\$474,693)	(\$396,062)
NORTH ARLINGTON	\$917,635	\$742,226	\$1,097,628	\$919,163	\$908,136
RIDGEFIELD	\$1,300,455	\$940,703	\$815,925	\$1,019,028	\$1,172,199
RUTHERFORD	\$206,758	\$326,572	\$167,127	\$233,486	\$191,062
SOUTH HACKENSACK	(\$414,466)	(\$340,197)	(\$362,181)	(\$372,281)	(\$387,179)
TETERBORO	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$1,151,263	\$1,261,148	\$1,093,975	\$1,168,795	\$1,184,030
KEARNY	\$3,900,950	\$3,497,062	\$3,281,780	\$3,559,931	\$3,778,021
NORTH BERGEN	(\$1,303,427)	(\$1,336,191)	(\$1,537,651)	(\$1,392,423)	(\$1,130,563)
SECAUCUS	(\$2,789,212)	(\$2,117,375)	(\$98,923)	(\$1,668,503)	(\$2,654,466)
BERGEN COUNTY	(\$959,573)	(\$1,304,645)	(\$2,739,181)	(\$1,667,800)	(\$1,177,022)
HUDSON COUNTY	\$959,574	\$1,304,644	\$2,739,181	\$1,667,800	\$1,177,022
	\$1	(\$1)	\$0	\$0	\$0

2016 TAX SHARING DISTRIBUTION

EXHIBIT B

	2013 COMPARISON YEAR			1970 BASE YEAR			EQUALIZATION INCREASE/DECREASE OF TRUE VALUE IN COMPARISON YEAR (Col. 3 - 6) (7)	2013 MUNICIPAL TAX RATE (ADJUSTED) (8)
	2013 AGGREGATE ASSESSED VALUATION (1)	2013 EQUALIZATION RATIO NISA 54:1.35.1 * (2)	2013 AGGREGATE TRUE VALUATION (Col. 1/Col.2) (3)	1970 AGGREGATE ASSESSED VALUATION (4)	1970 EQUALIZATION RATIO NISA 54:1.35.1 (5)	1970 TRUE VALUATION (Col. 4/Col.5) (6)		
CARLSTADT	\$1,292,293,662	105.67 %	\$1,222,952,268	\$72,295,483	72.05 %	\$100,340,712	\$1,122,611,556	\$1.902
EAST RUTHERFORD	\$749,332,076	102.36	\$732,055,565	\$41,975,219	89.51	\$46,894,446	\$685,161,119	\$1.845
LITTLE FERRY	\$196,672,934	98.53	\$199,607,159	\$14,203,275	98.28	\$14,451,847	\$185,155,312	\$2.513
LYNDHURST	\$660,609,963	97.14	\$680,059,670	\$12,098,803	69.11	\$17,506,588	\$662,553,082	\$2.604
MOONACHIE	\$425,442,432	90.29	\$471,195,517	\$49,175,466	106.62	\$46,122,178	\$425,073,339	\$1.893
NORTH ARLINGTON	\$539,200	101.47	\$531,389	\$330,900	68.96	\$479,843	\$51,546	\$2.878
RIDGEFIELD	\$222,304,700	86.11	\$258,163,628	\$20,349,950	90.05	\$22,598,501	\$235,565,127	\$2.155
RUTHERFORD	\$151,726,091	107.41	\$141,258,813	\$15,347,700	102.94	\$14,909,365	\$126,349,448	\$2.383
SOUTH HACKENSACK	\$77,491,500	97.36	\$79,592,749	\$6,072,150	76.34	\$7,954,087	\$71,638,662	\$2.295
TETERBORO	\$0	97.86	\$0	\$18,602,200	108.48	\$17,148,046	\$0	\$1.348
JERSEY CITY	\$54,886,700	31.24	\$175,693,662	\$15,980,900	90.1	\$17,736,848	\$157,956,814	\$7.485
KEARNY	\$169,036,308	32.84	\$514,726,882	\$31,008,267	82.27	\$37,690,856	\$477,036,026	\$10.162
NORTH BERGEN	\$302,610,400	54.57	\$554,536,192	\$26,623,623	78.46	\$33,932,734	\$520,603,458	\$5.116
SECAUCUS	\$1,852,284,042	53.35	\$3,471,947,595	\$95,145,123	72.35	\$131,506,735	\$3,340,440,860	\$3.637
BERGEN COUNTY	\$3,776,412,558	NA	3,785,416,758	\$250,451,146	NA	\$288,405,613	\$3,514,159,191	NA
HUDSON COUNTY	\$2,378,817,450	NA	4,716,904,331	\$168,757,913	NA	\$220,857,173	\$4,496,037,158	NA
ALL MUNICIPALITIES	\$6,155,230,908	NA	8,502,321,089	\$419,209,059	NA	\$509,272,786	\$8,010,196,349	NA

	2013 EFFECTIVE TAX RATE (Col. 8 * Col. 2) (9)	2013 INCREASE OF H.M. PUPILS OVER BASE YEAR 1970 (10)	2013 COST PER PUPIL IN COMPARISON YEAR (11)	2013 COUNTY PORTION OF TAX RATE (12)	2013 MUNICIPAL/SCHOOL VET./S.C. PORTION OF TAX RATE (13)	2013 APPORTIONMENT RATE (COL. 9 * COL. 13) (14)	PERCENT OF H.M.D. LAND AREA FOR EACH MUNICIPALITY (15)	2013 YEAR INCREASE IN TAXES OVER 1970 BASE YEAR (Col. 7 * Col. 9) (16)
CARLSTADT	\$2.010	0		11.332 %	88.668 %	1.7822268%	12.193 %	\$22,564,492
EAST RUTHERFORD	\$1.889	0		14.902	85.098	1.6075012%	10.298	\$12,942,694
LITTLE FERRY	\$2.476	0		9.920	90.080	2.2303808%	2.283	\$4,584,446
LYNDHURST	\$2.330	24	\$ 12,110	9.061	90.939	2.3007567%	10.168	\$16,762,593
MOONACHIE	\$1.709	0		10.691	89.309	1.5262908%	4.381	\$7,264,503
NORTH ARLINGTON	\$2.920	0		7.834	92.166	2.6912472%	2.441	\$1,505
RIDGEFIELD	\$1.856	0		12.190	87.810	1.6297536%	5.227	\$4,372,089
RUTHERFORD	\$2.560	0		8.809	91.191	2.3344896%	2.994	\$3,234,546
SOUTH HACKENSACK	\$2.234	0		10.604	89.396	1.9971066%	0.467	\$1,600,408
TETERBORO	\$1.319	0		17.615	0.000	0.0000000%		\$0
JERSEY CITY	\$2.338	0		22.054	77.946	1.8223775%	4.991	\$3,693,030
KEARNY	\$3.337	69	\$ 8,209	16.307	83.693	2.7928354%	17.881	\$15,918,692
NORTH BERGEN	\$2.792	0		19.729	80.271	2.2411663%	6.908	\$14,535,249
SECAUCUS	\$1.940	643	\$ 14,656	28.955	71.045	1.3782730%	19.768	\$64,804,553
BERGEN COUNTY	NA	24	NA	NA	NA	NA	50.452	\$73,327,276
HUDSON COUNTY	NA	712	NA	NA	NA	NA	49.548	\$98,951,524
ALL MUNICIPALITIES	NA	736	NA	NA	NA	NA	100.000	\$172,278,800

	(17)	(18)	(19)	(20)	(21)	(22)
	LESS PORTION OF COL. 12 COUNTY TAX PERCENT (Col. 16 * Col. 12)	2013 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	\$2,557,008	\$20,007,484	\$12,004,490	\$8,002,994	\$0	\$0
EAST RUTHERFORD	\$1,928,720	\$11,013,973	\$5,608,384	\$4,405,589	\$0	\$0
LITTLE FERRY	\$454,777	\$4,129,669	\$2,477,801	\$1,651,868	\$0	\$0
LYNDHURST	\$1,518,859	\$15,243,734	\$9,146,240	\$6,097,494	\$0	\$290,640
MOONACHIE	\$776,648	\$6,487,855	\$3,892,713	\$2,595,142	\$0	\$0
NORTH ARLINGTON	\$118	\$1,387	\$832	\$555	\$0	\$0
RIDGEFIELD	\$332,958	\$3,839,131	\$2,303,479	\$1,535,652	\$0	\$0
RUTHERFORD	\$284,931	\$2,949,615	\$1,769,769	\$1,179,846	\$0	\$0
SOUTH HACKENSACK	\$169,707	\$1,430,700	\$858,420	\$572,280	\$0	\$0
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$814,461	\$2,878,569	\$1,727,141	\$1,151,428	\$0	\$0
KEARNY	\$2,595,861	\$13,322,831	\$7,993,699	\$5,329,132	\$0	\$566,421
NORTH BERGEN	\$2,867,659	\$11,667,589	\$7,000,553	\$4,667,036	\$0	\$0
SECAUCUS	\$18,764,158	\$46,040,394	\$27,624,236	\$18,416,158	\$0	\$9,423,808
BERGEN COUNTY	\$8,223,726	\$65,103,548	\$9,062,128	\$26,041,420	\$0	\$290,640
HUDSON COUNTY	\$25,042,139	\$73,909,383	\$44,345,629	\$29,563,754	\$0	\$9,990,229
ALL MUNICIPALITIES	\$33,265,865	\$139,012,931	\$83,407,757	\$55,605,174	\$0	\$10,280,869

TS2016

	APPORTIONMENT PAYMENTS (% IN COL. 15 * COL. 20 TOTAL - COL. 21 AND COL. 22 TOTALS		TOTAL CREDIT DUE MUNICIPALITY (TOTAL OF COLUMNS 21+22+23)		2016 PRE-ADJUSTMENT PAYMENT (Col. 24 - 20)		ADJUSTMENT FOR 2015 RECALCULATION		ADJUSTMENT FOR 2014 RECALCULATION		TOTAL 2016 ADJUSTMENT PAYMENT	
	(23)	(23)	(24)	(24)	(25)	(25)	(26)	(26)	(27)	(27)	(28)	(28)
CARLSTADT	\$5,526,393	\$5,526,393	\$5,526,393	(\$2,476,601)	(\$36,747)	(\$21,985)	(\$2,335,333)	(\$21,985)	(\$2,335,333)			
EAST RUTHERFORD	\$4,667,497	\$4,667,497	\$4,667,497	\$261,908	(\$10,248)	(\$18,568)	\$233,092	(\$18,568)	\$233,092			
LITTLE FERRY	\$1,034,734	\$1,034,734	\$1,034,734	(\$617,114)	(\$3,537)	(\$4,116)	(\$624,767)	(\$4,116)	(\$624,767)			
LYNDHURST	\$4,608,575	\$4,899,215	\$4,899,215	(\$1,198,279)	\$129,804	\$161,975	(\$906,500)	\$161,975	(\$906,500)			
MOONACHE	\$1,985,658	\$1,985,658	\$1,985,658	(\$609,484)	(\$6,789)	(\$7,899)	(\$624,172)	(\$7,899)	(\$624,172)			
NORTH ARLINGTON	\$1,106,366	\$1,106,366	\$1,106,366	\$1,105,811	(\$3,782)	(\$4,401)	\$1,097,628	(\$4,401)	\$1,097,628			
RIDGEFIELD	\$2,369,101	\$2,369,101	\$2,369,101	\$833,449	(\$8,100)	(\$9,424)	\$815,925	(\$9,424)	\$815,925			
RUTHERFORD	\$1,357,010	\$1,357,010	\$1,357,010	\$177,164	(\$4,639)	(\$5,398)	\$167,127	(\$5,398)	\$167,127			
SOUTH HACKENSACK	\$211,665	\$211,665	\$211,665	(\$360,615)	(\$724)	(\$842)	(\$362,181)	(\$842)	(\$362,181)			
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0			
JERSEY CITY	\$2,262,136	\$2,262,136	\$2,262,136	\$1,110,708	(\$7,734)	(\$8,999)	\$1,093,975	(\$8,999)	\$1,093,975			
KEARNY	\$8,104,439	\$8,670,860	\$8,670,860	\$3,341,728	(\$27,707)	(\$32,241)	\$3,281,780	(\$32,241)	\$3,281,780			
NORTH BERGEN	\$3,131,003	\$3,131,003	\$3,131,003	(\$1,536,033)	\$10,837	(\$12,455)	(\$1,537,651)	(\$12,455)	(\$1,537,651)			
SECAUCUS	\$8,959,709	\$18,383,517	\$18,383,517	(\$32,642)	(\$30,634)	(\$35,647)	(\$98,923)	(\$35,647)	(\$98,923)			
BERGEN COUNTY	\$22,867,019	\$23,157,659	\$23,157,659	(\$2,883,761)	\$55,238	\$89,342	(\$2,739,181)	\$89,342	(\$2,739,181)			
HUDSON COUNTY	\$22,457,287	\$32,447,516	\$32,447,516	\$2,883,761	(\$55,238)	(\$89,342)	\$2,739,181	(\$89,342)	\$2,739,181			
ALL MUNICIPALITIES	\$45,324,306	\$55,605,175	\$55,605,175	\$0	\$0	\$0	\$0	\$0	\$0			

TS2015

2016 RECALCULATION

EXHIBIT B-1

	2012 COMPARISON YEAR			1970 BASE YEAR			EQUALIZATION INCREASE/DECREASE OF TRUE VALUE IN COMPARISON YEAR (Col. 3 - 6)	2012 MUNICIPAL TAX RATE (ADJUSTED) (8)	2012 EFFECTIVE TAX RATE (Col. 8 * Col. 2) (9)
	2012 AGGREGATE ASSESSED VALUATION (1)	2012 EQUALIZATION RATIO NISA54:1.35.1 (2)	2012 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)			
CARLSTADT	\$571,779,068	45.29 %	\$1,235,210,776	\$72,295,483	72.05 %	\$100,340,712	\$1,134,870,064	\$3.932	\$1.820
EAST RUTHERFORD	\$762,814,187	101.39	\$752,356,433	\$41,975,219	89.51	\$46,894,446	\$705,461,987	\$1.747	\$1.771
LITTLE FERRY	\$280,959,400	90.87	\$221,150,435	\$14,203,275	98.28	\$14,451,847	\$206,698,588	\$2.427	\$2.205
LYNDHURST	\$671,344,745	94.59	\$709,741,775	\$12,098,803	69.11	\$17,506,588	\$692,235,187	\$2.522	\$2.386
MOONACHIE	\$429,802,335	113.11	\$379,986,151	\$49,175,466	106.62	\$46,122,178	\$333,863,973	\$1.877	\$2.123
NORTH ARLINGTON	\$70,124,065	100.71	\$69,629,694	\$330,900	68.96	\$479,843	\$69,149,851	\$2.771	\$2.791
RIDGEFIELD	\$227,381,600	86.66	\$262,383,568	\$20,349,950	90.05	\$22,598,501	\$239,785,067	\$2.083	\$1.805
RUTHERFORD	\$144,342,054	107.88	\$133,798,715	\$15,347,700	102.94	\$14,909,365	\$118,889,350	\$2.337	\$2.521
SOUTH HACKENSACK	\$77,491,500	91.22	\$84,930,121	\$6,072,150	76.34	\$7,954,087	\$76,996,034	\$2.229	\$2.033
TETERBORO	\$0	97.17	\$0	\$18,602,200	108.48	\$17,148,046	\$0	\$1.327	\$1.289
JERSEY CITY	\$55,296,800	32.72	\$169,000,000	\$15,980,900	90.1	\$17,736,848	\$151,263,152	\$7.204	\$2.357
KEARNY	\$162,509,003	33.07	\$491,409,141	\$31,008,267	82.27	\$37,690,856	\$453,718,285	\$9.947	\$3.289
NORTH BERGEN	\$321,621,800	53.24	\$604,098,047	\$26,623,623	78.46	\$33,932,734	\$570,165,313	\$4.945	\$2.633
SECAUCUS	\$2,110,280,297	51.78	\$4,075,473,729	\$95,145,123	72.35	\$131,506,735	\$3,943,966,994	\$3.575	\$1.851
BERGEN COUNTY	\$3,156,038,954	NA	3,849,207,667	\$250,451,146	NA	\$288,405,613	\$3,577,950,100	NA	NA
HUDSON COUNTY	\$2,649,707,900	NA	5,339,980,917	\$168,757,913	NA	\$220,867,173	\$5,119,113,744	NA	NA
ALL MUNICIPALITIES	\$5,805,746,854	NA	9,189,188,584	\$419,209,059	NA	\$509,272,786	\$8,697,063,844	NA	NA

