

MEETING OF THE  
MAYOR AND COUNCIL  
TOWN OF HARRISON

**APRIL 7, 2020**

AGENDA

**CAUCUS**

6:30 PM - CALL TO ORDER/SUNSHINE NOTICE

PLEDGE OF ALLEGIANCE

ROLL CALL

**MEETING**

7:00 PM - CALL TO ORDER/SUNSHINE NOTICE

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE MINUTES OF 03-03-2020

**LEGAL**

- J A RESOLUTION TO CALL ON THE GOVERNOR AND UNITED STATES CONGRESSIONAL DELEGATION FROM NEW JERSEY TO PROVIDE ECONOMIC RELIEF FOR THE IMPLEMENTATION OF THE USEPA AND NJDEP MANDATED "LONG TERM CONTROL PLAN" FOR COMBINED SEWER OVERFLOWS

**POLICE**

- J A RESOLUTION DESIGNATING A RESTRICTED PARKING SPACE FOR USE BY HANDICAPPED PERSONS
- J A RESOLUTION PROMOTING THREE POLICE SERGEANTS TO POLICE LIEUTENANT
- J A RESOLUTION PROMOTING TWO POLICE OFFICERS TO POLICE SERGEANT

**FINANCE**

- J A RESOLUTION AUTHORIZING THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY, ESTABLISHING A STORM RECOVERY RESERVE FUND IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:4-62.1
- J A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY APPROPRIATIONS TO THE 2020 MUNICIPAL BUDGET
- J A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY APPROPRIATIONS TO THE 2020 PARKING UTILITY BUDGET
- J A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY APPROPRIATIONS TO THE 2020 WATER AND SEWER BUDGET
- J A RESOLUTION AUTHORIZING REDEMPTION OF OUTSIDE LIENS--BLOCK 2, LOT 25, BLOCK 3, LOT 60, BLOCK 11, LOT 27.01, BLOCK 17, LOT 31.01, BLOCK 30, LOT 35, BLOCK 44, LOT 14, AND BLOCK 48, LOT 17
- J A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L.1994, C. 72
- J A RESOLUTION FOR PAYMENT OF BILLS AND PAYROLLS

**ORDINANCE**

INTRODUCTION OF THE FOLLOWING ORDINANCES:

**ORDINANCE NO. 1412**

AN ORDINANCE AMENDING ORDINANCE NOS. 519, 767, 835, 932, 960, 1245, 1273 AND 1299 REGARDING FEES

**ORDINANCE NO. 1413**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE TOWN OF HARRISON MUNICIPAL CODE TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWN'S AFFORDABLE HOUSING OBLIGATIONS

**ORDINANCE NO. 1414**

AN ORDINANCE OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE WATERFRONT REDEVELOPMENT AREA

**ORDINANCE NO. 1415**

AN ORDINANCE OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 15.36 OF THE TOWN OF HARRISON MUNICIPAL CODE ENTITLED "AFFORDABLE HOUSING DEVELOPMENT FEE"

**ORDINANCE NO. 1416**

AN ORDINANCE AMENDING ORDINANCE NO. 1357 CONCERNING CIVIL SERVICE EMPLOYEES OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY

ADOPTION OF THE FOLLOWING ORDINANCES:

**ORDINANCE NO. 1405**

AN ORDINANCE AMENDING CHAPTER 17 ENTITLED "LAND DEVELOPMENT ORDINANCE" OF THE CODE OF THE TOWN OF HARRISON TO INCLUDE PROVISIONS FOR THE TV AND FILM STUDIO OVERLAY ZONE

**ORDINANCE NO. 1411**

AN ORDINANCE TO AMEND ORDINANCE NOS. 974, 1055, 1122, 1253, 1316, 1336 AND ORDINANCE DATED SEPTEMBER 3, 1885, REGARDING THE TABLE OF ORGANIZATION OF THE HARRISON POLICE DEPARTMENT

PUBLIC COMMENT

ADJOURN

# TOWN OF HARRISON

Meeting Date: 04/07/2020

Committee: Legal

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

## HUDSON COUNTY

A RESOLUTION TO CALL ON THE GOVERNOR AND UNITED STATES CONGRESSIONAL DELEGATION FROM NEW JERSEY TO PROVIDE ECONOMIC RELIEF FOR THE IMPLEMENTATION OF THE USEPA AND NJDEP MANDATED "LONG TERM CONTROL PLAN" FOR COMBINED SEWER OVERFLOWS

- WHEREAS: The Town of Harrison "Town" is a "Combined Sewer Overflow" ("CSO") municipality; and
- WHEREAS: All CSO municipalities are authorized to use CSOs by the United States Environmental Protection Agency ("USEPA") pursuant to its National Pollutant Discharge Elimination System permitting program; and
- WHEREAS: It is the national policy of USEPA and the state policy of the New Jersey Department of Environmental Protection ("NJDEP") to reduce and/or completely eliminate the volume of wastewater that flows out of CSOs and into local waterbodies without any treatment; and
- WHEREAS: In accordance with its national CSO policy, USEPA has required all permitted entities to create "long term control plans," pursuant to which each permitted entity must identify all actions that the entity will implement to achieve the goals and level of CSO control that USEPA sets forth in its national CSO policy; and
- WHEREAS: New Jersey is the last state in the United States to develop long term control plans in accordance with USEPA's national CSO policy; and
- WHEREAS: Long term control plans most frequently require the completion of massive public infrastructure projects that are highly technically complex, take many years or even decades to develop and implement, and place severe economic burdens on the residents who live in the areas where implementation takes place; and
- WHEREAS: In 2015, the NJDEP required all New Jersey CSO Municipalities to develop a CSO Long Term Control Plan ("LTCP") in order to comply with USEPA's national CSO policy, which must be submitted to USEPA and NJDEP for approval on June 1, 2020 ; and
- WHEREAS: According to USEPA, "Environmental Justice" means "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies;" and
- WHEREAS: According to the USEPA, "Fair Treatment" means "no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies;" and
- WHEREAS: The cost of the LTCP will place a severe economic burden on the residents of our Town as well as the other CSO Municipalities; and
- WHEREAS: The cost regionally could be in excess of two billion dollars (\$2,000,000,000); and
- WHEREAS: It is clear that the severe economic burden that the LTCPs will place on the municipalities' residents in no way comports with USEPA's definitions of "Environmental Justice" or "Fair Treatment;" and
- WHEREAS: Economic relief from the federal government is necessary for implementation and completion of the LTCPs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: The Mayor and Council on the Governor as well as the members of our United States Congressional Delegation to provide economic relief for the purpose of facilitating the implementation and construction of a LTCP for the control of the Municipality's combined sewer overflow points; and

THAT: A copy of this Resolution, along with matching resolutions from the other New Jersey CSO municipalities, be delivered immediately to the Governor and all members of our United States Congressional Delegation.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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James A. Fife, Mayor

I hereby certify this to  
be a true and correct copy

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Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Police

Resolution #: R-2020-



Presented by Councilperson:  
James P. Doran

**HUDSON COUNTY**

**A RESOLUTION DESIGNATING A RESTRICTED PARKING SPACE  
FOR USE BY HANDICAPPED PERSON**

WHEREAS: Two applications have been submitted for a parking space for use by handicapped persons at the locations set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: SECTION I

Whenever any words and phrases are used in this Resolution, the meaning respectively ascribed to them in Subtitle I of Title 39 of the Revised Statutes of New Jersey shall be deemed to apply to such words used therein; and

THAT: SECTION II

Pursuant to the Authority granted to this municipality by N.J.S.A. 39:4-197.5, the following location is hereby designated as a restricted parking space for use by persons who have been issued a special vehicle identification card by the Division of Motor Vehicles. No other persons shall be permitted to park in this space:

223 JOHN STREET  
619 HARRISON AVENUE

THAT: SECTION III

The Department of Public Works is hereby directed to have proper signs calling attention to the provisions of the Resolution erected or placed upon said streets; and

THAT: SECTION IV

This Resolution shall take effect as required by Law.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