EXHIBIT B-1

TS2015

	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
	INCREASE OF H.M. PUPILS OVER BASE YEAR 1970	2012 COST PER PUPIL IN COMPARISON YEAR	2012 COUNTY PORTION OF TAX RATE	2012 MUNICIPAL/SCHOOL VET./S.C. PORTION OF TAX RATE	2012 APPORTIONMENT RATE (COL. 9 * COL. 13)	PERCENT OF H.M.D. LAND AREA FOR EACH MUNICIPALITY	2012 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		12.479 %	87.521 %	1.5928822%	12.193 %	\$20,654,655	\$2,577,492
EAST RUTHERFORD	0		13.334	86.666	1.5348549%	10.298	\$12,493,732	\$1,665,914
LITTLE FERRY	0		8.824	91.176	2.0104308%	2.283	\$4,557,704	\$402,172
LYNDHURST	13	\$ 13,662	9.411	90.589	2.1614535%	10.168	\$16,516,732	\$1,554,390
MOONACHIE	0		12.427	87.573	1.8591748%	4.381	\$7,087,932	\$880,817
NORTH ARLINGTON	0		8.285	91.715	2.5597657%	2.441	\$1,929,972	\$159,898
RIDGEFIELD	0		11.325	88.675	1.6005838%	5.227	\$4,328,120	\$490,160
RUTHERFORD	0		8.948	91.052	2.2954209%	2.994	\$2,997,201	\$268,190
SOUTH HACKENSACK	0		10.338	89.662	1.8228285%	0.467	\$1,565,329	\$161,824
TETERBORO	0		18.420	0.000	0.0000000%	-	\$0	\$0
JERSEY CITY	0		22.660	77.340	1.8229038%	4.991	\$3,565,272	\$807,891
KEARNY	0		16.659	83.341	2.7410855%	17.881	\$14,922,794	\$2,485,988
NORTH BERGEN	0		20.249	79.751	2.0998438%	6.908	\$15,012,453	\$3,039,872
SECAUCUS	621	\$15,567	27.578	72.422	1.3405312%	19.768	\$73,002,829	\$20,132,720
BERGEN COUNTY	13	NA	NA	NA	NA	50.452	\$72,131,357	\$8,160,857
HUDSON COUNTY	621	NA	NA	NA	NA	49.548	\$106,503,348	\$26,466,471
ALL MUNICIPALITIES	634	NA	NA	NA	NA	100.000	\$178,634,705	\$34,627,328

EXHIBIT B-1

(SECTION 13:17 - 67)
 2012 TAXES COLLECTED
 LESS COUNTY TAXES
 POST 1970 RATABLES
 (Col. 14 + Col. 7)

	(18)	(19)	(20)	(21)	(22)	(23)	(24)
	2012 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 TOTAL - COL. 21 AND COL. 22 TOTALS	TOTAL CREDIT DUE MUNICIPALITY (TOTAL OF COLUMNS 21+22+23)
CARLSTADT	\$18,077,143	\$10,846,286	\$7,230,857	\$0	\$0	\$5,823,162	\$5,823,162
EAST RUTHERFORD	\$10,827,818	\$6,496,691	\$4,331,127	\$0	\$0	\$4,918,143	\$4,918,143
LITTLE PERRY	\$4,155,532	\$2,493,319	\$1,662,213	\$0	\$0	\$1,090,321	\$1,090,321
LYNDHURST	\$14,962,342	\$8,977,405	\$5,984,937	\$0	\$177,606	\$4,856,058	\$5,033,664
MOONACHIE	\$6,207,115	\$3,724,269	\$2,482,846	\$0	\$0	\$2,092,288	\$2,092,288
NORTH ARLINGTON	\$1,770,074	\$1,062,044	\$708,030	\$0	\$0	\$1,165,779	\$1,165,779
RIDGEFIELD	\$3,837,961	\$2,302,777	\$1,535,184	\$0	\$0	\$2,496,323	\$2,496,323
RUTHERFORD	\$2,729,011	\$1,637,407	\$1,091,604	\$0	\$0	\$1,429,882	\$1,429,882
SOUTH HACKENSACK	\$1,403,506	\$842,104	\$561,402	\$0	\$0	\$223,031	\$223,031
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$2,757,382	\$1,654,429	\$1,102,953	\$0	\$0	\$2,383,614	\$2,383,614
KEARNY	\$12,436,806	\$7,462,084	\$4,974,722	\$0	\$0	\$8,539,651	\$8,539,651
NORTH BERGEN	\$11,972,581	\$7,183,549	\$4,789,032	\$0	\$0	\$3,299,139	\$3,299,139
SECAUCUS	\$52,870,109	\$31,722,065	\$21,148,044	\$0	\$9,667,107	\$9,440,848	\$19,107,955
BERGEN COUNTY	\$63,970,502	38,382,302	\$25,588,200	\$0	\$177,606	\$24,094,987	\$24,272,593
HUDSON COUNTY	\$80,036,878	48,022,127	\$32,014,751	\$0	\$9,667,107	\$23,663,252	\$33,330,359
ALL MUNICIPALITIES	\$144,007,380	86,404,429	\$57,602,951	\$0	\$9,844,713	\$47,758,239	\$57,602,952

	(25)	(26)	(27)	(28)	(29)	(30)
	PRE-ADJUSTMENT PAYMENT (Col. 24 - 20)	ADJUSTMENT FOR 2015 RECALCULATION	ADJUSTMENT FOR 2014 RECALCULATION	TOTAL 2015 ADJUSTMENT PAYMENT	2015 ADJ. PAYMENT PREV. CALCULATED	DIFFERENCE
CARLSTADT	(\$1,407,695)	(\$18,999)	(\$9,544)	(\$1,436,238)	(\$1,399,491)	(\$36,747)
EAST RUTHERFORD	\$387,016	\$4,742	\$9,571	\$601,329	\$611,577	(\$10,248)
LITTLE FERRY	(\$371,892)	(\$214)	(\$3,306)	(\$375,412)	(\$571,875)	(\$3,537)
LYNDHURST	(\$951,273)	(\$956)	(\$14,724)	(\$966,953)	(\$1,096,757)	\$129,804
MCONACHIE	(\$390,558)	(\$412)	\$33,106	(\$357,864)	(\$351,075)	(\$6,789)
NORTH ARLINGTON	\$457,749	(\$229)	(\$3,535)	\$453,985	\$457,767	(\$3,782)
RIDGEFIELD	\$961,139	(\$491)	(\$7,570)	\$953,078	\$961,178	(\$8,100)
RUTHERFORD	\$338,278	(\$281)	(\$4,336)	\$333,661	\$338,300	(\$4,639)
SOUTH HACKENSACK	(\$338,371)	(\$44)	(\$676)	(\$339,091)	(\$338,367)	(\$724)
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$1,280,661	(\$469)	(\$7,227)	\$1,272,965	\$1,280,699	(\$7,734)
KEARNY	\$3,564,929	(\$1,680)	(\$25,894)	\$3,537,355	\$3,565,062	(\$27,707)
NORTH BERGEN	(\$1,489,893)	\$20,892	\$62,759	(\$1,406,242)	(\$1,417,079)	\$10,837
SECAUCUS	(\$2,040,090)	(\$1,858)	(\$28,624)	(\$2,070,572)	(\$2,039,939)	(\$30,633)
BERGEN COUNTY	(\$1,315,607)	(\$16,884)	(\$1,014)	(\$1,333,505)	(\$1,388,743)	\$55,238
HUDSON COUNTY	\$1,315,607	\$16,885	\$1,014	\$1,333,506	\$1,388,743	(\$55,237)
ALL MUNICIPALITIES	\$0	\$1	\$0	\$1	\$0	\$1

	2011 COMPARISON YEAR		1970 BASE YEAR		2011		1970		EQUALIZATION		2011		2011	
	AGGREGATE ASSESSED VALUATION (1)	EQUALIZATION RATIO NISA541.35.1 * (2)	AGGREGATE TRUE VALUATION (Col. 1/Col.2) (3)	AGGREGATE ASSESSED VALUATION (4)	EQUALIZATION RATIO NISA541.35.1 (5)	AGGREGATE TRUE VALUATION (Col. 4/Col.5) (6)	INCREASE/DECREASE OF TRUE VALUE IN COMPARISON YEAR (Col. 3 - 6) (7)	MUNICIPAL TAX RATE (ADJUSTED) (8)	EFFECTIVE TAX RATE (Col. 8 * Col. 2) (9)					
CARLSTADT	\$563,296,770	43.27 %	\$1,301,818,281	\$72,295,483	72.05 %	\$100,340,712	\$1,201,477,569	\$3.752	\$1.623					
EAST RUTHERFORD	\$874,481,685	101.12	\$864,795,970	\$41,975,219	89.51	\$46,894,446	\$817,901,524	\$1.630	\$1.648					
LITTLE PERRY	\$198,250,600	101.54	\$195,243,845	\$14,203,275	98.28	\$14,451,847	\$180,791,998	\$2.372	\$2.409					
LYNDHURST	\$806,974,200	108.80	\$741,704,228	\$12,098,803	69.11	\$17,506,588	\$724,197,640	\$1.888	\$2.054					
MOONACHIE	\$414,210,176	93.75	\$441,824,188	\$49,175,466	106.62	\$46,122,178	\$395,702,010	\$1.777	\$1.666					
NORTH ARLINGTON	\$15,420,152	95.09	\$16,216,376	\$330,900	68.96	\$479,843	\$15,736,533	\$2.751	\$2.616					
RIDGEFIELD	\$187,228,800	101.98	\$183,593,646	\$20,349,950	90.05	\$22,598,501	\$160,995,145	\$1.712	\$1.746					
RUTHERFORD	\$142,739,115	103.59	\$137,792,369	\$15,347,700	102.94	\$14,909,365	\$122,883,004	\$2.270	\$2.351					
SOUTH HACKENSACK	\$88,047,600	95.18	\$92,506,409	\$6,072,150	76.34	\$7,954,087	\$84,532,322	\$2.140	\$2.037					
TETERBORO	\$0	91.72	\$0	\$18,602,200	108.48	\$17,148,046	\$0	\$1.278	\$1.172					
JERSEY CITY	\$52,820,900	31.35	\$168,487,719	\$15,980,900	90.1	\$17,736,848	\$150,750,871	\$7.028	\$2.203					
KEARNY	\$170,529,860	31.30	\$544,823,834	\$31,008,267	82.27	\$37,690,856	\$507,132,978	\$9.862	\$3.087					
NORTH BERGEN	\$297,565,900	50.98	\$583,691,448	\$26,623,623	78.46	\$33,932,734	\$549,738,714	\$4.803	\$2.449					
SECAUCUS	\$2,128,133,944	53.26	\$3,995,745,295	\$95,145,123	72.35	\$131,506,735	\$3,864,238,560	\$3.543	\$1.887					
BERGEN COUNTY	\$3,290,649,098	NA	3,975,495,312	\$250,451,146	NA	\$288,405,613	\$3,704,237,745	NA	NA					
HUDSON COUNTY	\$2,649,050,604	NA	5,292,748,296	\$168,757,913	NA	\$220,867,173	\$5,071,881,123	NA	NA					
ALL MUNICIPALITIES	\$5,939,699,702	NA	9,268,243,608	\$412,209,058	NA	\$509,272,786	\$8,776,118,868	NA	NA					

	2011 INCREASE OF H.M. PUPILS OVER BASE YEAR 1970 (10)	2011 COST PER PUPIL IN COMPARISON YEAR (11)	2011 COUNTY PORTION OF TAX RATE (12)	2011 MUNICIPAL/SCHOOL VET./S.C. PORTION OF TAX RATE (13)	2011 APPORTIONMENT RATE (COL. 9 * COL. 13) (14)	PERCENT OF H.M.D. LAND AREA FOR EACH MUNICIPALITY (15)	2011 YEAR INCREASE IN TAXES OVER 1970 BASE YEAR (COL. 7 * Col. 9) (16)	LESS PORTION OF COL. 12 COUNTY TAX PERCENT (Col. 16 * Col. 12) (17)
CARLSTADT	0		12.985 %	87.015 %	1.4122535%	12.193 %	\$19,499,981	\$2,532,073
EAST RUTHERFORD	0		13.318	86.682	1.4285194%	10.298	\$13,479,017	\$1,795,135
LITTLE FERRY	0		9.438	90.562	2.1816386%	2.283	\$4,355,279	\$411,051
LYNDHURST	20	\$ 13,572	10.500	89.500	1.8383300%	10.168	\$14,875,020	\$1,561,877
MOONACHIE	0		10.683	89.317	1.4880212%	4.381	\$6,592,395	\$704,266
NORTH ARLINGTON	0		7.784	92.216	2.4123706%	2.441	\$411,668	\$32,044
RIDGEFIELD	0		11.982	88.018	1.5367943%	5.227	\$2,810,975	\$336,811
RUTHERFORD	0		9.090	90.910	2.1372941%	2.994	\$2,888,979	\$262,608
SOUTH HACKENSACK	0		10.140	89.860	1.8304482%	0.467	\$1,722,331	\$174,644
TEKERBORO	0		16.878	0.000	0.0000000%	-	\$0	\$0
JERSEY CITY	0		22.053	77.947	1.7171724%	4.991	\$3,321,042	\$732,389
KEARNY	0		16.336	83.664	2.5827077%	17.881	\$15,655,195	\$2,557,433
NORTH BERGEN	0		20.727	79.273	1.9413958%	6.908	\$13,463,591	\$2,790,599
SECAUCUS	623	\$15,563	26.920	73.080	1.3790196%	19.768	\$72,918,182	\$19,629,575
BERGEN COUNTY	20	NA	NA	NA	NA	50.452	\$66,635,645	\$7,810,509
HUDSON COUNTY	623	NA	NA	NA	NA	49.548	\$105,358,010	\$25,709,996
ALL MUNICIPALITIES	643	NA	NA	NA	NA	100.000	\$171,993,655	\$33,520,505

EXHIBIT B-2

(SECTION 1317 - 67)
 711 TAXES COLLECTED
 LESS COUNTY TAXES
 POST 1970 RATABLES
 (Col. 14 * Col. 7)

	(18)	(19)	(20)	(21)	(22)	(23)	(24)
	711 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 TOTAL - COL. 21 AND COL. 22 TOTALS)	TOTAL CREDIT DUE MUNICIPALITY (TOTAL OF COLUMNS 21+22+23)
CARLSTADT	\$16,967,908	\$10,180,745	\$6,787,163	\$0	\$0	\$5,538,313	\$5,538,313
EAST RUTHERFORD	\$11,683,882	\$7,010,329	\$4,673,553	\$0	\$0	\$4,677,565	\$4,677,565
LITTLE FERRY	\$3,944,228	\$2,366,537	\$1,577,691	\$0	\$0	\$1,036,986	\$1,036,986
LYNDHURST	\$13,313,142	\$7,987,885	\$5,325,237	\$0	\$271,440	\$4,618,516	\$4,889,956
MOONACHIE	\$5,888,130	\$3,332,878	\$2,335,252	\$0	\$0	\$1,989,941	\$1,989,941
NORTH ARLINGTON	\$379,623	\$227,774	\$151,849	\$0	\$0	\$1,108,753	\$1,108,753
RIDGEFIELD	\$2,474,164	\$1,484,498	\$989,666	\$0	\$0	\$2,374,212	\$2,374,212
RUTHERFORD	\$2,626,371	\$1,575,823	\$1,050,548	\$0	\$0	\$1,359,937	\$1,359,937
SOUTH HACKENSACK	\$1,547,686	\$928,612	\$619,074	\$0	\$0	\$212,121	\$212,121
TETERBORO	\$0	\$0	\$0	\$0	\$0	\$0	\$0
JERSEY CITY	\$2,588,652	\$1,553,191	\$1,035,461	\$0	\$0	\$2,267,016	\$2,267,016
KEARNY	\$13,097,762	\$7,858,657	\$5,239,105	\$0	\$0	\$8,121,920	\$8,121,920
NORTH BERGEN	\$10,672,992	\$6,403,795	\$4,269,197	\$0	\$0	\$3,137,757	\$3,137,757
SECAUCUS	\$53,288,607	\$31,973,164	\$21,315,443	\$0	\$9,695,749	\$8,979,035	\$18,674,784
BERGEN COUNTY	\$58,825,134	35,295,081	\$23,530,053	\$0	\$271,440	\$22,916,344	\$23,187,784
HUDSON COUNTY	\$79,648,013	47,788,807	\$31,859,206	\$0	\$9,695,749	\$22,505,728	\$32,201,477
ALL MUNICIPALITIES	\$138,473,147	83,083,888	\$55,389,259	\$0	\$9,967,189	\$45,422,072	\$55,389,261