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be a true and correct copy

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Police

Resolution #: R-2020-



Presented by Councilperson:  
James P. Doran

**HUDSON COUNTY**

**A RESOLUTION PROMOTING THREE POLICE SERGEANTS TO  
POLICE LIEUTENANT**

**WHEREAS:** Due to retirements and promotions, there are three (3) vacancies in the rank of Police Lieutenant; and

**WHEREAS:** Police Sergeants Michael Halpin, Charles Schimpf and Corey Karas are ranked numbers 1, 2 and 3 respectively on Police Lieutenant Certification PL200333.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

**THAT:** Police Sergeants Michael Halpin, Charles Schimpf and Corey Karas be promoted to Police Lieutenant from Certification PL200333, effective March 30, 2020.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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James A. Fife, Mayor

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Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Police

Resolution #: R-2020-



Presented by Councilperson:  
James P. Doran

**HUDSON COUNTY**

**A RESOLUTION PROMOTING TWO POLICE OFFICERS TO  
POLICE SERGEANT**

WHEREAS: Due to retirements and promotions, there are two (2) vacancies in the rank of Police Sergeant; and

WHEREAS: Police Officers Ernesto Hernandez and Michael Gilmore are ranked numbers 1 and 2 respectively on Police Sergeant Certification PL200220.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: Police Officers Ernesto Hernandez and Michael Gilmore be promoted to Police Sergeant from Certification PL200220, effective March 30, 2020.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

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Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Finance

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

**HUDSON COUNTY**

A RESOLUTION AUTHORIZING THE TOWN OF HARRISON,  
COUNTY OF HUDSON, STATE OF NEW JERSEY, ESTABLISHING A  
STORM RECOVERY RESERVE FUND IN ACCORDANCE WITH THE  
PROVISIONS OF N.J.S.A. 40A:4-62.1

WHEREAS: The Mayor and Council of the Town of Harrison of the County of Hudson, State of New Jersey (hereinafter referred to as "Harrison") believes it is appropriate and necessary to ratify the conversion of Harrison's Snow Removal Reserve to a Storm Recovery Reserve Fund in accordance with the provisions of N.J.S.A. 40A:4-62.1; and

WHEREAS: The purpose of the Storm Recovery Reserve Fund is to provide funds in reserve to be utilized for any purpose necessary to protect the safety, security, health, and welfare, of its citizens from the damage caused by an emergency declared by the Governor or the President of the United States.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: In accordance with the aforementioned statutory authority, Harrison hereby ratifies the conversion of the Snow Removal Reserve to a storm Recovery Reserve; and

THAT: One certified copy of this Resolution shall be filed with the Director of the Division of Local Government Services.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

I hereby certify this to  
be a true and correct copy

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk



# TOWN OF HARRISON

Meeting Date: 04/07/2020

Committee: Finance

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

## HUDSON COUNTY

### A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY APPROPRIATIONS TO THE 2020 MUNICIPAL BUDGET

WHEREAS: An emergency has arisen with respect to the payment of various bills prior to the adoption of the 2020 Municipal Budget; and

WHEREAS: Adequate provision will be made in the 2020 Municipal Budget, which has not yet been adopted; and

WHEREAS: N.J.S.A. 40A:4-20 provides for the creation of a temporary emergency appropriation for payment of said bills; and

WHEREAS: The total emergency appropriation resolution adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A 40A:4-20) including this Resolution total \$21,441,840.61

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: With not less than two-thirds of all members affirmatively concurring, in accordance with N.J.S.A. 40A:4-20, a temporary emergency appropriation be and the same is made for the following line item appropriations to be provided in full in the 2020 Municipal Budget under the titles of:

#### GENERAL GOVERNMENT:

Governing Body	Salaries and Wages	5,900.00
Town Clerk's Office	Salaries and Wages	265,000.00
Elections	Salaries and Wages	9,500.00
Treasurer's Office	Salaries and Wages	185,000.00
Treasurer's Office	Other Expenses	9,500.00
Bond Registration		10,000.00
Telephones & Information		15,000.00
Information Technology	Salaries and Wages	75,000.00
Information Technology	Other Expenses	50,000.00
Tax Assessor	Salaries and Wages	34,000.00
Tax Collector	Salaries and Wages	180,000.00
Tax Collector	Other Expenses	5,000.00
Legal	Salaries and Wages	60,000.00
Legal	Other Expenses	50,000.00
Public Defender	Salaries and Wages	18,000.00
Engineering Services	Other Expenses	50,000.00
Zoning Board	Other Expenses	2,500.00
Insurance	Employees Group	200,000.00
Municipal Court	Salaries and Wages	260,000.00
Municipal Court	Other Expenses	10,000.00
Public Library	Salaries and Wages	190,000.00
Public Library	Other Expenses	15,000.00
Construction Code	Salaries and Wages	245,000.00
Construction Code	Other Expenses	35,000.00
Sub Code Official	Salaries and Wages	40,000.00

**PUBLIC SAFETY:**

Fire	Salaries and Wages	2,000,000.00
Fire	Other Expenses	35,000.00
Fire Clothing Allowance		28,000.00
Fire Safety	Salaries and Wages	52,000.00
Police	Salaries and Wages	3,000,000.00
Police	Other Expense	40,000.00
Police Clothing Allowance		40,000.00

**PUBLIC WORKS:**

Public Works	Salaries and Wages	725,000.00
Public Works	Other Expenses	50,000.00
Public Works	Vehicle Maintenance	65,000.00
Snow Removal	Other Expenses	35,000.00
Recycling	Salaries and Wages	6,000.00
Street Lighting		150,000.00
Gas & Electric		50,000.00
Gasoline/Diesel Fuel		25,000.00

**SANITATION:**

Garbage & Trash Removal		250,000.00
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**HEALTH & WELFARE:**

Board of Health	Salaries and Wages	125,000.00
Dog Regulations		15,000.00
Substance Abuse Education Program		3,000.00

**RECREATION & EDUCATION:**

Parks & Playgrounds	Salaries and Wages	185,000.00
Senior Citizen's Center	Other Expenses	13,500.00
Senior Citizen's Transportation	Salaries and Wages	100,000.00

**UNCLASSIFIED:**

Social Security Employer's Share		300,000.00
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TOTAL MUNICIPAL APPROPRIATIONS \$ 9,311,900.00

COUNTY TAXES \$ 1,575,000.00

SCHOOL TAXES \$ 2,373,985.50

THAT: Said temporary emergency appropriations will be provided for in full in the 2020 Municipal Budget under the titles set forth above; and

THAT: One certified copy of this Resolution shall be filed with the Director of the Division of Local Government Services.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

I hereby certify this to  
be a true and correct copy

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Finance

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

**HUDSON COUNTY**

**A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY APPROPRIATIONS TO THE 2020 WATER AND SEWER BUDGET**

WHEREAS: An emergency has arisen with respect to the payment of various bills prior to the adoption of the 2020 Water and Sewer Budget; and

WHEREAS: Adequate provisions will be made in the 2020 Water and Sewer Budget, which has not yet been adopted; and

WHEREAS: N.J.S.A. 40A:4-20 provides for the creation of temporary emergency appropriation for payment of said bills; and

WHEREAS: The total emergency appropriation resolution adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) in this resolution total \$ 1,476,600.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: With no less than two-thirds of all members affirmatively concurring, in accordance with N.J.S.A. 40A:4-20, a temporary emergency appropriation be and the same made for the following line item appropriations to be provided in full in the 2020 Water and Sewer Budget un the titles of:

**WATER AND SEWER UTILITY OPERATING BUDGET:**

Salaries and Wages	\$105,000.00
Purchase of Water	650,000.00
Other Expenses	10,000.00
Social Security Employer's Share	9,500.00
Sewer Treatment	225,000.00
<b>TOTAL WATER AND SEWER APPROPRIATIONS</b>	<b>\$999,500.00</b>

THAT: Said temporary emergency appropriations with be provided for in full in the 2020 Water and Sewer Budget under the titles set forth above; and

THAT: One certified copy of this Resolution shall be filed with the Director of the Division of Local Government Services.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

I hereby certify this to  
be a true and correct copy

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Finance

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

**HUDSON COUNTY**

**A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY APPROPRIATIONS TO THE 2020 PARKING UTILITY BUDGET**

WHEREAS: An emergency has arisen with respect to the payment of various bills prior to the adoption of the 2020 Parking Utility Budget; and