	2014 PRE-ADJUSTMENT PAYMENT (Col. 24 - 20)		ADJUSTMENT FOR 2013		ADJUSTMENT FOR 2012		TOTAL 2014		2014		DIFFERENCE (30)
	(25)		(26)		(27)		(28)		(29)		
			ADJUSTMENT RECALCULATION	ADJUSTMENT RECALCULATION	ADJUSTMENT RECALCULATION	ADJUSTMENT RECALCULATION	ADJUSTMENT RECALCULATION	ADJUSTMENT RECALCULATION	ADJ. PAYMENT PREV. CALCULATED	ADJ. PAYMENT PREV. CALCULATED	
CARLSTADT	(\$1,248,850)	\$105,330	\$96,676	(\$1,046,844)	\$	(1,024,859)	(\$1,046,844)	\$	(1,024,859)	(\$21,985)	
EAST RUTHERFORD	\$4,012	(\$41,464)	(\$6,839)	(\$44,291)	\$	(25,723)	(\$44,291)	\$	(25,723)	(\$18,568)	
LITTLE FERRY	(\$540,705)	(\$9,907)	(\$2,691)	(\$553,303)	\$	(549,187)	(\$491,412)	\$	(549,187)	(\$4,116)	
LYNDHURST	(\$435,301)	(\$44,126)	(\$11,985)	(\$491,412)	\$	(653,387)	(\$387,963)	\$	(653,387)	\$161,975	
MOONACHIE	(\$365,311)	(\$19,012)	(\$3,640)	(\$387,963)	\$	(380,064)	(\$387,963)	\$	(380,064)	(\$7,899)	
NORTH ARLINGTON	\$956,904	(\$10,593)	(\$2,877)	\$943,434	\$	947,835	\$943,434	\$	947,835	(\$4,401)	
RIDGEFIELD	\$1,384,546	(\$22,683)	(\$6,161)	\$1,355,702	\$	1,365,126	\$292,867	\$	1,365,126	(\$9,424)	
RUTHERFORD	\$309,389	(\$12,993)	(\$3,529)	\$292,867	\$	298,265	\$292,867	\$	298,265	(\$5,398)	
SOUTH HACKENSACK	(\$406,953)	(\$2,026)	(\$550)	(\$409,529)	\$	(408,687)	(\$409,529)	\$	(408,687)	(\$842)	
TETERBORO	\$0	\$0	\$0	\$0	\$	\$0	\$0	\$	\$0	\$0	
JERSEY CITY	\$1,231,555	(\$21,659)	(\$5,883)	\$1,204,013	\$	1,213,012	\$1,204,013	\$	1,213,012	(\$8,999)	
KEARNY	\$2,882,815	(\$77,598)	(\$21,077)	\$2,784,140	\$	2,816,381	(\$897,062)	\$	2,816,381	(\$32,241)	
NORTH BERGEN	(\$1,131,440)	\$242,521	(\$8,143)	(\$897,062)	\$	(884,607)	(\$897,062)	\$	(884,607)	(\$12,455)	
SECAUCUS	(\$2,640,659)	(\$85,790)	(\$23,301)	(\$2,749,748)	\$	(2,714,105)	(\$2,749,748)	\$	(2,714,105)	(\$35,643)	
BERGEN COUNTY	(\$342,269)	(\$57,474)	\$58,404	(\$341,339)		(\$430,681)	(\$341,339)		(\$430,681)	\$89,342	
HUDSON COUNTY	\$342,271	\$57,474	(\$58,404)	\$341,343		\$430,681	\$341,343		\$430,681	(\$89,338)	
ALL MUNICIPALITIES	\$2	\$0	\$0	\$4		\$0	\$4		\$0	\$4	

2016 MEADOWLANDS TAX SHARING SCHEDULE
IN LIEU TAX PAYMENTS - 2013

SCHEDULE 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	\$17,524	1.982	\$884,157	105.67	\$836,716
EAST RUTHERFORD (A,B)	\$6,746,576	1.845	\$365,668,076	102.36	\$357,237,276
LITTLE FERRY	\$0	2.561	\$0	98.53	\$0
LYNDHURST	\$175,000	2.631	\$6,651,463	97.14	\$6,847,296
MOONACHIE	\$16,336	1.943	\$840,762	90.29	\$931,179
NORTH ARLINGTON	\$0	2.806	\$0	101.47	\$0
RIDGEFIELD	\$0	2.073	\$0	86.11	\$0
RUTHERFORD	\$125,000	2.382	\$5,247,691	107.41	\$4,885,663
SOUTH HACKENSACK	\$0	2.360	\$0	97.36	\$0
TETERBORO	\$0	1.348	\$0	97.86	\$0
JERSEY CITY	\$0	7.466	\$0	31.24	\$0
KEARNY	\$0	9.791	\$0	32.84	\$0
NORTH BERGEN (B)	\$0	5.147	\$0	54.57	\$0
SECAUCUS (B)	\$72,096	3.758	\$1,918,467	53.35	\$3,596,002
BERGEN COUNTY	\$7,080,436		\$379,292,149	-	\$370,738,130
HUDSON COUNTY	\$72,096		\$1,918,467	-	\$3,596,002
ALL MUNICIPALITIES	\$7,152,532		\$381,210,617	-	\$374,334,133

(A) INCLUDES PAYMENT FROM NISEA.

(B) NISEA OWNED PROPERTIES

SCHEDULE 1.

2016 MEADOWLANDS TAX SHARING SCHEDULE
2013 COMPARISON YEAR
REVISION OF TAX RATES
TO ADJUST FOR COMPOUNDING

COL. 7* 2013 GENERAL TAX RATE	SEC. 12-D* TAX LEVY ON WHICH TAX RATES COMPUTED (2)	2013 ADJUSTMENT PAYMENT (3)	COL. 6* NET VALUATION TAXABLE (5)	ADJ. TAX LEVY (2-3) (4)	ADJ. TAX RATE (4)/(5) (6)	SEC. 12-AH* NET COUNTY TAXES APPORTIONED (7)	TAX RATE % COUNTY TAXES (7)/(6) (8)	TAX RATE % ALL OTHER USES (9)
1.982	\$39,770,099	(\$1,590,755)	\$2,007,086,826	\$38,179,344	\$1.902	\$4,326,647	11.332%	88.668%
1.845	\$36,396,580	\$5,055	\$1,973,272,359	\$36,401,635	\$1.845	\$5,424,731	14.902%	85.098%
2.561	\$50,337,066	(\$559,031)	\$1,185,041,170	\$29,778,037	\$2.513	\$2,953,865	9.209%	90.080%
1.943	\$69,841,319	(\$706,811)	\$69,134,508	\$69,134,508	\$2.604	\$6,264,119	9.061%	90.939%
2.806	\$15,062,641	(\$388,278)	\$14,674,363	\$14,674,363	\$1.893	\$1,568,793	10.691%	89.309%
2.075	\$41,507,435	\$1,064,548	\$1,479,261,575	\$42,571,983	\$2.878	\$3,334,877	7.834%	92.166%
2.382	\$32,167,276	\$1,275,440	\$1,552,095,638	\$33,442,716	\$2.155	\$4,076,570	12.190%	87.810%
1.548	\$66,317,621	\$39,856	\$2,784,690,057	\$66,357,477	\$2.383	\$5,845,283	8.809%	91.191%
7.466	\$14,741,730	(\$406,874)	\$624,676,322	\$14,334,876	\$2.295	\$1,520,102	10.604%	89.396%
9.791	\$5,107,436	\$0	\$378,918,100	\$5,107,436	\$1.348	\$895,685	17.615%	82.385%
5.147	\$434,084,267	\$1,139,978	\$5,814,571,278	\$435,223,945	\$7.485	\$95,984,667	22.054%	77.946%
3.758	\$103,874,992	\$3,936,052	\$1,060,974,634	\$107,811,044	\$10.162	\$17,580,340	16.307%	83.693%
	\$128,097,494	(\$752,070)	\$2,489,221,847	\$127,345,424	\$5.116	\$25,123,600	19.729%	80.271%
	\$95,824,530	(\$3,056,810)	\$2,550,358,299	\$92,767,720	\$3.637	\$26,861,356	28.955%	71.045%

2016 MEADOWLANDS TAX SHARING SCHEDULE
 STUDENT ENROLLMENT
 AS OF SEPTEMBER 30, 2013
 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	2013 H.M.D.C. ENROLLMENT	INCREASE (DECREASE) STUDENT ENROLLMENT
CARLSTADT	574	247	821	14	0	-14
EAST RUTHERFORD	816	262	1078	26	0	-26
LITTLE FERRY	958	444	1402	274	265	-9
LYNDHURST	2647	104	2751	0	24	24
MOONACHIE	246	131	377	223	90	-133
NORTH ARLINGTON	1705	6	1711	0	0	0
RIDGEFIELD	1749	1	1750	0	0	0
RUTHERFORD	2486	91	2577	0	0	0
SOUTH HACKENSACK	260	113	373	0	0	0
TETERBORO	0	0	0	0	0	0
JERSEY CITY	25770	190	25960	16	6	-10
KEARNY	5677	1	5678	0	69	69
NORTH BERGEN	7461	81	7542	29	0	-29
SECAUCUS	2253	11	2264	408	1051	643
BERGEN COUNTY	11441	509	11950	537	379	-158
HUDSON COUNTY	41161	283	41444	453	1126	673
ALL MUNICIPALITIES	52602	1682	54284	990	1505	515

SCHEDULE 4

2016 MEADOWLANDS TAX SHARING SCHEDULE
2013 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	\$11,085,179	\$5,968,755	\$0	\$17,053,934	821	\$20,772
EAST RUTHERFORD	\$13,887,756	\$5,863,943	\$0	\$19,751,699	1078	\$18,323
LITTLE FERRY	\$16,865,731	\$0	\$0	\$16,865,731	1402	\$12,030
LYNDHURST	\$33,315,823	\$0	\$0	\$33,315,823	2751	\$12,110
MOONACHE	\$7,244,684	\$0	\$0	\$7,244,684	377	\$19,217
NORTH ARLINGTON	\$22,980,691	\$0	\$0	\$22,980,691	1711	\$13,431
RIDGEFIELD	\$18,301,601	\$0	\$0	\$18,301,601	1750	\$10,458
RUTHERFORD	\$36,934,545	\$0	\$0	\$36,934,545	2577	\$14,332
SOUTH HACKENSACK	\$6,993,331	\$0	\$0	\$6,993,331	373	\$18,749
TETERBORO	\$135,731	\$0	\$0	\$135,731	0	\$0
JERSEY CITY	\$107,391,779	\$0	\$6,714,209	\$114,105,988	25960	\$4,395
KEARNY	\$46,612,246	\$0	\$0	\$46,612,246	5678	\$8,209
NORTH BERGEN	\$43,139,526	\$0	\$0	\$43,139,526	7542	\$5,720
SECAUCUS	\$33,180,707	\$0	\$0	\$33,180,707	2264	\$14,656
BERGEN COUNTY	\$167,745,072	\$11,832,698	\$0	\$179,577,770	12840	
HUDSON COUNTY	\$230,324,258	\$0	\$6,714,209	\$237,038,467	41444	
ALL MUNICIPALITIES	\$398,069,330	\$11,832,698	\$6,714,209	\$416,616,237	54284	

RESOLUTION 2016 -71

**RESOLUTION ISSUING A DECISION ON THE
VARIANCE APPLICATIONS SUBMITTED AS PART OF FILE NO. 15-067
MOONACHIE LAND/IDEAL DRIVING SCHOOL, INC., C.O. ALT.-
VARIANCE
106 MOONACHIE AVENUE, BLOCK 62, LOTS 4, 4.04, 5.02, 5.03, 5.04, 6.01, AND
6.03, IN THE BOROUGH OF MOONACHIE**

WHEREAS, applications for one use variance and one bulk variance were filed with the New Jersey Sports and Exposition Authority (NJSEA) by Jorge Alfaro of Alfaro Property Management, LLC, for the premises located at 106 Moonachie Avenue, identified as Block 62, Lots 4, 4.04, 5.02, 5.03, 5.04, 6.01, and 6.03, in the Borough of Moonachie, New Jersey; and

WHEREAS, the premises is located within the Hackensack Meadowlands District's Light Industrial B zone; and

WHEREAS, the applicant requested use variance relief from N.J.A.C. 19:4-5.80, which does not specify truck driving schools as a permitted use in the Light Industrial B zone; and

WHEREAS, the applicant requested bulk variance relief from N.J.A.C. 19:4-8.14(h)4, which provides that the maximum gross sign area shall not exceed five percent of the main façade of the building; whereas, the maximum permitted sign area at the subject premises is 39.25 square feet, and the proposed signage, including a 42-square-foot wall sign and 64-square-foot ground sign, totals 106 square feet, or 13 percent of the main façade area; 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 newspaper; and

WHEREAS, a public hearing was held in the Office of the NJSEA on November 17, 2015, before Sara Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer, Sharon Mascaró, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer, and Mia Petrou, P.P., AICP, Senior Planner; and

WHEREAS, one written comment from Borough of Moonachie Mayor Dennis Vaccaro, dated November 17, 2015, in response to the public notice, was presented at the public hearing by Mr. Fred Dressel; and

WHEREAS, during testimony at the public hearing, the applicant amended the bulk variance request regarding signage to request a maximum permitted sign area for the subject premises of 11.8 percent of the main façade area; and

WHEREAS, a comprehensive report dated January 6, 2016, has been prepared indicating the recommendations of the Director of Land Use Management and the Senior Vice President, Legal & Regulatory Affairs, in this matter; and

WHEREAS, a copy of the recommendation and comprehensive report was provided to the applicant on January 6, 2016; and

WHEREAS, the report recommends the conditional approval of the requested use variance from N.J.A.C. 19:4-5.80, to operate a truck driving school at the subject premises; and

WHEREAS, the report recommends the conditional approval of the requested bulk variance from N.J.A.C. 19:4-8.14(h)4 to exceed the maximum permitted gross sign area; and

WHEREAS, effective February 5, 2015, the New Jersey Meadowlands Commission has become part of the NJSEA; and

WHEREAS, the Board of Commissioners of the NJSEA has reviewed the full record, including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and by the Senior Vice President, Legal & Regulatory Affairs, and the submissions of the applicant; and

WHEREAS, the Board of Commissioners concurs with the recommendations of the Director of Land Use Management and the Senior Vice President, Legal & Regulatory Affairs; and

WHEREAS, the Board of Commissioners hereby determines that the requested use variance to operate a truck driving school at the subject premises does conditionally conform with the standards for approving applications of variances as set forth in N.J.A.C. 19:4-4.14(e); and

WHEREAS, the Board of Commissioners hereby determines that the requested bulk variance to exceed the maximum permitted gross sign area at the subject premises does conditionally conform with the standards for approving applications of variances as set forth in N.J.A.C. 19:4-4.14(e).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the Moonachie Land Inc./Ideal Driving School, Inc. - C.O. Alt./Variance application for one use variance to operate a truck driving school at the subject premises is hereby **APPROVED WITH THE FOLLOWING CONDITIONS** for the reasons set forth in the recommendation dated January 6, 2016:

1. A copy of an approved New Jersey Department of Environmental Protection (NJDEP) Individual Flood Hazard Area Permit and/or other NJDEP approval of the extent of existing disturbance within the 50-foot

buffer zone to the Riser Ditch along the westerly property line shall be provided to the NJSEA prior to zoning certificate approval.

2. An as-built noise analysis performed by a NJ-licensed professional shall be provided to the NJSEA for review and approval prior to issuance of a final Certificate of Completion and/or Occupancy Certification. Evidence of compliance with the NJSEA noise performance standards at N.J.A.C. 19:4-7.3, including noise standards for areas adjacent to residential uses, shall be provided.
3. The applicant shall comply with NJSEA performance standards regarding airborne emissions at N.J.A.C. 19:4-7.5 and NJDEP standards related to air quality and idling of vehicles.
4. The applicant shall comply with all requirements of the Moonachie Sewer Department prior to the issuance of a final Certificate of Completion and/or Occupancy Certification.
5. The southern-most truck parking space in the vicinity of the northerly row of truck parking spaces shall be eliminated, pursuant to testimony at the public hearing.
6. Additional landscaping and an 8-foot-high solid fence in the vicinity of the northerly row of truck parking spaces shall be provided to screen the truck parking areas from Moonachie Avenue, to the extent determined by the NJSEA Chief Engineer.
7. An 8-foot-high solid fence shall be provided along the easterly property line, terminating at the proposed sound wall.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the Moonachie Land Inc./Ideal Driving School, Inc. - C.O. Alt./Variance application for one bulk variance to exceed the maximum permitted gross sign area at the subject premises is hereby **APPROVED WITH THE FOLLOWING CONDITION** for the reasons set forth in the recommendation dated January 6, 2016:

1. Pursuant to testimony by the applicant at the public hearing, the proposed wall sign area shall be reduced to 20 square feet, resulting in a maximum permitted signage area for the subject premises of 11.8 percent.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of January 14, 2016.



Ralph J. Marra, Jr., Esq.
Assistant Secretary



MEMORANDUM

To: NJSEA Board Member and Wayne Hasenbalg, President/CEO

From: Sara J. Sundell

Date: January 14, 2016

Subject: Variance Recommendation - Moonachie Land Inc./Ideal Driving School
Variance (File No. 15-067)

Applications for one use variance and one bulk variance have been filed with the NJSEA by Jorge Alfaro of Alfaro Property Management, LLC, for the premises located at 106 Moonachie Avenue, identified as Block 62, Lots 4, 4.04, 5.02, 5.03, 5.04, 6.01, and 6.03, in the Borough of Moonachie, New Jersey. The subject premises is located within the Hackensack Meadowlands District's Light Industrial B zone. The variances are sought in connection with the applicant's proposal to operate a truck driving school at the subject premises.

Specifically, the applicant is requesting variance relief from the following:

1. N.J.A.C. 19:4-5.80, which does not specify truck driving schools as a permitted use in the Light Industrial B zone.
2. N.J.A.C. 19:4-8.14(h)4, which provides that the maximum gross sign area shall not exceed five percent of the main façade of the building. The maximum permitted sign area at the subject premises is 39.25 square feet, whereas the proposed signage, including a 42-square-foot wall sign and 64-square-foot ground sign, totals 106 square feet, or 13 percent of the main façade area.

A public hearing on this matter was held in the Office of the NJSEA on November 17, 2015.

In a comprehensive report dated January 6, 2016, the Director of Land Use Management and the Senior Vice President, Legal & Regulatory Affairs, recommended the conditional approval of the use variance requested in Item 1 above. The report also recommended the conditional approval of the bulk variance requested in Item 2 above. A copy of the comprehensive report and variance recommendation was provided to the applicant on January 6, 2016.

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

**RECOMMENDATION ON THE VARIANCE APPLICATION OF
Moonachie Land Inc./Ideal Driving School, Inc. - C.O. Alt/Variance**

FILE # 15-067

I. INTRODUCTION

Pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015.

Applications for one use variance and one bulk variance have been filed with the NJSEA by Jorge Alfaro of Alfaro Property Management, LLC for the premises located at 106 Moonachie Avenue, identified as Block 62, Lots 4, 4.04, 5.02, 5.03, 5.04, 6.01, and 6.03, in the Borough of Moonachie, New Jersey. Said premises is located within the Hackensack Meadowlands District's Light Industrial B zone. The variances are sought in connection with the applicant's proposal to operate a truck driving school at the subject premises.

Specifically, the applicant is requesting variance relief from the following:

1. N.J.A.C. 19:4-5.80, which does not specify truck driving schools as a permitted use in the Light Industrial B zone.
2. N.J.A.C. 19:4-8.14(h)4, which provides that the maximum gross sign area shall not exceed five percent of the main façade of the building. The maximum permitted sign area at the subject premises is 39.25 square feet, whereas the proposed signage, including a 42-square-foot wall sign and 64-square-foot ground sign, totals 106 square feet, or 13 percent of the main façade area.

Notice was given to the public and all interested parties as required by law. The public notice was published in The Record newspaper. No written objections were received. A public hearing was held in the NJSEA Offices on Tuesday, November 17, 2015. All information submitted to the Division of Land

Use Management relative to this application is made part of the record of this recommendation.

II. GENERAL INFORMATION

A. Existing and Proposed Use

The subject property is a 1.3-acre parcel with frontage along Moonachie Avenue between Caesar Place and Redneck Avenue. The site is currently improved with three detached, vacant structures and currently contains material stockpiles used in conjunction with a public road improvement project along Moonachie Avenue. The structure in the northerly part of the site was formerly utilized as a restaurant/bar with a second-floor apartment, and the structures in the southerly part of the site include a vacant 1,275-square-foot single-family dwelling and 345-square-foot detached garage. Riser Ditch is located along the site's westerly property boundary.

Neighboring properties include a restaurant to the east, a manufactured home community in the District's Low Density Residential zone to the south, and a hardware store to the west. Teterboro Airport is located to the north of the subject property across Moonachie Avenue.

The applicant proposes to utilize the site as a truck driving school, including additional pavement, a noise wall with sound attenuation panels, landscaping, and other site improvements. The applicant proposes to demolish the northerly structure on the site and convert the southerly residence, totaling 2,307 gross square feet, to office space to administer the operations of the truck driving school. The existing detached garage will also be retained as storage. The applicant proposes to combine the lots as a zoning lot of record pursuant to N.J.A.C. 19:4-3.22.

One 42-square-foot wall sign and one 64-square-foot ground sign, totaling 106 square feet, are proposed, and require a bulk variance for exceeding the maximum permitted sign area.

B. Response to the Public Notice

One written comment was submitted to this Office prior to the public hearing by Borough of Moonachie Mayor Dennis Vaccaro, dated November 17, 2015.

III. PUBLIC HEARING (November 17, 2015)

A public hearing was held on Tuesday, November 17, 2015. NJSEA staff in attendance were Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon Mascaró, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer; and Mia Petrou, P.P., AICP, Senior Planner.

A. Exhibits

The following is a list of the exhibits submitted by the applicant at the public hearing and marked for identification as follows:

<u>Number</u>	<u>Description</u>
A-1	"Key Map & Zoning," Sheet 1 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated October 16, 2014, and revised through October 17, 2015.
A-2	"Site Plan," Sheet 2 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated October 16, 2014, and revised through October 17, 2015.
A-3	"Grading and Drainage," Sheet 3 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated February 4, 2015, and revised through September 4, 2015.
A-4	"Grading and Drainage Details," Sheet 4 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated February 4, 2015, and revised through June 19, 2015.
A-5	"Grading and Drainage Details," Sheet 5 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated February 4, 2015, and revised through June 19, 2015.
A-6	"Landscaping & Lighting," Sheet 6 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated October 16, 2014, and revised through October 17, 2015.
A-7	"Open Space and Details," Sheet 7 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated October 16, 2014, and revised through October 17, 2015.
A-8	"Boundary and Topography," Sheet 8 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated March 12, 2014, and revised through October 17, 2015.
A-9	"Soil Erosion & Sediment Control Plan," Sheet 9 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated February 5, 2015, and revised through October 17, 2015.
A-10	"Truck Turning Radius Plan," Sheet 10 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated June 21, 2015, and revised through September 7, 2015.
A-11	"Zoning Lot of Record Plan," Sheet 11 of 11, prepared by Thomas G. Stearns III, P.E., P.L.S., GB Engineering, LLC, dated October 16, 2014, and revised through September 7, 2015.
A-12	Sign Detail for Ideal Truck Driving School, undated.
A-13	Aerial photograph exhibit prepared by Phillips Preiss Grygiel, LLC.

- A-14 Article entitled "Trucking issue may affect Jersey consumers," by Matthew White, New Jersey 101.5, dated November 1, 2015, via <http://nj1015.com>.
- A-15 "Existing First Floor Plan," Sheet 1, prepared by Michael J. Romanuk, AIA, dated January 15, 2015, and revised through July 20, 2015.
- A-16 "Proposed First Floor Plan," Sheet 2, prepared by Michael J. Romanuk, AIA, dated January 15, 2015, and revised through July 20, 2015.
- A-17 "Existing Conditions Photos," Sheet 3, prepared by Michael J. Romanuk, AIA, dated January 15, 2015.
- A-18 "Foundation/Flood Vent Plan," Sheet 4, prepared by Michael J. Romanuk, AIA, dated January 15, 2015, and revised through July 20, 2015.
- A-19 "Existing and Proposed Front Elevation," Sheet 5, prepared by Michael J. Romanuk, AIA, dated January 15, 2015.
- A-20 "Existing and Proposed Left Side Elevation," Sheet 6, prepared by Michael J. Romanuk, AIA, dated June 8, 2015.
- A-21 Report entitled "Acoustical Evaluation of Ideal Driving School," prepared by Matthew T. Murrelo, P.E., Lewis S. Goodfriend & Associates, dated June 26, 2015.

B. Testimony

Yalissa Alfaro, Esq., represented Alfaro Property Management at the hearing. The following witnesses testified in support of the application:

1. Jorge Alfaro, Ideal Truck Driving School/Alfaro Property Management;
2. Alistia Alfaro, Ideal Truck Driving School;

3. Thomas G. Stearns, III, P.E., P.L.S., GB Engineering, LLC;
4. Anthony Castillo, P.E., SESI Consulting Engineers;
5. Michael J. Romanuk, AIA;
6. Matthew Murrelo, P.E., Lewis S. Goodfriend & Associates; and
7. Keenan Hughes, P.P., AICP, Phillips Preiss Grygdel, LLC.

Staff findings and recommendations are based on the entire record. A transcript of the public hearing was prepared and transcribed by Beth Calderone, Certified Shorthand Reporter.

C. Public Comment

No members of the public were present at the public hearing.

IV. RECOMMENDATION

A. Standards for the Granting of a Use Variance from the Provisions of N.J.A.C. 19-4.5-80, which does not specify truck driving schools as a permitted use in the Light Industrial B zone. The applicant is requesting a use variance to operate a truck driving school at the subject premises.

The District Zoning Regulations at N.J.A.C. Section 19-4.4.14(e) state in part that, a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...

1. Concerning use variances:

- i. The strict application of these regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.

The applicant proposes a truck driving school, which is not a permitted use within the Light Industrial B zone in which the property is located, nor is it listed as a permitted use in any zone of the Hackensack Meadowlands District. Therefore, there is no available location within the District where a truck driving school may locate. This represents an exceptional practical difficulty and hardship to the applicant, who intends to purchase the subject property.

Additionally, the site, in its present condition, is deteriorated and underutilized. The site contains nonconforming residential uses and a vacant restaurant/bar, which is classified as a special exception use in the Light Industrial B zone. The property also contains three detached structures on a single lot, resulting in practical difficulties in the ability to reoccupy the structures on the site for other permitted uses in the Light Industrial B zone.

Therefore, the strict application of these regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.

ii. *The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

The granting of the requested variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. The proposed truck driving school will be located

on an existing vacant and underutilized site within an industrial zone. While the subject property also adjoins a Low Density Residential community to the south, the applicant proposes the installation of a sound wall to attenuate noise that may result from the operations associated with a truck driving school at the premises. In order to ensure the public health and safety, it is recommended that, as a condition to any approval, the applicant be required to submit an as-built acoustical study to ensure compliance with the District's noise performance standards at N.J.A.C. 19:4-7.3. Due to the site's proximity to the Low Density Residential zone, the applicant is required to meet the more stringent performance standards applicable to noise in residential areas.

iii. *Adequate infrastructure, including storm and sanitary sewers, utilities, access roads, will be provided and shall be so designed to prevent and/or minimize negative impacts upon the existing infrastructure. In addition, the proposed use will not decrease the ability of said infrastructure to perform in a safe and efficient manner.*

The site is currently developed with three detached structures. One structure, containing a vacant restaurant and bar with a second-story apartment, is proposed to be demolished. A single-family residential dwelling on the site is proposed to be retained and converted to office space to administer the operations of the truck driving school. The applicant testified that usually only one employee will occupy the office area. A detached garage structure will remain on the site for storage purposes. Therefore, it is likely that the impacts to utility services, such as electricity and sewer, will be reduced in the

proposed condition due to the removal of an existing restaurant and two dwelling units at the site.

The proposed use will also require the expansion of paved areas on the site, and the applicant is proposing to collect and treat stormwater runoff from the majority of the paved surfaces on the site through an underground detention system. Stormwater runoff from a small portion of the existing pavement will continue to sheet flow toward the Riser Ditch. However, in order to improve water quality for the existing runoff from the site, the applicant is proposing to improve the landscaping between the ditch and paved areas. Additionally, an existing sewer main traverses the frontage of the subject property and it is recommended, as a condition of this recommendation, that the applicant consult with the Moonachie Sewer Department to ensure no negative impacts to the main occur as a result of the proposed improvements.

While access to the site will continue to be via Moonachie Avenue, a County roadway, the driveway openings along the public roadway are proposed to be modified to accommodate the movements of the school's tractor trailers and other vehicles entering and exiting the site. In addition, two driveways are proposed to be designated as one way to separate vehicle entrance and exit movements. The applicant testified that the anticipated maximum number of persons at the site at any one time would be nine people, consisting of one office staff member, four instructors, and four students. Therefore, it is not anticipated that the proposed use will result in a significant impact to traffic in the area.

Therefore, the granting of the requested variance, with the recommended conditions, will not result in negative impacts to the existing utility infrastructure.

iv. The variance will not have a substantial adverse environmental impact.

The granting of the requested variance will not result in any adverse environmental impacts. The applicant submitted an acoustical report (Exhibit A-21) and provided testimony from an acoustical engineer indicating that the NJSEA performance standards for noise will be met at the subject property, as the applicant proposes the installation of a sound wall to attenuate noise that may result from the truck driving school's operations. It is recommended that an as-built acoustical report be submitted prior to issuance of final occupancy certification at the premises. The applicant testified that District performance standards also will not be exceeded for noise, vibration, glare, airborne emissions, hazardous or radioactive materials. According to testimony, all requirements of the NJDEP, including those related to idling and air quality, are required to be met and will be monitored by the truck driving school as part of its operations.

All stormwater requirements will also be met on the site. Stormwater management and water quality will be addressed through the installation of an underground stormwater detention and treatment system, as well as the installation of additional landscaping along the Riser Ditch.

The proposed use will involve the parking and maneuvering of trucks and buses on the site. In order to ensure area aesthetics are not negatively impacted, it is recommended that any approval be conditioned on the installation of additional fencing and landscaping. Specifically, an 8-foot-high solid fence and landscaping shall be provided in the vicinity of the northerly row of truck parking spaces to screen the spaces from Moonachie Avenue, and an 8-foot-high solid fence shall be provided along the easterly property line adjoining the existing restaurant use on Lot 3. These added screening measures will ensure no substantial adverse environmental impact will result from approval of the requested use variance.

v. The variance will not substantially impair the intent and purpose of these regulations.

The applicant proposes a truck driving school, which is not a permitted use in any zone of the Hackensack Meadowlands District. Therefore, there is no available location within the District where a truck driving school may locate.

The intent of the Light Industrial B zone is to accommodate a wide range of industrial, distribution, and commercial uses that generate a minimum of detrimental environmental effects. The proposed truck driving school is a commercial use that serves industrial uses, such as those permitted in the Light Industrial B zone, by providing drivers to transfer products stored, manufactured, and/or utilized by industrial facilities.

A stated purpose of the District regulations includes to provide sufficient space in appropriate locations for variety of uses, and to provide that such uses are suitably sited so that aesthetic and use values are maximized. With the recommended conditions, the requested use variance to operate a truck driving school at this particular property will not substantially impair the intent and purpose of these regulations.

vi. The variance at the specified location will contribute to and promote the intent of the NJMC Master Plan.

The District Zoning Regulations reflect the spirit and intent of the NJMC Master Plan and are the mechanism by which the policies and principles of the NJMC Master Plan are implemented and enforced, in accordance with smart growth policies. The subject property is located within the "Employment Center" designation of the Land Use Plan, as documented in the NJMC Master Plan, which is characterized as having a concentration of industrial and warehouse distribution businesses. Business and professional services and transportation facilities are also encouraged by the plan. The inclusion of a truck driving school would complement these envisioned uses, and therefore promotes the intent of the Land Use Plan.

Another planning goal of the NJMC Master Plan includes the promotion of a suitable array of land uses which encourage economic vitality with job creation. The applicant testified that the Ideal Driving School participates in the New Jersey Workforce Development Program and assists unemployed person in gaining a

marketable skill. The applicant also produced an exhibit (A-14) indicating that a significant shortage of truck drivers exists in New Jersey. Therefore, the proposed truck driving school promotes job creation and supports the economic vitality of the region. Accordingly, the proposed use will contribute to and promote the intent of the NJMC Master Plan.

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-8.14(h)4 which provides that the maximum gross sign area shall not exceed five percent of the main façade of the building. The maximum permitted sign area at the subject premises is 39.25 square feet, whereas the proposed signage, including a 42-square-foot wall sign and 64-square-foot ground sign, totals 106 square feet, or 13 percent of the main façade area.

The District Zoning Regulations at N.J.A.C. 19:4-4.14(e) state in part that *a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...*

1. Concerning bulk variances:

i. *The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.*

The subject property is a 1.03-acre parcel that currently contains three detached structures. The applicant proposes to demolish an existing restaurant/bar on the site and retain an existing, vacant single-family dwelling, proposed to be converted to accessory office space, and a detached 340-square-foot garage to be used for storage.

The maximum permitted sign area at the subject premises is 39.25 square feet, whereas the proposed signage, including a 42-square-foot wall sign and 64-square-foot ground sign, totals 106 square feet, or 13 percent of the main façade area. During testimony, the applicant amended the proposed signage area to reduce the requested sign area. The proposed wall sign was reduced to 20 square feet, from 39.25 feet, resulting in the total overall proposed sign area representing 11.8 percent of the main façade area, whereas a maximum of five percent is permitted.

The property is unique in that it contains a small building previously utilized as a dwelling, which is set back approximately 150 feet from Moonachie Avenue. Typically, structures in the Light Industrial B zone are significantly larger and have a greater façade area than that of the existing small building on the subject property, resulting in a larger amount of permitted signage on a site. It is a unique situation for the permitted sign area in an industrial zone to be calculated based on the façade of a structure formerly utilized for residential purposes.

ii. *The granting of the variance will not adversely affect the rights of neighboring property owners or residents.*

The granting of the requested variance to exceed the maximum permitted sign area will not adversely affect the rights of neighboring property owners or residents. The proposed signage is oriented toward Moonachie Avenue, which is primarily industrial and commercial in nature. The proposed signage would not be visible to residential uses in the area.

iii. *The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.*

The permitted sign area at the premises is based on a relatively small facade area attributed to the existing facade area of the vacant dwelling on the site, which is proposed to be converted to office use. The proposed office use on the site is set back 150 feet from Moonachie Avenue, and the proposed 20-square-foot sign on the building would not be adequate to identify the site from the roadway. Therefore, a ground sign located at a setback of 15 from the Moonachie Avenue right-of-way is also proposed in order to identify the use on the site. An additional 10 feet exists between the property line and the curb line along Moonachie Avenue, providing additional distance to the visibility of the sign from Moonachie Avenue. The proposed ground sign is 64 square feet in area, which is not excessive given the site's location within an industrial and commercial corridor, as well as the property's 250 feet of frontage along Moonachie Avenue and the sign's location at a 25-foot setback from the cartway of Moonachie Avenue.

The maximum permitted sign area of 39.25 square feet is not sufficient to accommodate both a ground sign along Moonachie Avenue and a wall sign on the existing structure identifying the proposed office at the premises. Both signs are needed to adequately serve the purpose of identification.