WHEREAS: Adequate provisions will be made in the 2020 Parking Utility Budget, which has not yet been adopted; and

WHEREAS: N.J.S.A. 40A:4-20 provides for the creation of temporary emergency appropriation for payment of said bills; and

WHEREAS: The total emergency appropriation resolution adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) in this resolution total \$ 2,922,887.50.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: With no less than two-thirds of all members affirmatively concurring, in accordance with N.J.S.A. 40A:4-20, a temporary emergency appropriation be and the same made for the following line item appropriations to be provided in full in the 2020 Parking Utility Budget un the titles of:

**PARKING UTILITY OPERATING BUDGET:**

Salaries and Wages	53,000.00
Other Expenses	180,000.00
Social Security Employer's Share	5,000.00

**TOTAL PARKING UTILITY APPROPRIATIONS \$ 238,000.00**

THAT: Said temporary emergency appropriations will be provided in full in the 2020 Parking Utility Budget under the titles set forth above; and

THAT: One certified copy of this Resolution shall be filed with the Director of the Division of Local Government Services.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

I hereby certify this to  
be a true and correct copy

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Finance

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

**HUDSON COUNTY**

A RESOLUTION AUTHORIZING REDEMPTION OF OUTSIDE LIENS--  
--BLOCK 2, LOT 25, BLOCK 3, LOT 60, BLOCK 11, LOT 27.01, BLOCK  
17, LOT 31.01, BLOCK 30, LOT 35, BLOCK 44, LOT 14, AND BLOCK  
48, LOT 17

WHEREAS: On December 13, 2019 the Harrison Tax Collector’s office conducted a sale for unpaid municipal liens for the calendar year 2019; and

WHEREAS: A notice of such sale was posted in five public places in the municipality. A copy of the tax sale notice was sent to each taxpayer on the list; and

WHEREAS: Resulting from such sale, the lien on the real property was sold to various lien holders and the certificate was purchased at 0%; and

WHEREAS: The lien was redeemed with all interest due.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: The Chief Financial Officer is hereby authorized and directed to issue a check from the Town’s trust and/or business account for the redemption amount and the premium amount.

Certificate # 19-002 Redeemed 03/12/2020  
Block: 2  
Lot: 25  
Owner: 102 Harrison Ave, LLC  
Property location: 102 Harrison Avenue, Harrison, NJ 07029  
Redemption Amount: \$3,614.63  
Premium Amount: \$2,500.00  
Lien Holder: Angiolina Ventures, LLC  
P.O. Box 110235 Nutley, NJ 07110

Certificate # 19-006 Redeemed 03/13/2020  
Block: 3  
Lot: 60  
Owner: HSBC Bank USA, N.A. Trustee c/o Ocwen  
Property location: 13 Hamilton Street, Harrison, NJ 07029  
Redemption Amount: \$301.77  
Premium Amount: \$1,000.00  
Lien Holder: James Tricarico  
124 Madison Street 1R, Hoboken, NJ 07030

Certificate # 19-013 Redeemed 03/13/2020  
Block: 11  
Lot: 27.01  
Owner: Kong, Antonio  
Property location: 218 North Second Street, Harrison, NJ 07029  
Redemption Amount: \$1,003.15  
Premium Amount: \$1,600.00  
Lien Holder: James Tricarico  
124 Madison Street 1R. Hoboken, NJ 07030

Certificate # 19-017 Redeemed 03/23/2020  
 Block: 17  
 Lot: 31.01  
 Owner: Ke, Chunjiao  
 Property location: 107 Cross Street, Harrison, NJ 07029  
 Redemption Amount: \$4,360.70  
 Premium Amount: \$30,000.00  
 Lien Holder: Isaac Moradi  
 520 Elm Street Kearny, NJ 07032

Certificate # 19-026 Redeemed 03/13/2020  
 Block: 30  
 Lot: 35  
 Owner: Canales, Hector  
 Property location: 423 William Street, Harrison, NJ 07029  
 Redemption Amount: \$686.98  
 Premium Amount: \$1,500.00  
 Lien Holder: James Tricarico  
 124 Madison Street 1R. Hoboken, NJ 07030

Certificate # 19-033 Redeemed 03/13/2020  
 Block: 44  
 Lot: 14  
 Owner: Granda, Mercedes  
 Property location: 741 Cleveland Avenue, Harrison, NJ 07029  
 Redemption Amount: \$1,750.51  
 Premium Amount: \$1,500.00  
 Lien Holder: US Bank Cust for Pro Cap 8  
 50 South 16<sup>th</sup> Street STE 2050. Philadelphia, PA 19102

Certificate # 19-037 Redeemed 03/20/2020  
 Block: 48  
 Lot: 17  
 Owner: Mehdi, Claudia  
 Property location: 621 Central Avenue, Harrison, NJ 07029  
 Redemption Amount: \$713.33  
 Premium Amount: \$1,400.00  
 Lien Holder: James Tricarico  
 124 Madison Street 1R. Hoboken, NJ 07030

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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James A. Fife, Mayor

I hereby certify this to  
 be a true and correct copy

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Paul J. Zarbetski, Town Clerk

# TOWN OF HARRISON

Meeting Date: 04/07/2020

Committee: Finance

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

## HUDSON COUNTY

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO  
PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE  
WITH P.L. 1994, C.72

WHEREAS: In light of the disruption caused by the coronavirus outbreak, the Division of Local Government Services (DLGS) has strongly recommended that municipalities prepare estimated property tax bills for 2020; and

WHEREAS: The Town of Harrison Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated levy in accordance with N.J.S.A 54:4-66.3, and they have both signed a certification showing the taxes levied for the previous year and the range of permitted estimated tax levies; and

WHEREAS: In accordance with Chapter 72, P.L. 1994, the Mayor and Town Council request that the Director of the DLGS approve the estimated tax levy at 101.55% listed below.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: The Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Harrison for the third installment of the 2020 taxes. The Tax Collector shall proceed upon the approval of the Director of the DLGS and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3); and

THAT: The entire estimated tax levy for 2020 is hereby set at \$35,225,427; and

THAT: In accordance with law, the third installment of 2020 taxes shall not be subject to interest until the later of August 10<sup>th</sup> or the twenty-fifth calendar day after the date the estimated tax bills are mailed. The estimated bill shall contain a notice specifying the date on which interest may begin to accrue.

Calculation of 2020 Estimated Tax Rate:

	2019	2020	
	477,748,840	1,529,305,084	
	Actual	Estimated	
Net Valuation Taxable			
Tax Levies			
Municipal	16,871,968.26	16,866,397.00	\$ 1.1029
Municipal Library	470,917.00	483,341.00	\$ 0.0316
District School	1,633,437.00	1,614,428.00	\$ 0.1056
Local School	9,413,913.00	9,649,261.00	\$ 0.6310
County	6,151,953.47	6,459,000.00	\$ 0.4223
County Open Space	146,181.09	153,000.00	\$ 0.0100
Total Levy / Rate	34,688,369.82	35,225,427.00	\$ 2.3034
<b>Estimated Rate Rounded Up</b>			<b>\$ 2.3040</b>
<b>% Change Estimated Levy</b>			<b>101.55%</b>

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

I hereby certify this to  
be a true and correct copy

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Finance

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

**HUDSON COUNTY**

**A RESOLUTION FOR PAYMENT OF BILLS AND PAYROLLS**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: The Chief Financial Officer is hereby directed to pay the bills for the month of March 2020, certified by the Heads of the Departments and approved by the respective committees of the Council; and

THAT: The Chief Financial Officer is hereby authorized to issue the payrolls during the month of April 2020, and the payrolls for the month of March 2020 are hereby ratified and confirmed and are on file in the Finance Office.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

I hereby certify this to  
be a true and correct copy

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk



TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1412

**AN ORDINANCE AMENDING ORDINANCE NOS. 519, 767, 835, 932, 960, 1245, 1273  
AND 1299 REGARDING FEES**

BE IT ORDAINED by the Mayor and Council of the Town of Harrison, County of Hudson, State of New Jersey, that:

**Section 1.** Section 2 of Ordinance 1245 shall be amended to include the following:

“The following transaction fees are authorized as convenience fees assessed by a third party for online payment of property taxes / water and sewer bill payments”

1. Credit Card – 2.95%
2. ACH – \$1.50 per transaction”

**Section 2.** Any existing ordinance or parts thereof which are inconsistent with this Ordinance shall be repealed to the extent of such inconsistencies. This Ordinance shall take effect immediately upon passage and publication as provided by law.

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Councilwoman Ellen Mendoza

Introduced: 04-07-2020



TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1413

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE TOWN OF HARRISON MUNICIPAL CODE TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWN'S AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, desires to include provisions in the Municipal Code addressing the Town's constitutional obligation to provide for its fair share of very low-, low-, and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985, N.J.S.A.52:27D-301 et. seq.; and

**WHEREAS**, this Ordinance is intended to provide assurances that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy those units; and

**WHEREAS**, the Town of Harrison Planning Board has prepared and adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq.; and

**WHEREAS**, this Ordinance implements and incorporates the Housing Element and Fair Share Plan and addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C.5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act of 1985.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HARRISON IN THE TOWN OF HARRISON AS FOLLOWS:**

**THAT:** Title 2, entitled "Administration and Personal," Chapter 2.88, entitled "Municipal Housing Liaison," is hereby repealed.

**THAT:** A new Title, entitled "Affordable Housing," is hereby created to read as follows:

**01 Monitoring and Reporting Requirements**

The Town of Harrison shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its Court-approved Housing Element and Fair Share Plan:

- A. Beginning on the date of execution of the settlement agreement with Fair Share Housing Center, and on every anniversary of that date through 2025, the Town agrees to provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center (FSHC) and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs (NJDCA), Council on Affordable Housing (COAH), or Local Government Services (NJLGS). The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.
- B. Beginning on the date of execution of the settlement agreement with Fair Share Housing Center, and on every anniversary of that date through 2025, the Town agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, using forms previously developed for this purpose by COAH or any other forms endorsed by the Court Appointed Special Master and FSHC.
- C. By July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Town will post on its municipal website, with a copy provided to FSHC, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to FSHC, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the Court regarding these issues.

D. By July 1, 2020, and every third year thereafter, as required by N.J.S.A. 52:27D-329.1, the Town will post on its municipal website, with a copy provided to FSHC, a status report as to its satisfaction of its very low-income housing requirements, including its family very low income requirements. Such posting shall invite any interested party to submit comments to the municipality and FSHC on the issue of whether the municipality has complied with its very low income and family very low-income housing obligations.

## **02 Definitions**

The following terms when used in this Ordinance shall have the meanings given in this Section:

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative Agent” means the entity designated by the Town to administer affordable units in accordance with Title 2 of the Town of Harrison’s General Code, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable housing development” means a development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Town's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a Town’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are 62 years of age or older; or 2) at least 80 percent of the units are occupied by one person who is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Alternative living arrangement" means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

“Assisted living residence” means a facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the regional median household income by household size.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the Court.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the regional median household income by household size.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by duly adopted Regional Income Limits published annually by COAH or a successor entity.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the regional median household income by household size.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

### **03 Applicability**

- A. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Town of Harrison pursuant to the Town's most recently adopted Housing Element and Fair Share Plan.
- B. Moreover, this Ordinance shall apply to all developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

### **04 Alternative Living Arrangements**

- A. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
  - 1) Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;
  - 2) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- B. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
- C. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

### **05 Phasing Schedule for Inclusionary Zoning**

In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

### **06 New Construction**

- A. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:
  - 1) The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit. At least 13 percent of all restricted rental units shall be very low income units (affordable to a household earning 30 percent or less of regional median income by household size). The very low income units shall be counted as part of the required number of low income units within the development.

- 2) In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units, including at least 13 percent of the restricted units within each bedroom distribution which shall be very-low-income units.
- 3) Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
  - i. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
  - ii. At least 30 percent of all low- and moderate-income units shall be two-bedroom units;
  - iii. At least 20 percent of all low- and moderate-income units shall be three-bedroom units; and
  - iv. The remaining units may be allocated among two- and three-bedroom units at the discretion of the developer.
- 4) Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

B. Accessibility Requirements:

- 1) The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and the following:
- 2) All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
  - i. An adaptable toilet and bathing facility on the first floor; and
  - ii. An adaptable kitchen on the first floor; and
  - iii. An interior accessible route of travel on the first floor; and
  - iv. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
  - v. If all of the foregoing requirements in b.1) through b.4) cannot be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of paragraphs b.1) through b.4) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
  - vi. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7, or evidence that Harrison has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
    - a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
    - b) To this end, the builder of restricted units shall deposit funds within the Town of Harrison's Affordable Housing Trust Fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
    - c) The funds deposited under paragraph 6)b) above shall be used by the Town of Harrison for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
    - d) The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Town of Harrison for the conversion of adaptable to accessible entrances.
    - e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Town's Affordable Housing Trust Fund

in care of the Town Treasurer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.

- vii. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is “site impracticable” to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

C. Design:

- 1) In inclusionary developments, low- and moderate-income units shall be integrated with the market units to the extent possible.
- 2) In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

D. Maximum Rents and Sales Prices:

- 1) In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD and using the calculation set forth below. Income limits for all affordable units that are created in the Town for which income limits are not already established through a federal program exempted from the UHAC pursuant to N.J.A.C. 5:80-26.1 shall be updated by the Town annually within 30 days of the publication of determinations of median income by the Department of Housing and Urban Development (“HUD”) as follows:
  - i. Regional income limits shall be established for the region within which the Town is located based on the median income by household size, which shall be established by a regional weighted average of uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within a housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the Town’s housing region. This quotient represents the original weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low-income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.
  - ii. The income limits are the result of applying the percentages set forth in paragraph (i) above to HUD's determination of median income for the fiscal year 2019 and shall be utilized until the Town updates the income limits after HUD has published revised determinations of median income for the next fiscal year.
  - iii. The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)(3) shall be calculated by the Town annually by taking the percentage increase of the income limits calculated pursuant to paragraph (i) above over the previous year's income limits and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.
  - iv. The resale prices of owner-occupied very low-, low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region determined pursuant to the above methodology. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
  - v. The rent levels of very-low-, low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the Northeast Urban Area, upon its publication for the prior calendar year. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.
- 2) The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent



for restricted rental units shall be affordable to households earning no more than 52 percent of median income.

- 3) The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13 percent of all low- and moderate-income rental units shall be affordable to very low-income households, which very low-income units shall be part of the low-income requirement.
- 4) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.
- 5) In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
  - i. A studio shall be affordable to a one-person household;
  - ii. A one-bedroom unit shall be affordable to a one and one-half person household;
  - iii. A two-bedroom unit shall be affordable to a three-person household;
  - iv. A three-bedroom unit shall be affordable to a four and one-half person household; and
  - v. A four-bedroom unit shall be affordable to a six-person household.
- 6) In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
  - i. A studio shall be affordable to a one-person household;
  - ii. A one-bedroom unit shall be affordable to a one and one-half person household; and
  - iii. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
  - iv. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
  - v. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- 7) The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.
- 8) The rents of very low-, low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the Northeast Urban Area. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.

## 07

### Utilities

- A. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.
- B. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by the NJDCA for its Section 8 program.

## **08 Occupancy Standards**

- A. In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:
- 1) Provide an occupant for each bedroom;
  - 2) Provide children of different sexes with separate bedrooms;
  - 3) Provide separate bedrooms for parents and children; and
  - 4) Prevent more than two persons from occupying a single bedroom.

## **09 Control Periods for Restricted Ownership Units and Enforcement Mechanisms**

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until Harrison takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- C. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- D. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- E. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- F. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

## **10 Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices**

- A. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:
- 1) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
  - 2) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
  - 3) The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.
  - 4) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See Capital Improvements to Ownership Units section below.

## **11 Buyer Income Eligibility**

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.

- B. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the Town Council, and may be subject to approval by the Court appointed Special Master or the Court, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit.
- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- D. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's eligible monthly income.

## **12 Limitations on Indebtedness Secured by Ownership Unit; Subordination**

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of the unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).

## **13 Capital Improvements to Ownership Units**

- A. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

## **14 Control Periods for Restricted Rental Units**

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 30 years, until Harrison takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Hudson. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- C. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
  - 1) Sublease or assignment of the lease of the unit;

- 2) Sale or other voluntary transfer of the ownership of the unit; or
- 3) The entry and enforcement of any judgment of foreclosure on the property containing the unit.