Therefore, the strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.

iv. *The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

The requested variance to exceed the maximum permitted sign area will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

Rather, the additional sign area will promote these purposes by providing adequate identification of the proposed use from Moonachie Avenue. The proposed signage area is needed to effectively identify the use on the site. The ability to properly view signage from the roadway network is a benefit to the safety of the public, particularly in a location along a heavily traveled roadway.

v. *The variance will not have a substantial adverse environmental impact.*

The requested variance will not have a substantial adverse environmental impact. The proposed signs will be stationary and will not be flashing or moving signs, and will not cause the NJMC environmental performance standards for noise, vibration, airborne emissions, glare or hazardous and radioactive materials to be exceeded.

vi. *The variance represents the minimum deviation from the regulations that will afford relief.*

The practical difficulties associated with the small size of the building facade and the setback from the roadway result in a need to provide additional sign area in order to adequately identify the use of the premises. The applicant does not seek an excessive amount of signage on the site. A total of two signs are permitted at the subject premises, which will be a single-tenanted property, and, accordingly, two signs are proposed. The applicant, during testimony, reduced the area of the proposed wall sign by half, to 20 square feet. A 20-square-foot sign on the building will provide adequate message area for a person entering the site to identify the business. A 64-square-foot ground sign is sufficient to identify the proposed business from Moonachie Avenue. The resulting overall signage calculation of 11.8 percent of the facade area represents the minimum deviation from the regulations governing maximum permitted sign area that will afford relief.

vii. *Granting the variance will not substantially impair the intent and purpose of these regulations.*

The granting of the requested variance will not substantially impair the intent and purpose of the District regulations related to signage. The intent and purpose of the sign regulations is to provide for suitable identification of a use that maximizes the safety of the motorists toward which the sign is directed, without being excessive or creating visual clutter. The small size of the building on the site, in comparison to the larger commercial and industrial

structures along Moonachie Avenue, results in unique signage needs for this particular site. The granting of the variance to exceed the permitted sign area promotes the public safety through the provision of sufficient sign area to allow safe and adequate identification of the site, without visual clutter, particularly on a property located along a heavily-traveled county roadway.

V. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Use Variance from the Provisions of N.J.A.C. 19:4-5.80, which does not specify truck driving schools as a permitted use in the Light Industrial B zone. The applicant is requesting a use variance to allow a truck driving school at the subject premises.

Based on the record in this matter, the use variance application to permit a truck driving school at the subject premises is hereby recommended for APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. A copy of an approved New Jersey Department of Environmental Protection (NJDEP) Individual Flood Hazard Area Permit and/or other NJDEP approval of the extent of existing disturbance within the 50-foot buffer zone to the Riser Ditch along the westerly property line shall be provided to the NJSEA prior to zoning certificate approval.
2. An as-built noise analysis performed by a NJ-licensed professional shall be provided to the NJSEA for review and approval prior to issuance of a final Certificate of Completion and/or Occupancy Certification. Evidence of compliance with the NJSEA noise performance standards at N.J.A.C. 19:4-7.3, including noise standards for areas adjacent to residential uses, shall be provided.

3. The applicant shall comply with NJSEA performance standards regarding airborne emissions at N.J.A.C. 19:4-7.5 and NJDEP standards related to air quality and idling of vehicles.
4. The applicant shall comply with all requirements of the Moonachie Sewer Department prior to the issuance of a final Certificate of Completion and/or Occupancy Certification.
5. The southern-most truck parking space in the vicinity of the northerly row of truck parking spaces shall be eliminated, pursuant to testimony at the public hearing.
6. Additional landscaping and an 8-foot-high solid fence in the vicinity of the northerly row of truck parking spaces shall be provided to screen the truck parking areas from Moonachie Avenue, to the extent determined by the NJSEA Chief Engineer.
7. An 8-foot-high solid fence shall be provided along the easterly property line, terminating at the proposed sound wall.

Conditional Approval 1/6/16
 Recommendation on _____
 Use Variance Request _____
 Sara J. Sundell, P.E., P.P.
 Director of Land Use Management

CONDITIONAL APPROVAL 1/6/16
 Recommendation on _____
 Use Variance Request _____
 Ralph J. Marra, Jr.
 Senior Vice President
 Legal & Regulatory Affairs

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-8.14(h)4 which provides that the maximum gross sign area shall not exceed five percent of the main facade of the building. The maximum permitted sign area at the subject premises is 39,25 square feet, whereas the proposed signage, including a 42-square-foot wall sign and 64-square-foot ground sign, totals 106 square feet, or 13 percent of the main facade area.

Based on the record in this matter, the bulk variance application to permit a maximum permitted sign area of 13 percent, or 106 square feet of signage, whereas five percent, or 39,25 square feet of sign area, is permitted on the subject premises, is hereby recommended for APPROVAL SUBJECT TO THE FOLLOWING CONDITION:

1. Pursuant to testimony by the applicant at the public hearing, the proposed wall sign area shall be reduced to 20 square feet, resulting in a maximum permitted signage area for the subject premises of 11.8 percent.

Conditional Approval 1/6/16
 Recommendation on _____
 Bulk Variance Request _____
 Sara J. Sundell, P.E., P.P.
 Director of Land Use Management

CONDITIONAL APPROVAL 1/6/16
 Recommendation on _____
 Bulk Variance Request _____
 Ralph J. Marra, Jr.
 Senior Vice President
 Legal & Regulatory Affairs

RESOLUTION 2016-72

**RESOLUTION TO DEEM
100 PARK PLAZA DRIVE (BLOCK 227, LOTS 4.03 AND 4.04)
IN THE TOWN OF SECAUCUS
AS AN AREA IN NEED OF REDEVELOPMENT**

WHEREAS, N.J.S.A. 5:10A-7(j) authorizes the New Jersey Sports and Exposition Authority (NJSEA) to determine the existence of areas in need of redevelopment or rehabilitation and to approve or undertake redevelopment projects therein; and

WHEREAS, N.J.S.A. 5:10A-23 authorizes the NJSEA to declare the Hackensack Meadowlands District, or any portion thereof, to be an area in need of redevelopment; and

WHEREAS, N.J.A.C. 19:3-5.1 *et seq.* provides the procedures for designating an area within the Hackensack Meadowlands District as an area in need of redevelopment; and

WHEREAS, a petition dated August 6, 2013, was received by Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC (Hartz), requesting that the redevelopment potential of the property identified as 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey, owned by Hartz, be investigated; and

WHEREAS, on November 25, 2013, the Board of Commissioners adopted Resolution No. 13-45, which authorized the staff to conduct an investigation of the property identified as 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey to determine if it meets the conditions to be designated an area in need of redevelopment; and

WHEREAS, Hartz subsequently rescinded their original petition and submitted a revised petition on September 18, 2015; and

WHEREAS, the NJSEA received a letter, dated September 11, 2015, from the Town of Secaucus Mayor Michael Gonnelli, in support of the petition for the in need of redevelopment designation of the subject properties; and

WHEREAS, the results of the staff's investigation were compiled in the "Draft In Need of Redevelopment Investigation - Hartz Carpet Center Site" Report, dated November 2015; and

WHEREAS, a public hearing was held on December 15, 2015, to obtain comment on the redevelopment investigation report; and

WHEREAS, one written comment was received by the NJSEA, and one comment and one objection to the redevelopment investigation report were received at the public hearing; and

WHEREAS, the NJSEA staff has concluded the redevelopment investigation and has prepared the final "In Need of Redevelopment Investigation - Hartz Carpet Center Site" Report, dated December 2015, which provides findings that the specific condition outlined in N.J.A.C. 19:3-5.7(a)5, supporting a redevelopment designation, exists for the subject properties in the study area; and

WHEREAS, pursuant to N.J.S.A. 5:10A-9, a copy of the final report was forwarded on December 21, 2015, to the Hackensack Meadowlands Municipal Committee (HMMC) for approval, and was unanimously approved at their meeting on January 13, 2016.

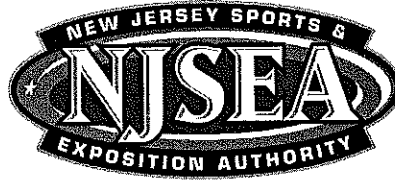
NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Sports and Exposition Authority, that the properties identified as 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey are hereby deemed to be an area in need of redevelopment, pursuant to N.J.A.C. 19:3-5.6.

BE IT FURTHER RESOLVED, that the NJSEA staff is hereby authorized to prepare a redevelopment plan pursuant to N.J.A.C. 19:3-5.8 through 5.10, and to hold a public hearing to obtain public comment on the redevelopment plan.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of January 14, 2016.



Ralph J. Marra, Jr., Esq.
Assistant Secretary



MEMORANDUM

To: NJSEA Board Member and Wayne Hasenbalg, President/CEO

From: Sara J. Sundell

Date: January 14, 2016

Subject: Hartz Carpet Center Redevelopment Investigation (File SP-729)

On November 25, 2013, the Board of Commissioners adopted Resolution No. 13-45, which authorized the staff to conduct an investigation of the property identified as 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey, to determine if it meets the conditions to be designated an area in need of redevelopment. The redevelopment investigation was requested by the property owner, Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC ("Hartz"), in a petition dated August 6, 2013. Hartz subsequently rescinded their original petition and submitted a revised petition on September 18, 2015

The results of this investigation were compiled in the "Draft In Need of Redevelopment Investigation - Hartz Carpet Center Site" Report (Report), dated November 2015. A public hearing was held on December 15, 2015, to obtain comment on the redevelopment investigation. One written comment was received by the NJSEA, and one comment and one objection to the redevelopment investigation were received at the public hearing. No changes are proposed to the Report as a result of public comment.

The NJSEA staff has concluded the redevelopment investigation and has prepared a final "In Need of Redevelopment Investigation - Hartz Carpet Center Site" Report, dated December 2015, which provides findings that the specific condition outlined in N.J.A.C. 19:3-5.7(a)5, supporting a redevelopment designation, exists for the subject property.

Staff recommends that the Board of Commissioners of the NJSEA make a determination that the subject study area be deemed an area in need of redevelopment, and authorize NJSEA staff to proceed with the preparation of a redevelopment plan and to hold a public hearing on the proposed redevelopment plan.

IN NEED OF REDEVELOPMENT INVESTIGATION REPORT

Hartz "Carpet Center" Site

**100 Park Plaza Drive - Block 227, Lots 4.03 & 4.04
Secaucus, NJ**



New Jersey Sports & Exposition Authority

December 2015

Authorized by Resolution No. 13-45 on November 25, 2013
Adopted by Resolution No. _____ on January 14, 2016



NEW JERSEY SPORTS & EXPOSITION AUTHORITY

**IN NEED OF REDEVELOPMENT INVESTIGATION REPORT
HARTZ "CARPET CENTER" SITE**

**100 PARK PLAZA DRIVE
(BLOCK 227, LOTS 4.03 & 4.04)
TOWN OF SECAUCUS**

DECEMBER 2015

Chairman

Michael Ferguson

Vice Chairman

Joseph Buckelew

President/CEO

Wayne Hasenbalg

Board Members

John Ballantyne

Armando Fontoura

Michael H. Gluck

LeRoy Jones

George Kolber

Steven Plofker

Andrew Scala

Anthony Scardino

Robert Yudin

James Wooster*

***NJ State Treasurer's Representative**

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APPENDICES

- A. NJMC Resolution No. 13-45 dated November 25, 2013.
- B. NJMC Resolution No. 14-13 dated March 26, 2014.

I. INTRODUCTION

*Pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015.

The New Jersey Sports & Exposition Authority (NJSEA) has been petitioned by Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC, to investigate the redevelopment potential of the property identified as 100 Park Plaza Drive, Block 227, Lots 4-03 and 4-04, in the Town of Secaucus, New Jersey. The property is located in the Harmon Meadow commercial center and is commonly known as the Hartz Carpet Center Site, due to the carpet wholesalers who formerly occupied the site. The subject property may alternately be referred to herein as the "study area."

In response to a petition regarding this matter dated August 6, 2013, the NJMC Board of Commissioners adopted Resolution No. 13-45 on November 25, 2013, which authorized the staff to conduct an investigation of the subject property to determine if it meets the conditions to be designated an area in need of redevelopment. Hartz Mountain Industries subsequently rescinded their original petition and submitted a revised petition on September 18, 2015.

On March 26, 2014, the NJMC Board of Commissioners adopted Resolution No. 14-13 determining that the site is suitable for housing in accordance with the Interim Policies Governing Affordable Housing Development in the Meadowlands District.

The study area is comprised of two tax lots, totaling approximately 13.6 acres in area, and is located within the Hackensack Meadowlands District's (District) Regional Commercial zone. The subject property fronts on Park Place and a portion of the access easement identified as Park Plaza Drive. It is located in the northeast corner of Harmon Meadow, a regional commercial development comprised of retail establishments, restaurants, hotels, offices, a convention center, movie theater, fitness club, and multiple parking decks. The subject property was formerly improved with two interconnected buildings, totaling approximately 331,000 square feet, which had been utilized as showroom space by carpet wholesalers. These structures were demolished, pursuant to a demolition permit issued by the Town of Secaucus in October 2013. A portion of the Cromackii Creek and associated wetlands are present in the northerly portion of the site within a designated wetland preservation area, which also includes a walking path for passive recreation.

The study area is delineated by a yellow boundary line on the aerial map in Figure 1. Properties within Block 227 are located in the District's Regional Commercial zone, as shown on the existing zoning map for the redevelopment study area in Figure 2.

The petitioner has submitted a planning report, prepared by Phillips Preiss Grygiel LLC, dated September 2015, which states that the study area should be declared an area in need of redevelopment in accordance with the following criteria of the NJSEA regulations:

- Criterion No. 2, N.J.A.C. 19:3-5.7(a)2, which involves "The discontinuance of the use of buildings previously utilized for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable."
- Criterion No. 4, N.J.A.C. 19:3-5.7(a)4, which refers to "areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community."

In Need of Redevelopment Study Area: Overview
 Block 227, Lots 4.03 & 4.04, Secaucus