## **15 Rent Restrictions for Rental Units; Leases**

- A. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- C. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
- D. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least 15% of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

## **16 Tenant Income Eligibility**

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
  - 1) Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of the regional median household income by household size.
  - 2) Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of the regional median household income by household size.
  - 3) Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of the regional median household income by household size.
- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
  - 1) The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
  - 2) The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
  - 3) The household is currently in substandard or overcrowded living conditions;
  - 4) The household documents the existence of assets with which the household proposes to supplement the rent payments; or
  - 5) The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of the circumstances in 1.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

## **17 Municipal Housing Liaison**

- A. There is hereby created the position of Municipal Housing Liaison. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Harrison, including the following responsibilities which may not be contracted out to the Administrative Agent:
  - 1) Serving as Harrison's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
  - 2) Monitoring the status of all restricted units in Harrison's Fair Share Plan;

- 3) Compiling, verifying, submitting and posting all monitoring reports as required by the Court and by this Ordinance;
  - 4) Coordinating meetings with affordable housing providers and Administrative Agents, as needed; and
  - 5) Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing at least annually and more often as needed.
- B. The Town of Harrison shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for overseeing the Town's affordable housing program, including overseeing the administration of affordability controls on the affordable units and the affirmative marketing of available affordable units in accordance with the Town's Affirmative Marketing Plan; fulfilling monitoring and reporting requirements; and supervising Administrative Agent(s). Harrison shall adopt a Resolution appointing the person to fulfill the position of Municipal Housing Liaison. The Municipal Housing Liaison shall be appointed by the governing body and may be a full or part time municipal employee.
- C. Subject to the approval of the Court, the Town of Harrison shall designate one or more Administrative Agent(s) to administer and to affirmatively market the affordable units constructed in the Town in accordance with this Ordinance. The Municipal Housing Liaison shall supervise the work of the Administrative Agent(s).

## 18 Administrative Agent

An Administrative Agent may either be an independent entity serving under contract to and reporting to the municipality, or the municipality itself, through a designated municipal employee, department, board, agency or committee, pursuant to N.J.A.C. 5:80-26.14(c). ***The fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required.*** The Administrative Agent shall be qualified through a training program sponsored by the Affordable Housing Professionals of New Jersey before assuming the duties. The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

### A. Affirmative Marketing:

- 1) Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Town of Harrison and the provisions of N.J.A.C. 5:80-26.15.

### B. Household Certification:

- 1) Soliciting, scheduling, conducting and following up on interviews with interested households;
- 2) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- 3) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- 4) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
- 5) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;
- 6) Employing a random selection process as provided in the Affirmative Marketing Plan of the Town of Harrison when referring households for certification to affordable units; and
- 7) Notifying the following entities of the availability of affordable housing units in the Town of Harrison: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, and NAACP Jersey City Branch, Bergen County NAACP, Newark NAACP, and the Supportive Housing Association of New Jersey.

### C. Affordability Controls:

- 1) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- 2) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;

- 3) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Hudson County Register of Deeds or Hudson County Clerk's office after the termination of the affordability controls for each restricted unit;
- 4) Communicating with lenders regarding foreclosures; and
- 5) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

D. Re-sales and Re-Rentals:

- 1) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental; and
- 2) Instituting and maintaining an effective means of communicating information to low- (or very low-) and moderate-income households regarding the availability of restricted units for resale or re-rental.

E. Processing Requests from Unit Owners:

- 1) Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;
- 2) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
- 3) Notifying the municipality of an owner's intent to sell a restricted unit; and
- 4) Making determinations on requests by owners of restricted units for hardship waivers.

F. Enforcement:

- 1) Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
- 2) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
- 3) Posting annually, in all rental properties (including two-family homes), a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;
- 4) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
- 5) Establishing a program for diverting unlawful rent payments to the municipality's Affordable Housing Trust Fund; and
- 6) Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Town Council and the Court, setting forth procedures for administering the affordability controls. The Operating Manual(s) shall be available for public inspection in the office of the Town Clerk, in the office of the Municipal Housing Liaison, and in the office(s) of the Administrative Agent(s).

G. Additional Responsibilities:

- 1) The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
- 2) The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet the Court-approved monitoring and reporting requirements in accordance with the deadlines set forth in this Ordinance.

The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

- A. The Town of Harrison shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region 1 and is required to be followed throughout the period of restriction.
- C. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 1, comprised of Bergen, Hudson, Passaic, and Sussex Counties.
- D. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and rerentals. The Administrative Agent designated by the Town of Harrison shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.
- E. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- F. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
- G. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
- H. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.
- I. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

## **20 Enforcement of Affordable Housing Regulations**

- A. Upon the occurrence of a breach of any of the regulations governing an affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
  - 1) The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
    - i. A fine of not more than \$500.00 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
    - ii. In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Town of Harrison Affordable Housing Trust Fund of the gross amount of rent illegally collected;
    - iii. In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
  - 2) The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage

foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit.

- i. The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.
- ii. The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.
- iii. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- iv. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- v. Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- vi. The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

## **21 Appeals**

Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Court.

THAT: All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

THAT: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.



THAT: This Ordinance shall take effect upon passage and publication as provided by law.

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Councilwoman Ellen Mendoza

Introduced: 04-07-2020

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1414

AN ORDINANCE OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE WATERFRONT REDEVELOPMENT AREA

**WHEREAS**, the Mayor and Council of the Town of Harrison (“Town”) desires to adopt amendments to the Waterfront Redevelopment Plan prepared by Heyer, Gruel, & Associates PA; and

**WHEREAS**, the Town previously established a Redevelopment Area, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq), which area is commonly referred to as the “Waterfront Redevelopment Area”; and

**WHEREAS**, a Redevelopment Plan for the redevelopment area, entitled “Harrison Waterfront Redevelopment Plan,” was prepared by Heyer, Gruel, & Associates and adopted by Ordinance Number 1077 on July 23, 2003; and

**WHEREAS**, an Amended Redevelopment Plan for the redevelopment area entitled, “Amended Harrison Waterfront Redevelopment Plan 2012,” was prepared by Heyer, Gruel, & Associates and adopted by Ordinance Number 1262 on April 24, 2012; and

**WHEREAS**, since the adoption of the Amended Redevelopment Plan (hereinafter the “Plan”), several supplemental amendments have been adopted; and

**WHEREAS**, since the adoption of the Plan and the supplemental amendments, there have been changes in conditions and circumstances; and

**WHEREAS**, one of such changes includes the Town’s current efforts to address its constitutional obligation to provide for its fair share of very low-, low-, and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985, N.J.S.A.52:27D-301 et. seq.; and

**WHEREAS**, Redevelopment Plans are permitted to require the provision of affordable housing units per the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7.b); and

**WHEREAS**, pursuant to that obligation, the Town entered into an amended settlement agreement with Fair Share Housing Center (“FSHC”), which was signed by the Town on November 12, 2019, which provides for inclusionary development within certain portions of the Waterfront Redevelopment Area; and

**WHEREAS**, a Housing Element and Fair Share Plan was prepared by the Town Planner and adopted by the Planning Board on December 14, 2017 (“2017 HEFSP”); and

**WHEREAS**, subsequent to the adoption of the 2017 HEFSP, revisions were made to the Plan and on December 17, 2019 the Planning Board adopted an amended HEFSP (“2019 HEFSP”) recommending the implementation of inclusionary development within certain portions of the Waterfront Redevelopment Area; and

**WHEREAS**, the amendments will not compromise the core principles and goals of the Redevelopment Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HARRISON AS FOLLOWS:**

**THAT:** The “PLAN GOALS” shall be amended to include the following new goal:

“Address a portion of the Town’s affordable housing obligation by redeveloping a portion of the Area for residential inclusionary development.”

**THAT:** The Purpose of the “Residential District” section of the “LAND USE PLAN” shall be amended to read as follows:

“To provide opportunities for residential development, both market rate and affordable (on two blocks as indicated below), that will serve the needs of the Area in a neighborhood setting that will be integrated with the other Districts in the Area. In accordance with the Town’s Settlement Agreement and pursuant to the sections below, 116 family rental affordable units will be produced in the Residential District.”

**THAT:** The first paragraph of the Principal Permitted Uses of the “Residential District” section of the “LAND USE PLAN” shall be amended to read as follows:

“Multi-family and single-family attached housing, Offices, Retail sales and service, Restaurants, Financial institutions, Child care, Fitness centers, School, Parks, Public uses, Structured parking, Mixed-use development, and Inclusionary residential development (either within multi-family or mixed-use development) pursuant to the provisions of the “Affordable Housing” section below. Private social events such as weddings shall be permitted on the roof of the parking garage subject to approval of the Harrison Redevelopment Agency.”

**THAT:** The “Residential District” section of the “LAND USE PLAN” shall be amended to include the following subsection, entitled “Affordable Housing”:

*“Affordable Housing:*

The block bound by Burlington Street to the north, Second Street to the east, the railroad right-of-way to the south, and the proposed extension of First Street to the west (portion of Block 86 Lot 1.03) is required to be developed with multi-family inclusionary development at a maximum density of 110 units per acre with a required 15% affordable set-aside. A minimum of 70 affordable family rental units shall be generated on site.

The block bound by Burlington Street to the north, Third Street to the east, the railroad right-of-way to the south, and Second Street to the west (Block 103 Lot 1) is required to be developed with multi-family inclusionary development at a density of 110 units per acre with a required 15% affordable set-aside. A minimum of 46 affordable family rental units shall be generated on site.

In conformance with the Amended Settlement Agreement, residential development within the Residential District is required to provide 116 affordable family rental units. Residential units shall be developed in conformance with the approved Amended Settlement Agreement and all affordable housing units shall comply with the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et. seq. or any successor legislation, with the exception that in lieu of 10% of affordable units in rental projects being required to be affordable households earning at or below 35% of the regional median household income, a minimum of 13% of affordable units in such projects within each bedroom size is required to be affordable to households earning at or below 30% of the regional median household income. The proposed affordable units will comply with UHAC regulations, the FHA, applicable COAH regulations, the Harrison municipal affordable housing ordinance, and all other applicable laws.

The residential units in any redevelopment agreement that includes affordable housing shall comply with N.J.A.C. 5:97-6.6 and 6.4, including the phasing requirements of N.J.A.C. 5:97-6.4(d).”

**THAT:** The first paragraph of the Purpose of the “Planned Office District” section of the “LAND USE PLAN” shall be amended to read as follows:

“To provide for large-scale non-residential, comprehensively planned development on the 20-acre PSE&G site south of the PATH station. The District is envisioned to consist of towers, 10 to 25 stories in height, designed as signature buildings. The ground floors may contain restaurants and other uses that will provide amenities to the occupants of the buildings. The upper floors may contain offices, hotel space, and health clubs. Additionally, in accordance with the Town’s Amended Settlement Agreement and pursuant to the sections below, approximately 8 acres of the site shall be developed for inclusionary residential development, which shall generate a minimum of 120 family affordable units on site.”

**THAT:** The “Planned Office District” section of the “LAND USE PLAN” shall be amended to amend the Principal Permitted Uses subsection and add an additional subsection, entitled “Affordable Housing”:

*“Principal Permitted Uses:*

Office, Retail sales and service, Fitness centers, Wellness centers, Hotels (minimum 110 rooms), Financial institutions, Restaurants, Mixed-use development, Childcare facilities, Public spaces, Parks, Public uses and Structured parking. Telecommunications antennae are permitted on buildings but must be below the roofline and painted the color of the building. Inclusionary residential development within a mixed-use project is permitted pursuant to the provisions of the “Affordable Housing” section below. Drive-thru uses are not permitted.

*Affordable Housing:*

A maximum of eight (8) acres of the Planned Office District are required to be developed with multi-family inclusionary development at a density of 100 units per acre with a required 15% affordable set-aside. A minimum of 120 affordable family rental units shall be generated on site.

In conformance with the Amended Settlement Agreement, residential development within the Planned Office District is required to provide 120 affordable family rental units. Residential units shall be developed in conformance with the approved Settlement Agreements and all affordable housing units shall

comply with the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et. seq. or any successor legislation, with the exception that in lieu of 10% of affordable units in rental projects being required to be affordable households earning at or below 35% of the regional median household income, a minimum of 13% of affordable units in such projects within each bedroom size is required to be affordable to households earning at or below 30% of the regional median household income. The proposed affordable units will comply with UHAC regulations, the FHA, applicable COAH regulations, the Harrison municipal affordable housing ordinance, and all other applicable laws.

The residential units in any redevelopment agreement that includes affordable housing shall comply with N.J.A.C. 5:97-6.6 and 6.4, including the phasing requirements of N.J.A.C. 5:97-6.4(d).”

**BE IT FURTHER ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HARRISON:**

**THAT:** All prior Ordinances, which are inconsistent with the provisions of this Ordinance, as well as any prior versions of the above referenced maps, are hereby repealed to the extent of such inconsistency.

**THAT:** This Ordinance shall become effective immediately upon final passage and publication as requires by law.

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Councilwoman Ellen Mendoza

Introduced: 04-07-2020

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1415

**AN ORDINANCE OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 15.36 OF THE TOWN OF HARRISON MUNICIPAL CODE ENTITLED “AFFORDABLE HOUSING DEVELOPMENT FEE”**

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HARRISON IN THE COUNTY OF HUDSON AS FOLLOWS:**

**WHEREAS**, the Mayor and Town Council of the Town of Harrison (the “Town”) finds that the creation of affordable housing in Harrison serves the public interest; and

**WHEREAS**, the New Jersey Supreme Court, in *Holmdel Builder's Assn. v. Holmdel Township*, 121 N.J. 550 (1990), determined that mandatory development fees are both statutorily and constitutionally permissible; and

**WHEREAS**, the Town prepared and adopted Ordinance 1145, amended by Ordinance 1152, establishing a mandatory affordable housing development fee, thereby creating a dedicated revenue source for affordable housing; and

**WHEREAS**, said ordinance established standards for the collection, maintenance, and expenditure of development fees consistent with the Council on Affordable Housing (“COAH”) rules and P.L.2008, c. 46 (C.52:27D-329.1 *et al.*); and

**WHEREAS**, said ordinance was approved the Council on Affordable Housing on June 23, 2006; and

**WHEREAS**, regulations dealing with development fees have been updated and so it is necessary to revise the Town’s development fee ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Town Council of the Town of Harrison that Chapter 15.36 of the Town of Harrison Municipal Code, entitled “Affordable Housing Development Fee,” shall be deleted in its entirety and replaced as follows:

THAT: Chapter 15.36, entitled “Affordable Housing Development Fee,” shall be repealed and replaced as follows:

**15.36.010 Purpose**

- A. In *Holmdel Builder’s Association v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 *et seq.*, and the State Constitution, subject to the adoption of Rules by the Council on Affordable Housing (COAH).
- B. Pursuant to P.L. 2008, c. 46, Section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH was authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that were under the jurisdiction of COAH and that are now before a court of competent jurisdiction and have a Court-approved Spending Plan may retain fees collected from non-residential development.
- C. This Ordinance establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with COAH’s regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32-38 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing low- and moderate-income housing in accordance with a Court-approved Spending Plan.

**15.36.020 Basic Requirements**

- A. This Ordinance shall not be effective until approved by the Court.
- B. The Town of Harrison shall not spend development fees until the Court has approved a plan for spending such fees (Spending Plan).

### **15.36.030 Definitions**

The following terms, as used in this Ordinance, shall have the following meanings:

“Affordable housing development” means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

“COAH” or the “Council” means the New Jersey Council on Affordable Housing established under the Fair Housing Act.

“Development fee” means money paid by a developer for the improvement of property as permitted at N.J.A.C. 5:97-8.3.

“Developer” means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

“Equalized assessed value” means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c.123 (C.54:1-35a through C.54:1-35c).