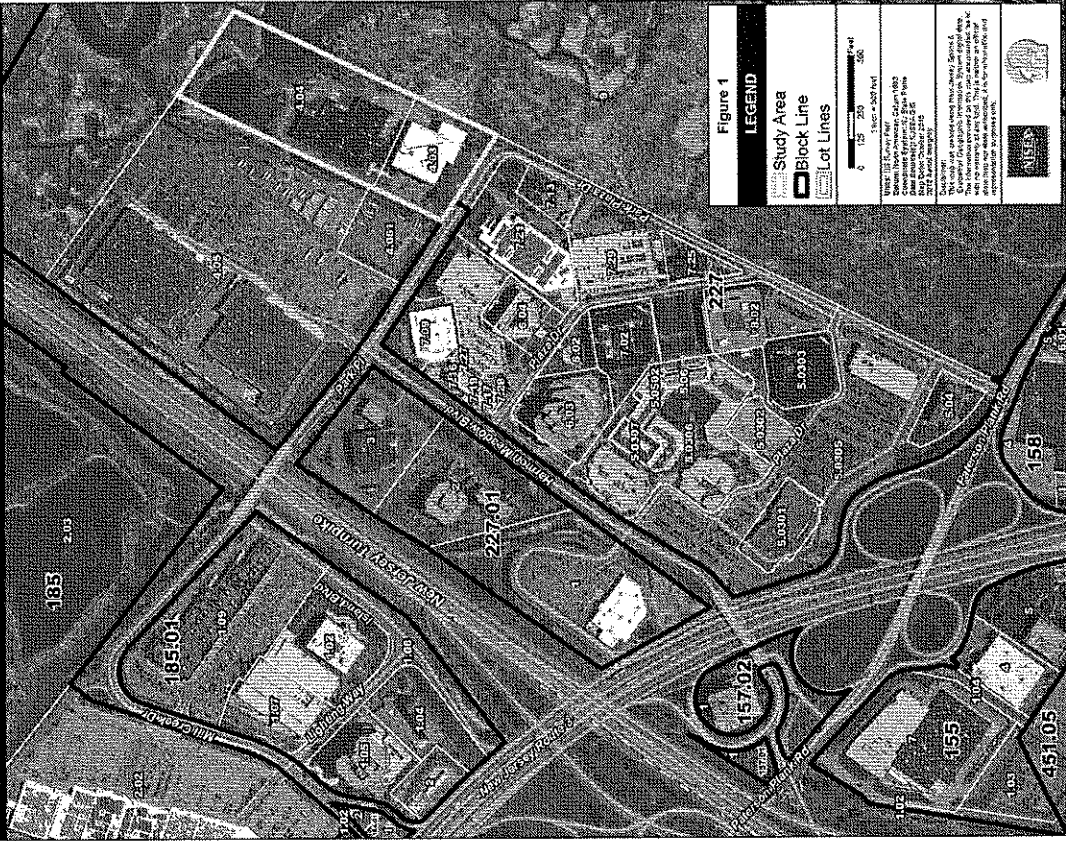


Figure 1

LEGEND

- Study Area
- Block Line
- Lot Lines

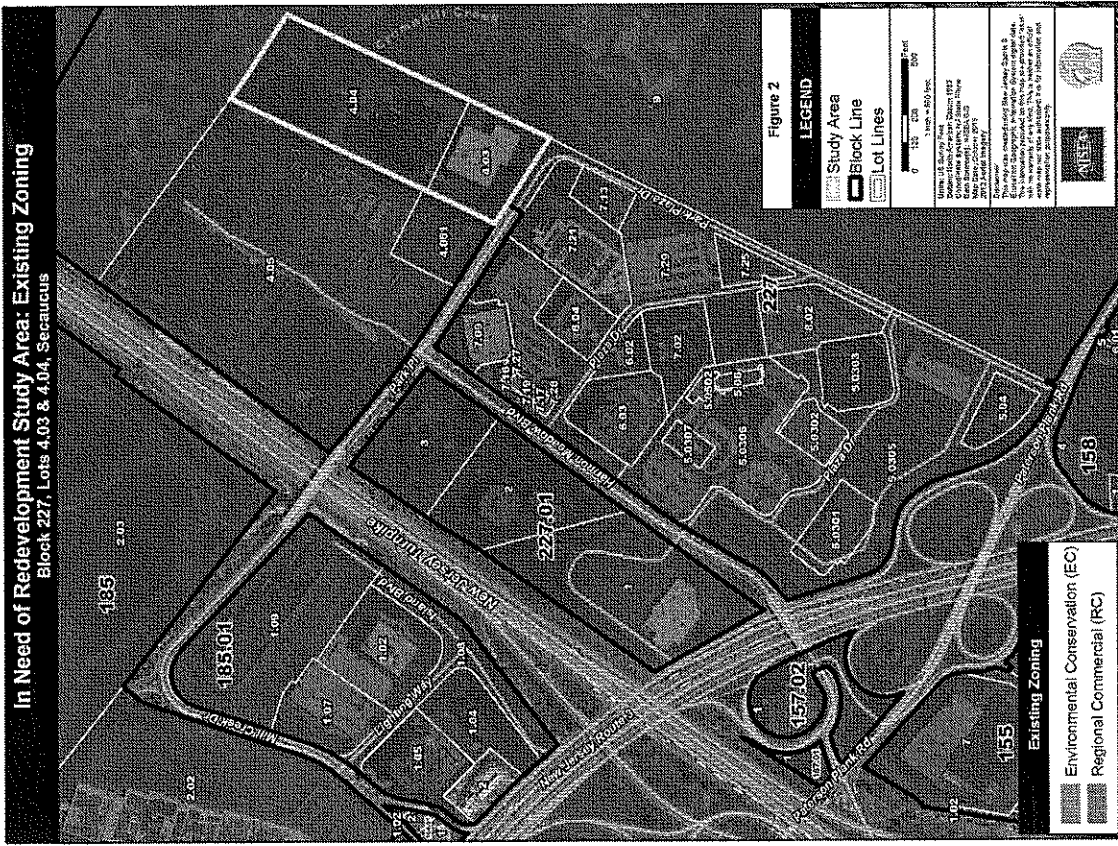
Scale: 1" = 50' NAD 83
 0 15 30 45 60 Feet

Prepared by: NJSEA
 Date: 12/15/2015
 Project: In-Need of Redevelopment Investigation Report

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- Criterion No. 5, N.J.A.C. 19:27-5.7(a)5, as there exists a "Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare."

The subject In Need of Redevelopment Investigation Report ("Report") represents the results of the investigation of the study area to support the NJSEA Board of Commissioners' determination whether the study area should be declared in need of redevelopment.



II. REDEVELOPMENT POWERS AND PROCEDURES

1. Redevelopment Legislation - The NJSEA is authorized by statute, at N.J.S.A. 5:10A, to declare the entire Meadowlands District, or any portion therein, an area in need of redevelopment.

The procedure for taking such action is provided in the NJSEA statute at N.J.S.A. 5:10A-23, and codified in the District's redevelopment regulations at N.J.A.C. 19:3-5.1 et seq.

2. Redevelopment Investigation - N.J.A.C. 19:3-5.4 sets forth the provisions for the requirements of a redevelopment investigation. Upon adoption of a resolution by the Authority authorizing an investigation, the NJSEA staff shall conduct the investigation and prepare an "In Need of Redevelopment Report" (Report), which shall contain the following:

- a) A description of the methods and resources used to assess the area;
- b) A detailed description of the area, including, but not limited to, acreage, existing zoning, description of existing utility infrastructure, and other relevant characteristics;
- c) A site analysis for each lot within the area, listing, at a minimum, ownership, size, and characteristics which support the designation of the area as in need of redevelopment; and
- d) Findings comparing the listed characteristics of the area to each criterion of N.J.A.C. 19:3-5.7. NJSEA staff shall determine whether the existing conditions of the area in question meet the any of the following criteria:

- 1. *The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolete, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;*
- 2. *The discontinuance of the use of buildings previously utilized for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable;*
- 3. *Land that is owned by the NJMC (NJSEA), or other public entities, or unimproved vacant land that has remained so for a period of 10 years prior to adoption of the resolution; or land that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital;*
- 4. *Areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community;*
- 5. *Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;*

6. *Areas in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone,*

tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated;

7. Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or
8. Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.

Upon completion of the draft Report, a public hearing shall be held in accordance with N.J.A.C. 19:4-4.17 to afford opportunity for public comment on the Report and its findings. The Report shall be available for public inspection upon the issuance of the public notice in accordance with N.J.A.C. 19:3-5.5.

3. Resources – The evaluation of existing buildings and land uses within this study area and the immediately surrounding properties included the review of the following resources:

- Existing physical and natural conditions in and surrounding the study area;
- NJSEA aerial photographs and topographic maps;
- NJSEA Geographic Information Systems (GIS) data;
- Hackensack Meadows District Regulations: N.J.A.C. 19:3-5.1 et seq. (Redevelopment Areas) and N.J.A.C. 19:4-1.1 et seq. (District Zoning Regulations);
- Town of Secaucus Tax Maps;
- Municipal Property Tax Information (NJ MOD-IV data);
- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) dated September 30, 2005 and Preliminary FIRM as of August 29, 2014;
- NJSEA development application records/engineering files;
- Review of NJDEP Known Contaminated Sites List;
- NJDEP maps showing Conveyances and Leases of State-owned Tidelands;
- USDA Natural Resources Conservation Service Soils Survey;
- Secaucus Town Council Resolution dated July 3, 2012;
- Secaucus Board of Education Resolution dated July 3, 2012;
- "Will-serve" letter from United Water New Jersey, dated October 15, 2013;
- "Will-serve" letter from Secaucus Municipal Utilities Authority, dated October 17, 2013;
- NJMC Resolution No. 14-13 dated March 26, 2014;
- Letter from Joseph Mele, PE, PLS of Dreschner Robin, dated April 9, 2014, including copy of Waterfront Development Permit application to the NJDEP Land Use Regulation Program division;
- "Planning Report in Support of an Area in Need of Redevelopment Designation for Block 227, Lots 4.03 and 4.04 in the Town of Secaucus, New Jersey," prepared on behalf of Hartz Mountain Industries by Phillips Preiss Grygiel, LLC, dated September 2015; and
- Letter from Michael J. Connelli, Mayor, Town of Secaucus, dated September 11, 2015.

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III. GENERAL CONDITIONS OF STUDY AREA

Specific data regarding existing site conditions, characteristics and constraints are as follows:

1. **Property Area** - The study area is comprised of two tax lots, identified as Lots 4.03 and 4.04 within Block 227, in the Town of Secaucus, totaling approximately 13.6 acres, as detailed in the table in Figure 3 below.

Figure 3. Properties Within In Need of Redevelopment Study Area

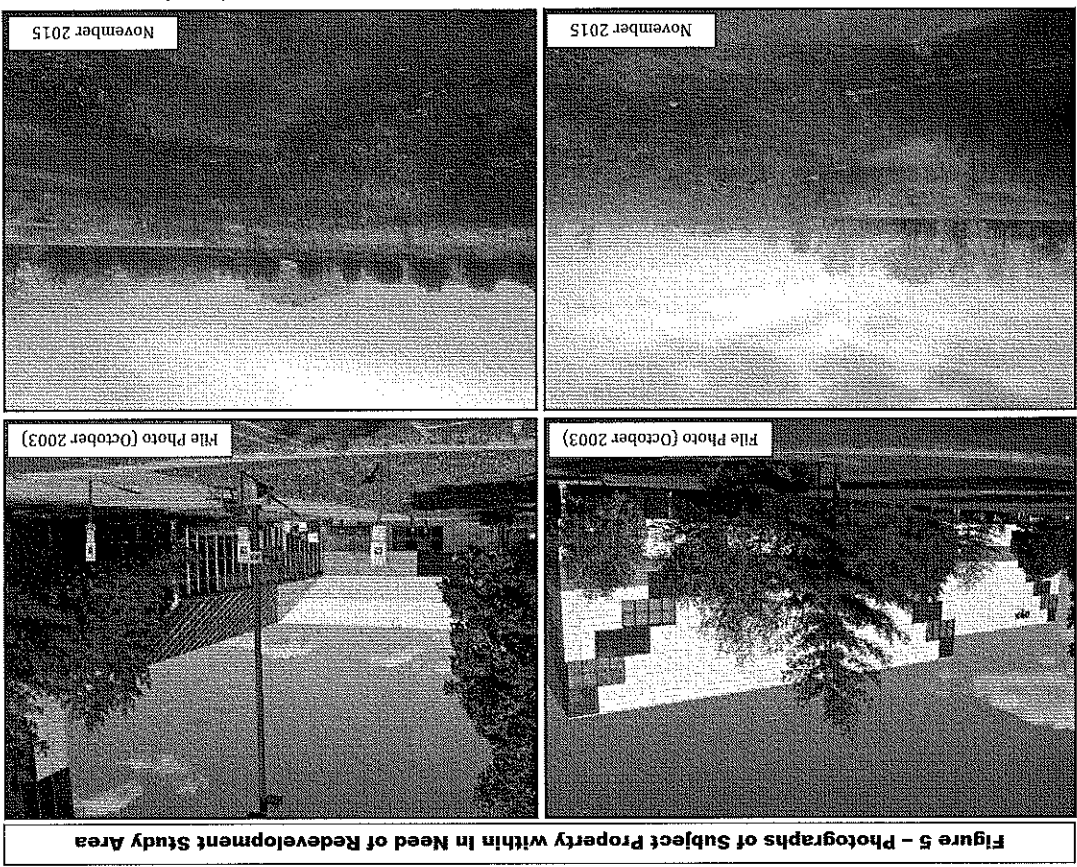
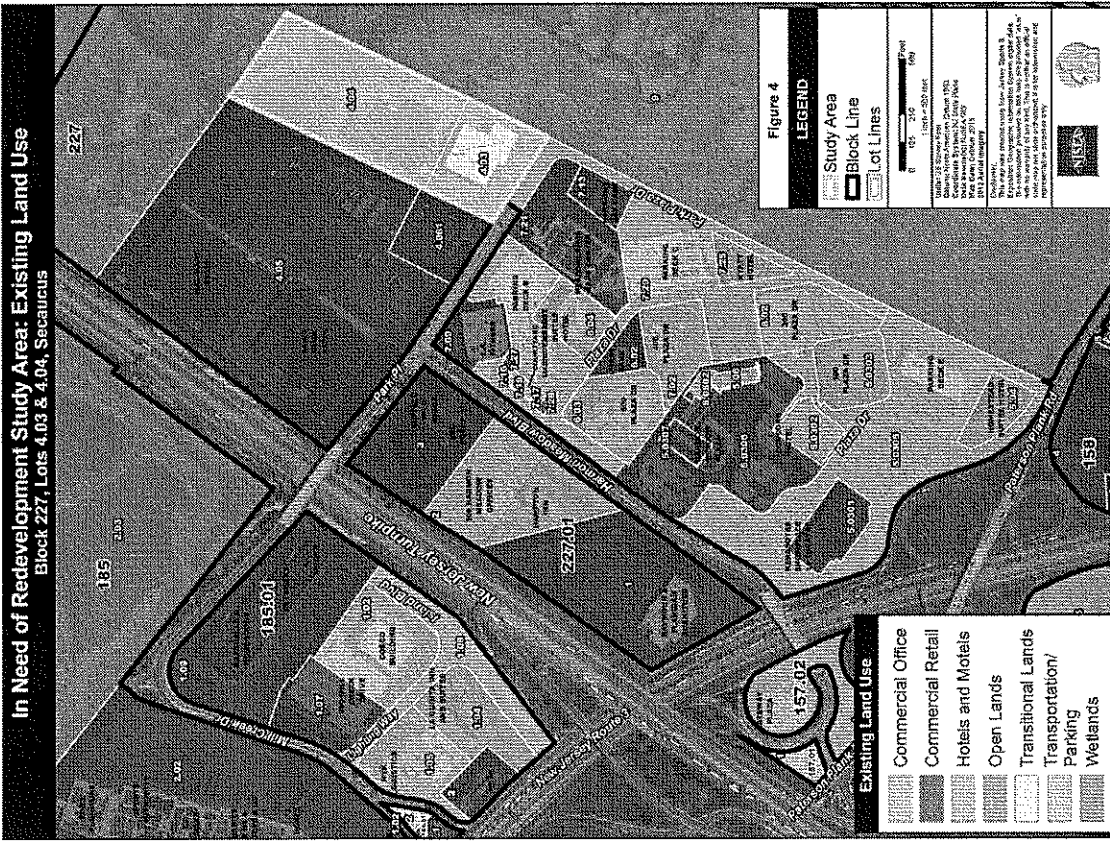
Block	Lot	Address	Owner Name	Acres (GIS)	Acres (Tax)	Existing Land Use (former wholesale)	Existing Zoning
227	4.03	100 PARK PLAZA DRIVE	HARTZ MOUNTAIN c/o NYURBAN/POOLE FINANCIAL	3.80	3.84	Vacant	Regional Commercial
227	4.04	100 PARK PLAZA DRIVE	100 PARK PLAZA DRIVE, LLC	9.65	9.80	Vacant (former wholesale)	Regional Commercial

Total acres: 13.45 13.64
Source: NJSEA Geographic Information Systems (GIS), November 2015

The subject property fronts on Park Place and on a portion of the access easement identified as Park Plaza Drive. The site is located in the northeast corner of the Harmon Meadow complex, a regional commercial development comprised of retail establishments, restaurants, hotels, offices, a convention center, movie theater, fitness club, and multiple parking decks. The study area is bounded to the west by the parking lot of a Wal-Mart and Sam's Club big box development; to the south by the Harmon Meadow Plaza commercial complex; to the east by an undeveloped portion of the Regional Commercial zone; and to the north and northeast by a property located in the Environmental Conservation zone consisting primarily of wetlands and a portion of the Cromakill Creek. Many properties in the Harmon Meadow complex are owned by Hartz Mountain Industries or affiliated entities. A map of existing land use within Harmon Meadow is provided in Figure 4.

The subject property was previously improved with two interconnected buildings, totaling approximately 331,000 square feet, which had been utilized as showroom space by carpet wholesalers. The building formerly located on Lot 4.03, known as the ORICA building, was a 170,910-square-foot structure with three stories over ground level parking. The building formerly located on Lot 4.04 was a two-story, 160,440-square-foot steel frame structure, known as the ACIRO building. These structures were demolished, pursuant to a demolition permit issued by the Town of Secaucus in October 2013, and the property is currently devoid of any structures. Demolition debris is presently evident on the site and access to the site is gated. Figure 5 provides photographs of the subject properties in both their former developed condition, taken in October 2003, as well in their current post-demolition condition. The planning report prepared on behalf of Hartz Mountain Industries by Phillips Preiss Grygiel LLC, dated September 2015, contains photographs of the former buildings on the site, as well as photographs of the interior of the buildings as they existed prior to demolition.

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A portion of the Cromackill Creek and associated wetlands are present in the northerly portion of the site, which includes a designated wetland preservation area. A walking path is present through these wetlands and provides an opportunity for passive recreation activities. A drainage ditch also runs along the property's westerly property line, which flows into a basin in the wetlands area in the northwesterly portion of the property.

The study area is the subject of a zoning certificate application (NJSEA File No. 12-528 Hartz CC/Carpet Center Residential Development), received on August 31, 2012, for the construction of a 469-unit residential development, including 94 affordable housing units. In connection with the zoning certificate application, the property owner(s) submitted an application for a Site Suitability Determination, requesting that the site be deemed suitable for the development of residential uses pursuant to the NJSEA's *Interim Policies Governing Affordable Housing in the Meadowlands District*. The *Interim Policies*, last adopted by the NJMC by Resolution No. 11-29 dated July 27, 2011, are intended to provide expanded opportunities for affordable housing in the Meadowlands District until such time as new regulations can be promulgated to be consistent with state affordable housing regulations. The site was deemed suitable to accommodate housing by the NJMC Board of Commissioners on March 26, 2014 by Resolution No. 14-13.

As a result, the site suitability determination authorizing residential uses within the study area supplements the permitted uses of the Regional Commercial zone (N.J.A.C. 19:4-5.52) enumerated in Section 2 below. All other requirements of the zone, including bulk standards, remain in effect.

The subject property is also the subject of two resolutions in the Town of Secaucus. In a resolution dated July 3, 2012, the Mayor and Council of the Town of Secaucus authorized the execution of a developer's agreement between the property owner (100 Park Place Drive, LLC) and the Town of Secaucus. A Developer's Agreement was executed on an unspecified date in July 2012 between 100 Park Plaza Drive, LLC and the Town of Secaucus. The Town's resolution and Developer's Agreement state that the property owner agrees to comply with all applicable COAH requirements as it seeks to develop a project with no more than 500 luxury residential units, with a bedroom distribution mix consisting of 55 percent studio and one-bedroom units, and 45 percent two-bedroom units, with the exception of any bedroom distribution requirements required by COAH. The resolution also states that any roads in the development will be private roads maintained by the property owner. Furthermore, the resolution and Developer's Agreement state that the property owner will pay the Town of Secaucus an impact fee of \$3,200 per market rate unit upon the issuance of a certificate of occupancy, as well as a sum of \$97,000 for the purchase of two school buses upon signing the developers' agreement.