“Green building strategies” means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

### **15.36.040 Residential Development Fees**

#### **A. Imposition of Fees**

- 1) Within the Town of Harrison, all residential developers, except for developers of the types of developments specifically exempted below and developers of developments that include affordable housing, shall pay a fee of one and a half percent (1.5%) of the equalized assessed value for all new residential development provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
- 2) When an increase in residential density is permitted pursuant to a “d” variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a “bonus” development fee of six percent (6%) percent of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.
- 3) Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

#### **B. Eligible Exactions, Ineligible Exactions and Exemptions for Residential Developments**

- 1) Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
- 2) Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
- 3) Owner-occupied residential structures demolished and replaced as a result of a fire, flood, or natural disaster shall be exempt from paying a development fee.
- 4) Where there is an improvement to, expansion of, reconstruction or replacement of an existing residential structure requiring a Construction Permit, no development fee shall be required to be

paid. The construction or improvement of a permitted accessory structure on a lot containing an existing residential structure shall not require the payment of a development fee.

- 5) Developers of houses of worship and other uses that are entitled to exemption from New Jersey real property tax shall be exempt from the payment of a development fee, provided that such development does not result in the construction of any additional housing or residential units, including assisted living and continuing care retirement communities.
- 6) With the exception of the construction of an accessory additions, alterations or improvements made to existing structures resulting in an increase in the equalized assessed value totaling less than \$100,000 shall be exempt if:
  - i. The addition(s) increases the square footage of an existing structure by less than 50%; or
  - ii. The improvements involve alterations to, or the rebuilding and/or replacement of, less than 50% of the square footage of an existing structure.
  - iii. For purposes of determining eligibility for exemption from the imposition of development fees, all additions, improvements, alterations and any replacement or rebuilding of an existing structure shall be aggregated in determining the total increase in equalized assessed value.
- 7) Any development or improvement to structures of owner-occupied property in which there is located an affordable accessory residence. This exemption shall only apply to development or improvements to the property during the period of affordability controls.
- 8) The construction of a new accessory building or other structure on the same lot as the principal building shall be exempt from the imposition of development fees if the assessed value of the structure is determined to be less than \$100,000.
- 9) Developments and redevelopers within the Town's Redevelopment Areas that, as of the adoption of this Ordinance, have executed Redevelopment Agreements ("RDAs") and/or Financial Agreements ("FAs") which address development fees with reference to Ordinance 1145, as amended by Ordinance 1152, shall not be required to pay the additional one-half percent (.5%) development fee imposed by this Ordinance. Rather, the provisions of those RDAs and FAs referencing Ordinance 1145, as amended by Ordinance 1152, imposing a one percent (1%) development fee, shall remain in effect.

### **15.36.050 Non-Residential Development Fees**

#### **A. Imposition of Fees**

- 1) Within all zoning districts, non-residential developers, except for developers of the types of developments specifically exempted below, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- 2) Within all zoning districts, non-residential developers, except for developers of the types of developments specifically exempted below, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- 3) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure, i.e. land and improvements, and such calculation shall be made at the time a final Certificate of Occupancy is issued. If the calculation required under this Section results in a negative number, the non-residential development fee shall be zero.

#### **B. Eligible Exactions, Ineligible Exactions and Exemptions for Non-residential Development**

- 1) The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to a two and a half percent (2.5%) development fee, unless otherwise exempted below.
- 2) The two and a half percent (2.5%) development fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.
- 3) Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of

New Jersey Non-Residential Development Certification/Exemption". Any exemption claimed by a developer shall be substantiated by that developer.

- 4) A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final Certificate of Occupancy for the non-residential development, whichever is later.
- 5) If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this Section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Town of Harrison as a lien against the real property of the owner.
- 6) Pursuant to P.L. 2009, c. 90 and P.L.2011, c. 122, the non-residential statewide development fee of two and one-half (2.5%) percent for non-residential development is suspended for all non-residential projects that received preliminary or final site plan approval subsequent to July 17, 2008 until July 1, 2013, provided that a permit for the construction of the building has been issued prior to January 1, 2015.

### **15.36.060 Collection Procedures**

- A. Upon the granting of a preliminary, final or other applicable approval for a development, the approving authority or entity shall notify or direct its staff to notify the Construction Official responsible for the issuance of a Construction Permit.
- B. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/ Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The Construction Official responsible for the issuance of a Construction Permit shall notify the Town Tax Assessor of the issuance of the first Construction Permit for a development which is subject to a development fee.
- D. Within 90 days of receipt of such notification, the Town Tax Assessor shall prepare an estimate of the equalized assessed value of the development based on the plans filed.
- E. The Construction Official responsible for the issuance of a final Certificate of Occupancy shall notify the Town Tax Assessor of any and all requests for the scheduling of a final inspection on a property which is subject to a development fee.
- F. Within 10 business days of a request for the scheduling of a final inspection, the Town Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- G. Should the Town of Harrison fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c.46 (C.40:55D-8.6).
- H. Except as provided hereinabove, fifty percent (50%) of the initially calculated development fee shall be collected at the time of issuance of the Construction Permit. The remaining portion shall be collected at the time of issuance of the Certificate of Occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the Construction Permit and that determined at the time of issuance of the Certificate of Occupancy.
- I. Appeal of Development Fees
  - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Town of Harrison. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1, *et seq.*, within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.



- 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Town of Harrison. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1, *et seq.*, within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

#### **15.36.070 Affordable Housing Trust Fund**

- A. There is hereby created a separate, interest-bearing Affordable Housing Trust Fund to be maintained by the Chief Financial Officer of the Town of Harrison for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- B. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
  - 1) Payments in lieu of on-site construction of a fraction of an affordable unit, where permitted by Ordinance or by Agreement with the Town of Harrison;
  - 2) Funds contributed by developers to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
  - 3) Rental income from municipally operated units;
  - 4) Repayments from affordable housing program loans;
  - 5) Recapture funds;
  - 6) Proceeds from the sale of affordable units; and
  - 7) Any other funds collected in connection with Harrison's affordable housing program.
- C. In the event of a failure by the Town of Harrison to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved Spending Plan and to expend funds within the applicable required time period as set forth in In re Tp. of Monroe, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services (LGS), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Town of Harrison, or, if not practicable, then within the County or the Housing Region.

Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the non-compliant condition(s), and upon a finding of continuing and deliberate non-compliance, determine to authorize LGS to direct the expenditure of funds in the Trust Fund. The Court may also impose such other remedies as may be reasonable and appropriate to the circumstances.
- D. Interest accrued in the Affordable Housing Trust Fund shall only be used to fund eligible affordable housing activities approved by the Court.

#### **15.36.080 Use of Funds**

- A. The expenditure of all funds shall conform to a Spending Plan approved by the Court. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address the Town of Harrison's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market to affordable program; Regional Housing Partnership programs; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost saving and in accordance with accepted national or State standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the Court and specified in the approved Spending Plan.

- B. Funds shall not be expended to reimburse the Town of Harrison for past housing activities.
- C. At least 30 percent of all development fees collected and interest earned on such fees shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of the median income for Housing Region 2, in which Harrison is located.
  - 1) Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
  - 2) Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The specific programs to be used for very low income affordability assistance shall be identified and described within the Spending Plan.
  - 3) Payments in lieu of constructing affordable housing units on site, if permitted by Ordinance or by Agreement with the Town of Harrison, and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- D. The Town of Harrison may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including its programs for affordability assistance.
- E. No more than 20 percent of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare a Housing Element and Fair Share Plan, and/or administer an affirmative marketing program or a rehabilitation program.
  - 1) In the case of a rehabilitation program, the administrative costs of the rehabilitation program shall be included as part of the 20 percent of collected development fees that may be expended on administration.
  - 2) Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or related to securing or appealing a judgment from the Court are not eligible uses of the Affordable Housing Trust Fund.

**15.36.090 Monitoring**

The Town of Harrison shall provide annual reporting of Affordable Housing Trust Fund activity to the State of New Jersey, Department of Community Affairs, Council on Affordable Housing or Local Government Services or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, payments in lieu of constructing affordable units on site (if permitted by Ordinance or by Agreement with the Town), funds from the sale of units with extinguished controls, barrier free escrow funds, rental income from Town owned affordable housing units, repayments from affordable housing program loans, and any other funds collected in connection with Harrison's affordable housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

**15.36.100 Ongoing Collection of Fees**

- A. The ability for the Town of Harrison to impose, collect and expend development fees shall expire with the expiration of the repose period covered by its Judgment of Compliance unless the Town of Harrison has first filed an adopted Housing Element and Fair Share Plan with the Court or with a designated State administrative agency, has petitioned for a Judgment of Compliance from the Court or for Substantive Certification or its equivalent from a State administrative agency authorized to approve and administer municipal affordable housing compliance and has received approval of its Development Fee Ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.
- B. If the Town of Harrison fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to Section 20 of P.L. 1985, c. 222 (C. 52:27D-320).