In another resolution, also dated July 3, 2012, the Town of Secaucus Board of Education adopted a resolution stating that the Town of Secaucus has agreed that the monetary amounts of \$3,200 per market rate unit and the lump sum of \$97,000 to be provided by the property owner will be provided to the Board of Education for the purposes of purchasing two school buses and to be used toward the expansion of Secaucus Middle School. The resolution also provides the Board's support of the proposed residential project in light of the agreement between the Town and the property owner.

Finally, in a letter dated April 9, 2014, from Joseph Mele, PE, PLS, of Dressner Robin, the NJMC received notification that the property owner has submitted an application to the NJDEP Land Use Regulation Program Division for a Waterfront Development Permit for the development of three residential mid-rise apartment buildings and associated site improvements on the subject property.

2. **Zoning** - The area is located entirely within the zoning jurisdiction of the New Jersey Sports and Exposition Authority. The subject property is located in the Hackensack Meadowlands District's Regional Commercial zone. (See Figure 2.)

The purpose of the Regional Commercial zone is to contain large-scale commercial development proximate to major roadways, and to accommodate a range of commercial uses serving a regional market area. Development in the zone is intended to incorporate regional retail facilities and large-scale commercial employment centers.

The use and bulk regulations for the Regional Commercial zone are provided below.

A. *The permitted uses in the Regional Commercial zone (N.J.A.C. 19:4-5.52) are:*

1. Banks;
2. Business services;
3. Commercial recreation, indoor;
4. Commercial recreation, outdoor;
5. Convention centers;
6. Cultural facilities;
7. Day care facilities;
8. Health care centers;
9. Hotels and motels;
10. Movie theaters;
11. Offices;
12. Parks or recreation facilities;
13. Personal services;
14. Public utility uses, light;
15. Restaurants;
16. Retail;
17. Self-storage facilities; and
18. Social services.

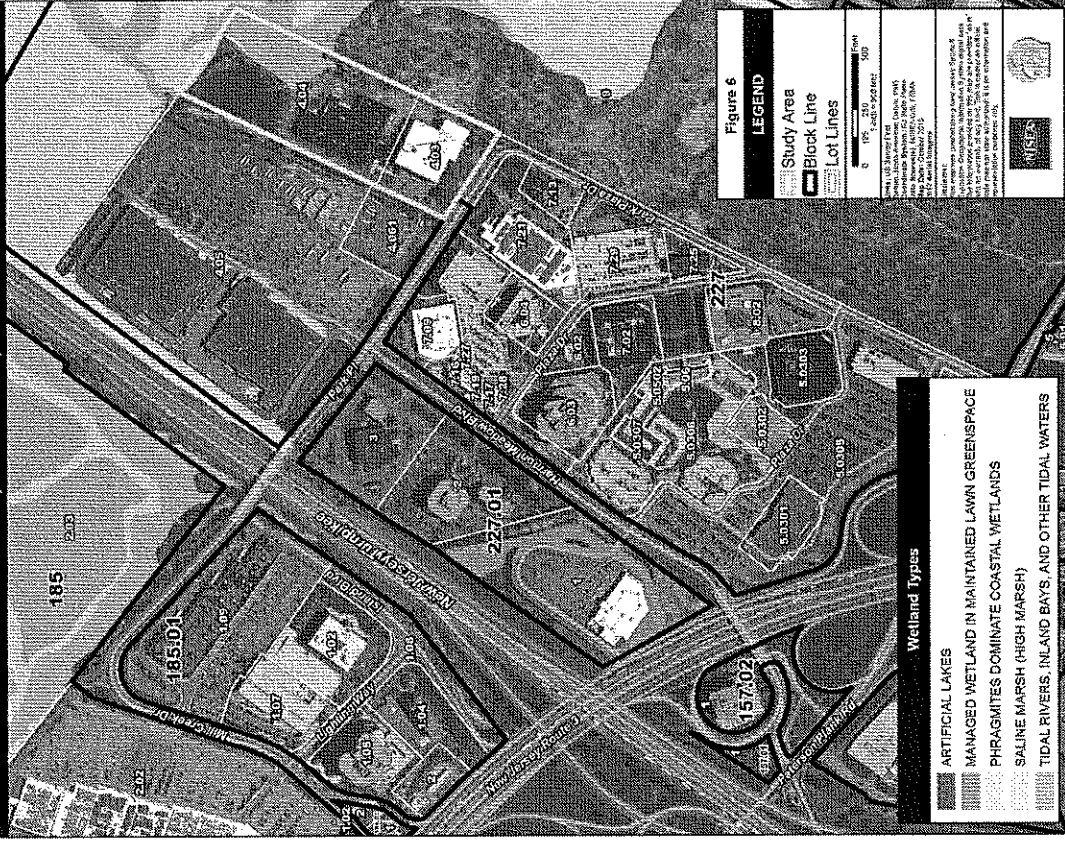
B. *The special exception uses in the Regional Commercial zone (N.J.A.C. 19:4-5.53) are:*

1. Communications transmission towers;
2. Essential public services; and
3. Helistops.

C. *The use limitations in the Regional Commercial zone (N.J.A.C. 19:4-5.54) are:*

1. Accessory outdoor display areas shall be permitted only in connection with retail sales, when provided in accordance with the following:
 - i. Such areas shall be located immediately adjacent to the building;
 - ii. Such areas shall not exceed 20 percent of the ground floor area of the building, with the total area included within the permitted floor area of the site; and
 - iii. Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9, and shall not conflict with pedestrian or vehicular circulation.
2. Accessory outdoor storage areas shall be permitted only in connection with a principal retail use and used solely for the staging of new products, in accordance with the following:

In Need of Redevelopment Study Area: Wetlands (NJDEP 2007)
Block 227, Lots 4.03 & 4.04, Secaucus



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- i. Such areas shall not exceed 10 percent of the ground floor area of the building, with the total area included within the permitted floor area of the site;
- ii. Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9; and
- iii. Materials within accessory outdoor storage areas shall not exceed the height of the screening.

D. The lot size requirements in the Regional Commercial zone (N.J.A.C. 19:4-5.55) are:

- 1. Minimum lot area: three acres; and
 - 2. Minimum lot width: 300 feet.
- E. The bulk regulations in the Regional Commercial zone (N.J.A.C. 19:4-5.56) are:**
- 1. Maximum lot coverage: 40 percent;
 - 2. Minimum open space: 20 percent;
 - 3. Yards:
 - i. Minimum front yard: 50 feet for all structures, 25 feet for at-grade parking areas;
 - ii. Minimum side yard: 40 feet; and
 - iii. Minimum rear yard: 30 feet;
 - 4. FAR: 0.75; not including the floor area of parking garages, restaurants, hotels and motels; and
 - 5. Maximum number of hotel and motel rooms per acre: 25 rooms.

F. The performance standards in the Regional Commercial zone (N.J.A.C. 19:4-5.57) are:
All category B performance standards of N.J.A.C. 19:4-7 shall apply to all uses in the Regional Commercial zone.

As stated in Section 1 above, the subject site was deemed suitable to accommodate residential uses with an inclusionary affordable housing component by the NJMC Board of Commissioners on March 26, 2014, by Resolution No. 14-13. As a result, the site suitability determination authorizing residential uses within the study area supplants the permitted uses of the Regional Commercial zone. All other requirements of the zone, including bulk standards, remain in effect.

3. Wetlands – According to NISEA GIS data, certain environmentally sensitive areas are indicated within the study area. A portion of the Cromakill Creek, classified as tidal waters, meanders through the northeasterly corner of the site. An area designated as an artificial lake is present in the northwesterly portion of the site. Areas adjacent to the Cromakill Creek are identified as phragmites-dominate coastal wetlands. (See Figure 6.)

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The actual presence or absence of wetlands on a particular site is subject to further review and confirmation by a detailed wetlands study and a jurisdictional determination by the U.S. Army Corps of Engineers.

4. **Soils** - The soils map of the US Department of Agriculture Natural Resources Conservation Service Soil Survey indicates there are three soil classifications present within the study area:

1. **URWETB** (Urban land, wet substratum, 0 to 8 percent slopes), composed primarily of "asphalt over human-transported material," exists on the area of the property formerly improved with buildings and associated parking areas.
2. **Weda** (Westbrook mucky peat), composed of herbaceous organic material over loamy drift and/or marine deposits, is present in the northerly portion of the site beyond the edge of the developed area.
3. **WATER**, composed of a portion of the Cromackill Creek that is present in the northeasterly part of the site.

Site-specific soils studies would be required at the time of any potential construction permit application to ensure that the appropriate construction methodologies will be utilized for the sound structural support of any future building at the site.

5. **Contamination** - The Known Contaminated Sites List (KCSL) in New Jersey is a report maintained by the NJDEP pursuant to N.J.S.A. 58:10-23.16 and 23.17 that provides a record of sites with confirmed soil or water contamination at levels greater than the applicable cleanup criteria or standards.

Neither of the properties in the study area is listed in the NJDEP KCSL.

6. **Vehicular Access** - The subject property contains frontage on Park Place, a four-lane roadway serving properties in the Harmon Meadow complex. Park Place is an east-west roadway between Park Plaza Drive and Mill Creek Drive, which intersects with Harmon Meadow Boulevard. Regional access into Harmon Meadow is available via two signalized intersections at Paterson Plank Road (at Park Plaza Drive and Harmon Meadow Boulevard), the Route 3 East Service Road to Harmon Meadow Boulevard, and from the Route 3 West Service Road with various points of entry into the complex. The property contains two points of access from Park Place/Park Plaza Drive via one driveway at the property's southwest corner, where Park Place is a public right-of-way, and another driveway at its southeast corner, where Park Plaza Drive is a private road.

Harmon Meadow is also served by various public transportation services, including NJ Transit bus routes #78, 85, and 320, as well as the EZ Ride shuttle bus service to and from the Secaucus Junction train station.

7. **Floodplain** - Properties in the study area appear on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), Map Number 3405700266G, dated September 30, 2005. Most of the study area is located within a special flood hazard area (SFHA) designated by FEMA as Zone AE, a 100-year floodplain where base flood elevations have been determined. The properties in the study area have a base flood elevation of 9 feet (NGVD29 datum).

FEMA has published new Preliminary FIRMs as of August 29, 2014, which, pending public comment, are expected to become the new effective FIRMs in early 2016. The FEMA Preliminary FIRM for the study area, Map Number 3405700266J, shows changes to the SFHA designation at the property in question. Specifically, a portion of the site is proposed to be removed from the special flood hazard area designation, while much of the property remains in Zone AE, with an elevation of 8 feet (NAVD88 datum). (Note: FEMA's Preliminary FIRMs utilize the NAVD88 datum to establish base flood elevations, whereas previous FIRMs utilized NGVD29 datum. At the subject location, subtracting 1.04 feet from the elevation in the NGVD29 datum results in the corresponding elevation in the NAVD88 datum. The current base flood elevation (BFE) of 9 feet in the NGVD29 datum becomes a BFE of 8 feet in the NAVD88 datum. Therefore, there is no change in the effective BFE of the study area between the current effective FIRM and the Preliminary FIRM.) (See Figure 7.)

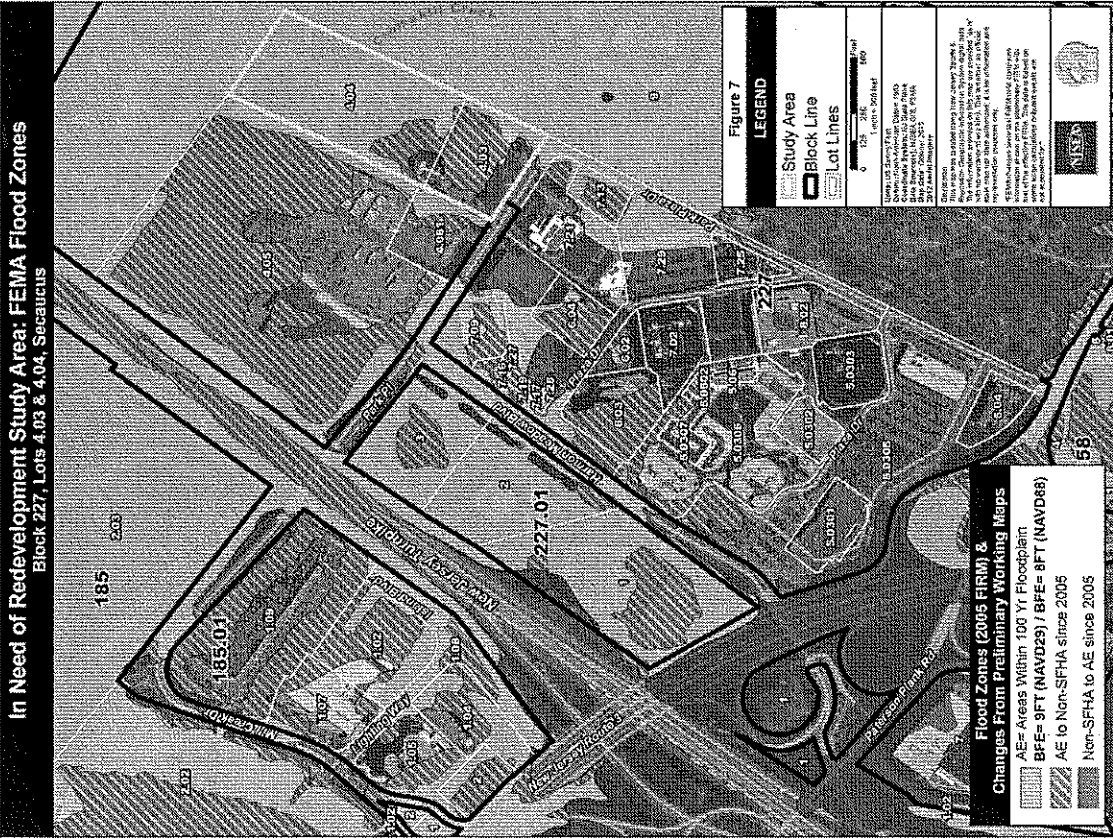
The NJSEA also participates in FEMA's National Flood Insurance Program (NFIP) Community Rating System (CRS), and is certified as a Class 7 community, which qualifies flood insurance policy holders in a SFHA within the District to a 15 percent discount in their flood insurance rates.

The NJSEA regulations require that all structures located in a SFHA have a finished floor elevation at a minimum of one foot above the FIRM's established base flood elevation.

8. **Utilities** - Most utilities are available to the study area, including gas, water, electric and telephone service, as well as public sanitary sewer improvements. On-site stormwater drainage improvements, including inlets and a drainage ditch along the westerly property line, exist on the property; however, it is unclear how the drainage structures on the improved portion of the site have been impacted by the demolition activities. No off-site drainage improvements are present on Park Plaza Drive/Park Place in the vicinity of the site.

Public Service Electric and Gas Company (PSE&G) provides electric and gas service. "Will-serve" letters have been provided by United Water New Jersey and the Secaucus Municipal Utilities Authority for a proposed 469-unit residential development on the subject property. Although it appears these utilities can currently accommodate additional development in the area, upgraded service may be required to be provided based on the specific utility demands of future development on the site.

9. **Other Redevelopment Areas in Close Proximity** - The NJSEA has not adopted any redevelopment areas proximate to the study area.



IV. FINDINGS

The parcels within the study area were evaluated in relation to the in need of redevelopment criteria established by the NJSEA statute and regulations. N.J.A.C. 19:27-5.7(a) provides that an area shall be deemed to be in need of redevelopment if it is determined that any of the following conditions exist:

1. **The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.**

This criterion is not applicable to the study area. The former buildings on the subject property have been demolished. There are no known conditions that resulted in unwholesome living or working conditions while the buildings were in operation.

2. **The discontinuance of the use of buildings previously utilized for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable;**

This criterion is not applicable to the study area. Although the Phillips report states this criterion is applicable because the use of the former buildings had been discontinued for their original purpose, the buildings on the subject property have been demolished and this criterion cannot be applied to the existing conditions of the site. Based on a review of NJSEA file history of the property, the last occupancy certifications at the property were issued in 2010, and an interior alteration was approved in 2011. Several tenant spaces in the ACIRO building on Lot 4.04 were renovated in 2006, and complied with the building codes in place at the time. Therefore, it is not likely the former buildings at the property were substandard to the extent that they would have been deemed untenable.

The Phillips report further states the demolition of the buildings is evidence of abandonment. There are many examples in the Meadowlands District, including within the Harmon Meadow commercial complex, where an existing building has been demolished and replaced with new construction because its prior use or condition was no longer responsive to market needs. The demolition of a structure on a site does not alone constitute an abandonment necessitating a redevelopment area designation.

3. **Land that is owned by the NJMC (NJSEA), or other public entities, or unimproved vacant land that has remained so for a period of 10 years prior to adoption of the resolution; or land that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital;**

This criterion is not applicable to the study area. The subject property is not publicly owned, nor can it be characterized as unimproved vacant land that has remained so for a period of 10 years. The subject property was, until 2013, improved with structures, pavement, and related improvements.

4. *Areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community;*

The Phillips report indicates this criterion is applicable to the property since the former buildings on the site had become functionally obsolescent for their intended purpose. The buildings and other improvements on the subject property have been demolished and did not exhibit characteristics of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, to the degree that they would have been deemed detrimental to the safety, health, morals, or welfare of the occupants of the site or to the general community. The property in its current vacant state contains neither buildings nor improvements to which this criterion can be applied for analysis. This criterion is, therefore, not applicable to the study area.

5. *Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;*

The Phillips report indicates this criterion is applicable to the property, as the property, in its current state, poses a detriment to the public health, safety and welfare of the community by becoming an eyesore and an attractive nuisance.

The subject property can be characterized as a stagnant parcel in a not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare. The site is currently gated and contains a stockpile of crushed demolition debris. Since the demolition of the buildings, the site has remained a vacant, isolated, and underutilized parcel that has not contributed to the general welfare. Rather, the presence of this particular vacant parcel in its current condition within a thriving commercial center can be perceived as having a detrimental impact to the public. The property's potential to be a useful and valuable contributor to the public welfare is supported by the site's designation as a particularly suitable site to accommodate inclusionary housing. Therefore, the subject criterion is applicable to the study area.

6. *Areas in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated;*

This criterion is not applicable to the study area. The former buildings on the property have been voluntarily demolished by the property owner.

7. *Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or*

This criterion is not applicable to the study area. The subject property is not located within a New Jersey Urban Enterprise Zone.

8. *Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.*

To the best of our knowledge, there is no known contamination in the study area. The subject property is not a Federal Superfund site subject to CERCLA, nor does it appear on the New Jersey Known Contaminated Sites List. Therefore, this criterion is not applicable to the study area.

V. RECOMMENDATIONS

Based on the record in this matter, the NJSEA staff has determined that the condition listed at N.J.A.C. 19:3-5.7(a)5 exists at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus.

Therefore, the NJSEA staff recommends that the Board of Commissioners of the New Jersey Sports and Exposition Authority make a determination that the properties in the subject study area, identified as 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, satisfy the regulatory criteria to be declared an area in need of redevelopment.

APPENDIX A

RESOLUTION AUTHORIZING NJMC STAFF
TO INVESTIGATE THE REDEVELOPMENT POTENTIAL OF
100 PARK PLAZA DRIVE, BLOCK 227, LOTS 4.03 & 4.04, IN SECAUCUS, NJ

WHEREAS, N.J.S.A. 13:17-21 authorizes the New Jersey Meadowlands Commission (NJMC) to prepare and adopt redevelopment plans for areas determined to be renewal areas within the Hackensack Meadowlands District for the purpose of redevelopment; and

WHEREAS, a petition, dated August 6, 2013, was received from Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC requesting that the NJMC investigate the redevelopment potential of Block 227, Lots 4.03 and 4.04, in the Town of Secaucus; and

WHEREAS, N.J.A.C. 19:3-5.1 *et seq.* provides the procedures for designating an area within the Meadowlands District as an area in need of redevelopment; and

WHEREAS, the NJMC staff must request authorization from the Commission to conduct an investigation of areas that may potentially be deemed in need of redevelopment; and

WHEREAS, the NJMC staff requests authorization to conduct an investigation of Block 227, Lots 4.03 and 4.04, in Town of Secaucus to examine their redevelopment potential; and

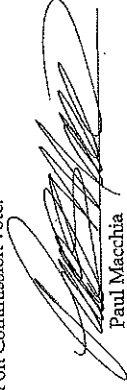
WHEREAS, the NJMC staff has compiled preliminary information regarding the subject properties in accordance with the requirements of N.J.A.C. 19:3-5.2 to support this request; and

WHEREAS, pursuant to N.J.A.C. 19:3-5.4, the NJMC staff requests authorization to prepare an "In Need of Redevelopment Report" and hold a public hearing to obtain public comment on the report and its findings.

NOW, THEREFORE, BE IT RESOLVED, that the NJMC staff is hereby authorized to conduct an investigation of Block 227, Lots 4.03 and 4.04, in Town of Secaucus to examine their redevelopment potential; and

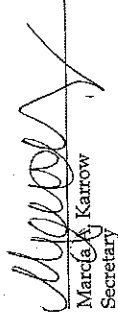
BE IT FURTHER RESOLVED, that the NJMC staff is hereby authorized to prepare an "In Need of Redevelopment Report" pursuant to N.J.A.C. 19:3-5.4 and hold a public hearing to obtain public comment on the report and its findings.

The foregoing was adopted on Commission vote.



Paul Macchia
Acting 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 November 25, 2013.



Marcia A. Karrow
Secretary

Resolution No. 13-45

___ Motion ___ Second ___ Roll Call

Memorandum

New Jersey Meadowlands Commission

NJMC Commissioners and Marcia A. Karrow, Executive Director

To:

Sara J. Sundell

November 25, 2013

Date:

From:

Authorization to Conduct Secaucus In-Need of Redevelopment Study (File SP-716)

Subject:

A petition dated August 6, 2013, was received by the New Jersey Meadowlands Commission (NJMC) from Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC, requesting that the NJMC investigate the redevelopment potential of 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in Secaucus. The properties are located in Harmon Meadow Plaza and are commonly known as the Carpet Center.

The NJMC staff undertook a preliminary analysis of properties in this vicinity and prepared a summary report of its findings. Pursuant to N.J.A.C. 19:3-5.2, the NJMC staff requests authorization from the Board of Commissioners to conduct an investigation of the redevelopment potential of Block 227, Lots 4.03 and 4.04, in the Town of Secaucus to determine if they contain the conditions to be designated an area in need of redevelopment. The results of this investigation will be compiled in an "In Need of Redevelopment" report, in accordance with the requirements of N.J.A.C. 19:3-5.4.

Authorization is also requested to hold a public hearing to obtain public comment on this report and its findings.

REQUEST FOR AUTHORIZATION REDEVELOPMENT INVESTIGATION OF 100 PARK PLAZA DRIVE

BLOCK 227, LOTS 4.03 & 4.04
TOWN OF SECAUCUS, NEW JERSEY

The New Jersey Meadowlands Commission (NJMC) received a petition from Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC, in a letter dated August 6, 2013, to investigate the redevelopment potential of Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey. The properties are located in Harmon Meadow Plaza and are commonly known as the Carpet Center.

Pursuant to N.J.A.C. 19:3-5.2, the NJMC staff must request authorization from the Commission to conduct an investigation of areas that may potentially be deemed in need of redevelopment. The request for authorization must include the following:

1. The block and lot number designation of the properties;
2. The existing zoning and land use of the properties;
3. A map showing the boundaries of the area to be investigated;
4. A description of all existing structures on each site; and
5. A statement indicating why the property may be in need of redevelopment.

The NJMC staff conducted a preliminary review and field inspection of the Carpet Center properties.

The proposed study area is comprised of two (2) tax lots, totaling 13.6 acres in area. The subject properties front on Park Plaza Drive and are located in the northeast corner of Harmon Meadow Plaza, a regional commercial development comprised of retail establishments, hotels, offices, a convention center, movie theater, health club and multiple parking decks. The study area is bounded on the west by the parking lot of a Wal-Mart and Sam's Club big box development on the south by the Harmon Meadow Plaza development, on the east by an undeveloped portion of the Regional Commercial zone, and on the north by a property located in the Environmental Conservation zone and consisting primarily of wetlands.

The study area is delineated by a yellow boundary line on Figure 1. Properties within Block 227 are located in the Commission's Regional Commercial zone, as shown on the existing zoning map for the redevelopment study area on Figure 2.

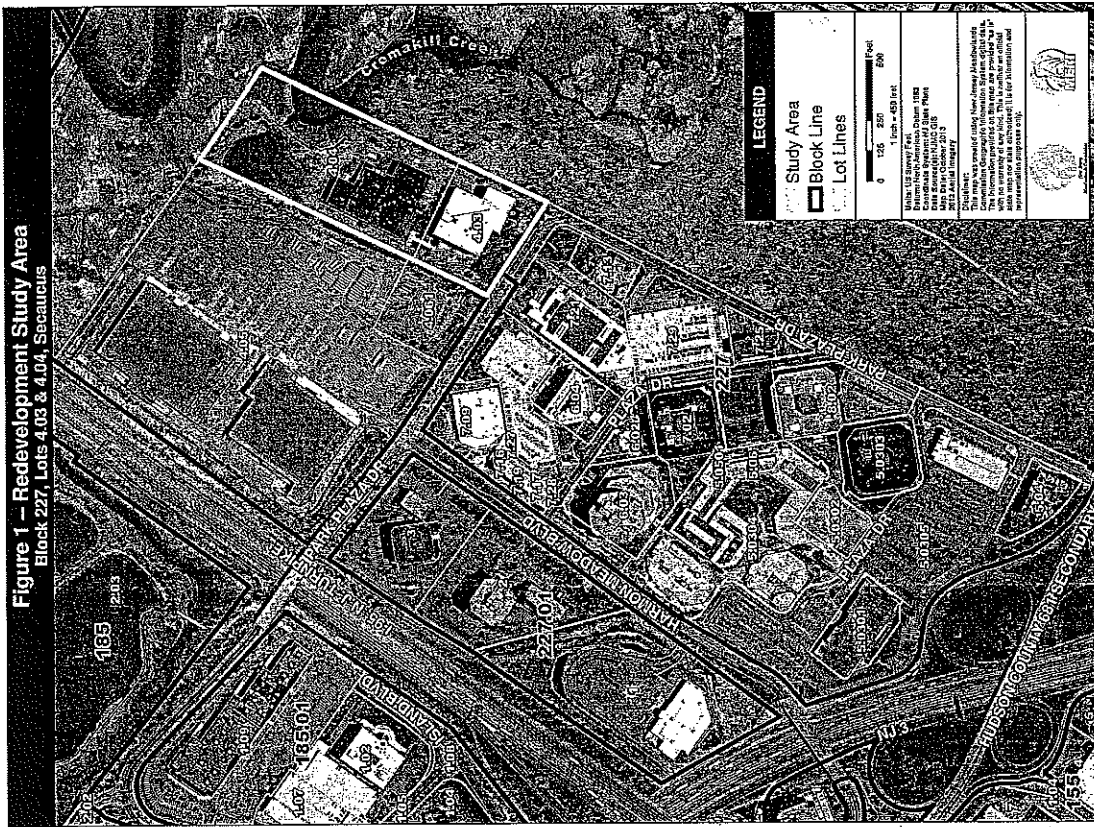
The subject lots contain two interconnected buildings, totaling approximately 331,000 square feet, which have been utilized as showroom space by carpet wholesalers. The

building located on Lot 4.03 is a 170,910 square-foot structure with three-stories over ground level, parking. The building located on Lot 4.04 is a two-story, 160,440 square-foot steel-frame structure.

The petitioner has submitted a planning report, prepared for Hartz Mountain Industries, Inc. by Phillips Preiss Grygiel LLC, dated August 2013, which states that the study area should be declared in need of redevelopment in accordance with criteria no. 4, as per NJMC regulations at N.J.A.C. 19:27-5.7(e)4, which refers to "areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community."

Conclusion:

Based on the above information, the NJMC staff requests authorization to conduct a more detailed study of the subject properties to analyze their redevelopment potential. The findings of this investigation will be compiled into an "In Need of Redevelopment Report" in accordance with the requirements of N.J.A.C. 19:27-5.4, and a public hearing will be held to obtain public comment on the report and its findings.



**RESOLUTION ISSUING A DECISION ON THE
SUITABILITY RECOMMENDATION AS REQUIRED BY THE
NJMC INTERIM POLICIES GOVERNING AFFORDABLE HOUSING
DEVELOPMENT IN THE MEADOWLANDS DISTRICT
FILE NO. 12-528, HARTZ CC/CARPET CENTER RESIDENTIAL DEVELOPMENT
BLOCK 227, LOTS 4.03 and 4.04
IN THE TOWN OF SECAUCUS**

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 May 6, 2008, COAH adopted new rules, which became effective upon publication in the New Jersey Register on June 2, 2008 and, in addition, adopted new rules on September 22, 2008, which became effective on October 20, 2008; and

WHEREAS, on July 17, 2008, P.L. 2008, Chapter 46 became law, revising various parts of the statutory law concerning affordable housing; and

WHEREAS, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the *Interim Policies Governing Affordable Housing Development in the Meadowlands District*, in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with these regulatory and statutory changes, prior to the implementation of new regulations regarding same; and

WHEREAS, the *Interim Policies*, last revised by Resolution No. 11-29 on July 27, 2011, govern all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008 and remain in effect until the NJMC promulgates new regulations concerning affordable housing, or the *Interim Policies* are withdrawn or rescinded by Commission action or court order, whichever occurs first; and

WHEREAS, a property owner or applicant may, in addition, request that the Commission evaluate the suitability of a particular site for housing in a zone that does not permit residential dwellings as a principal use in accordance with Subsection V(a) of the *Interim Policies*; and



WHEREAS, the *Interim Policies*, in Subsection VI(c), permit a developer to request an increase to the maximum permitted density for the zone; and

WHEREAS, the *Interim Policies* 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, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use and for any proposed density increase; and

WHEREAS, the NJMC has received a Site Suitability application from Hartz Carpet II LP and 100 Park Plaza Drive LLC, regarding the property located at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04 in the Town of Secaucus, New Jersey; and

WHEREAS, the applicant proposes to construct a four-story residential development, with up to 469 units, inclusive of a 20% affordable housing unit set-aside for households of low or moderate-income; and

WHEREAS, the Site Suitability application was forwarded to the Review Team for review in accordance with the *Interim Policies*; and

WHEREAS, a public hearing was held on October 22, 2013 to receive public comment on the Site Suitability application; and

WHEREAS, the Review Team reviewed the comments made at the public hearing from David B. Drumeier, Esq., Town Administrator of Secaucus, who indicated that the Town of Secaucus is supportive of the project and that the Town and the Secaucus Board of Education had each previously passed a resolution supporting the project; and

WHEREAS, a suitability review public hearing report, dated January 31, 2014, and attached hereto, has been prepared, indicating the recommendation of the Review Team in this matter; and

WHEREAS, the suitability review public hearing report recommends that the subject property is deemed suitable for residential use subject to certain conditions; and

WHEREAS, the matter was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) on January 31, 2014, and no comments were provided by the HMMC during its 45-day comment period, which ended on March 12, 2014; and

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

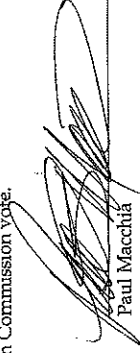
WHEREAS, the members of the NJMC concurs with the recommendation of the Review Team; and

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

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the subject property located at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04 in the Town of Secaucus, is deemed suitable for residential use subject to the following conditions:


1. The developer shall provide the number of affordable units as required by law.
2. To ensure a successful mixed-use community, the developer shall provide improvements, both within the subject residential development and within the rest of the Harmon Meadow complex, for safe pedestrian circulation and access from the proposed residential development to the rest of the Harmon Meadow complex, including provisions for accessibility.
3. The developer shall repair and maintain the existing natural pathways located within the wetland preservation area on the subject property for the benefit of the residents and the general public.

The foregoing was adopted on Commission vote.



Paul Macchia
Acting 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 26, 2014.



Marsha A. Karfox
Secretary

Resolution No. 14-13

_____ Motion _____ Second _____ Roll Call

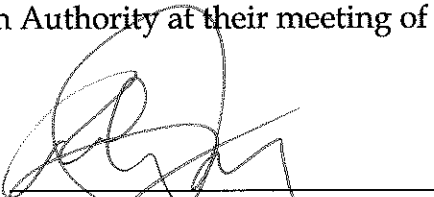
RESOLUTION 2016-73

**RESOLUTION AUTHORIZING THE
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY
TO CONDUCT A MEETING TO WHICH
THE GENERAL PUBLIC SHALL NOT BE ADMITTED**

BE IT RESOLVED by the New Jersey Sports and Exposition authority ("Authority") that it shall conduct a meeting to which the general public shall not be admitted to discuss personnel matters, the status of pending and anticipated litigation and other matters within the attorney client privilege, contract negotiations, and, if necessary, to act upon pending contracts.

BE IT FURTHER RESOLVED that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Authority's pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by the statute.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of January 14, 2016.



Ralph J. Marra, Jr., Esq.
Assistant Secretary

RESOLUTION 2016-74

RESOLUTION QUALIFYING OUTSIDE COUNSEL

WHEREAS, on December 11, 2015 the New Jersey Sports and Exposition Authority ("NJSEA") issued a request for proposals ("RFP") for the provision of legal services by outside counsel and on or about December 21, 2015, the NJSEA received responses to that RFP; and

WHEREAS, a selection committee, authorized by the President and CEO has evaluated the responses in accordance with the criteria set forth in the RFP and recommended that three firms be qualified as outside counsel to provide legal services,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the NJSEA hereby adopts the recommendation to qualify Lowenstein Sandler, Dughi, Hewit & Domalewski, and Gibbons as outside counsel and further authorizes the President and CEO to negotiate terms of engagement consistent with the RFP responses.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of January 14, 2016.



Ralph J. Marra, Jr., Esq.
Assistant Secretary