- C. The Town of Harrison shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance, nor shall the Town of Harrison retroactively impose a development fee on such a development. The Town of Harrison also shall not expend any of its collected development fees after the expiration of its Judgment of Compliance.

**15.36.110**

THAT: All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

THAT: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

THAT: This Ordinance shall take effect upon passage and publication as provided by law.

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Councilwoman Ellen Mendoza

Introduced: 04-07-2020

**TOWN OF HARRISON**

COUNTY OF HUDSON

ORDINANCE NO. 1416

**AN ORDINANCE AMENDING ORDINANCE NO. 1357 CONCERNING  
CIVIL SERVICE EMPLOYEES OF THE TOWN OF HARRISON, COUNTY OF HUDSON,  
STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Mayor and Council of the Town of Harrison, County of Hudson, and State of New Jersey, that:

Section 1. There is hereby established within the Town of Harrison the following permanent civil service position, effective immediately, with the salary as set forth below.

2018 - 2020

<u>TITLE</u>	<u>MIN. SALARY</u>	<u>MAX. SALARY</u>
Special Law Enforcement Officer Class III - p/t hourly	20	35

Section 2. Any existing ordinances or parts thereof which are inconsistent with the provisions herein are hereby repealed.

Section 3. This ordinance shall take effect immediately upon final passage according to law.

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Councilwoman Ellen Mendoza

Introduced: 04-07-2020

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1405

**AN ORDINANCE AMENDING CHAPTER 17 ENTITLED “LAND DEVELOPMENT ORDINANCE” OF THE CODE OF THE TOWN OF HARRISON TO INCLUDE PROVISIONS FOR THE TV AND FILM STUDIO OVERLAY ZONE**

WHEREAS, the Mayor and Council of the Town of Harrison have the power to adopt or amend zoning ordinances provided such ordinances or amendments are either (i) substantially consistent with the Land Use Plan Element and the Housing Element of the Master Plan or (ii) designed to effectuate such plan elements pursuant to N.J.S.A. 40:55D-62; and

WHEREAS, it is the intent and purpose of the Municipal Land Use Law (“MLUL”) to encourage municipal action to guide the appropriate use or development of all lands in the State, in a manner which will promote the public health, safety, morals, and general welfare; and

WHEREAS, pursuant to the MLUL N.J.S.A. 40:55D-62(a), reasonable consideration must be given to the character of each district and its suitability to particular uses, and appropriate uses must be encouraged; and

WHEREAS, the Town wishes to foster development that supports a balanced development pattern and enhances long-term economic and social interests of the Town’s present and future residents; and

WHEREAS, the State of New Jersey in recent years has shown growing support for the development of TV and film studios, where most recently the Garden State Film and Digital Media Jobs Act was passed, which through a transferable tax credit, supports the development of businesses that produce films and digital media; and

WHEREAS, the Town desires to create an opportunity for the production of films and digital media in the older industrial area of the Town; and

WHEREAS, the Mayor and Council have determined that certain parcels within the Town are appropriate for the development of film and digital media studios.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HARRISON, IN THE TOWN OF HARRISON AS FOLLOWS:

THAT: Ordinance Section 17-81.1, entitled “Establishment of Zones,” is hereby amended to include the “TV and Film Studio Overlay (TV & F-O).”

THAT: Ordinance Section 17-81.2, entitled “Zoning Map” is hereby amended to read as follows: “The location and boundaries of the above zones are hereby established on the Zoning Map, dated January 2020, which is attached hereto and made part of this Chapter.”

THAT: The Official Zoning Map of the Town of Harrison is hereby amended in accordance with Attachment A to place the following properties in the TV and Film Studio Overlay:

Block 197	Lot 9
Block 200	Lot 1
Block 201	Lot 1
Block 203	Lots 1 and 14
Block 222	Lots 1, 3.01, and 3.03
Block 223	Lots 1.01 and 6.03
Block 227	Lot 1

THAT: Ordinance Section 17-84, entitled “TV and Film Studio Overlay (TV&F-O)” is hereby created to read as follows:

17-84 TV and Film Studio Overlay (TV&F-O)

- A. Purpose. The purpose of the TV and Film Studio Overlay is to permit an optional development to the primarily industrial zoning adjacent to Supor Boulevard. The alternative development would allow a major TV and film production studio complex with complementary uses. Potential developers may choose to either develop the parcels pursuant to the existing underlying zoning OR choose to utilize the Overlay option. Merging of the two options is not permitted. Once a choice is made between the Overlay or underlying zoning, deviations are not permitted.

The Overlay is approximately 38 acres in size and is anticipated to contain over 300,000 square feet of studio space. A school is proposed to be an integral part of the complex, which will provide training and skills necessary to work within the studio industry. This Overlay is intended to capitalize on its location in the northeast section of the State near the Harrison PATH station, which will provide the interconnection with the NYC Metropolitan market. This Overlay promotes the State’s policy to encourage studio production and to capitalize on the State of New Jersey tax credit program: the Garden Film and Digital Media Jobs Act.

- B. Permitted Principal Uses.

1. Television production studio. A television production studio is an installation facility in which video productions take place, either for the recording of live television to video tape or for the acquisition of raw footage for post-production. The design of the studio is similar to movie studios with special requirements of television production.
2. Film studio/movie studio. A film studio/movie studio is a facility that is used to make films.

The following uses are intended to be associated with and complementary to a television production studio and/or a film studio/movie studio.

3. Office-Coworking space. Office/co-working space is an arrangement where multiple companies share an office space in order to save costs through the utilization of common facilities, including office space, equipment, utilities, and administrative staff such as a receptionist and/or IT personnel.
4. Retail sales and service
5. Restaurants
6. Adult education/school
7. Mixed-use development
8. Hotel, including conference space
9. Warehouse, east of Supor Boulevard
10. Light industrial, east of Supor Boulevard
11. Self-storage, east of Supor Boulevard
12. Medical facilities
13. Financial institutions
14. Movie theaters and similar entertainment uses
15. Child care facilities
16. Public uses
17. Fitness centers
18. No drive-through uses shall be permitted

C. Permitted Accessory Uses.

1. Uses accessory and incidental to the principal use. Structured parking may be permitted subject to the ground level parking being visually screened by non-residential uses.

D. Area and Yard Requirements

1. Minimum lot area: 20,000 square feet
2. Minimum setback from the public right-of-way: 5 feet
3. Maximum setback from the public right-of-way: 10 feet, except for properties east of Supor Boulevard, which shall have no maximum setback from rights-of-way.
4. Non-residential uses shall have a minimum depth of 40 feet.

E. Maximum Height

1. 68 feet, except hotels, which may be 100 feet in height.

F. Minimum Off-Street Parking

1. Office/Retail/Financial Institutions/TV and Film Studios/other non-residential space not covered below: 1 space per 1,000 square feet of gross floor area
2. Restaurants: One space per 4 seats
3. Hotel: One space per room plus one space per 1,000 square feet of conference or similar space

4. Off-site parking is permitted for non-residential uses only if the developer can provide a long-term parking arrangement to the satisfaction of the Planning Board. As part of the agreement, a shuttle service shall be provided from the Studio area to the Harrison PATH Station.
- G. Article V, “Development Requirements and Standards” of the Harrison Land Development Ordinance shall apply. Should the standards in Article V conflict with the standards in this ordinance section, the standards in this section shall apply.

THAT: Zoning Schedule I, entitled “Bulk Regulations – All Districts,” and Zoning Schedule II-B, entitled “Use Regulations – Non-Residential Districts,” is hereby amended to include the following additional language:

“TV&F-O: see Ordinance Section 17-84 TV and Film Studio Overlay for all use and bulk regulations”

BE IT FURTHER ORDAINED that all prior Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon final passage and publication as required by law.

/s/ Ellen Mendoza  
Councilwoman Ellen Mendoza

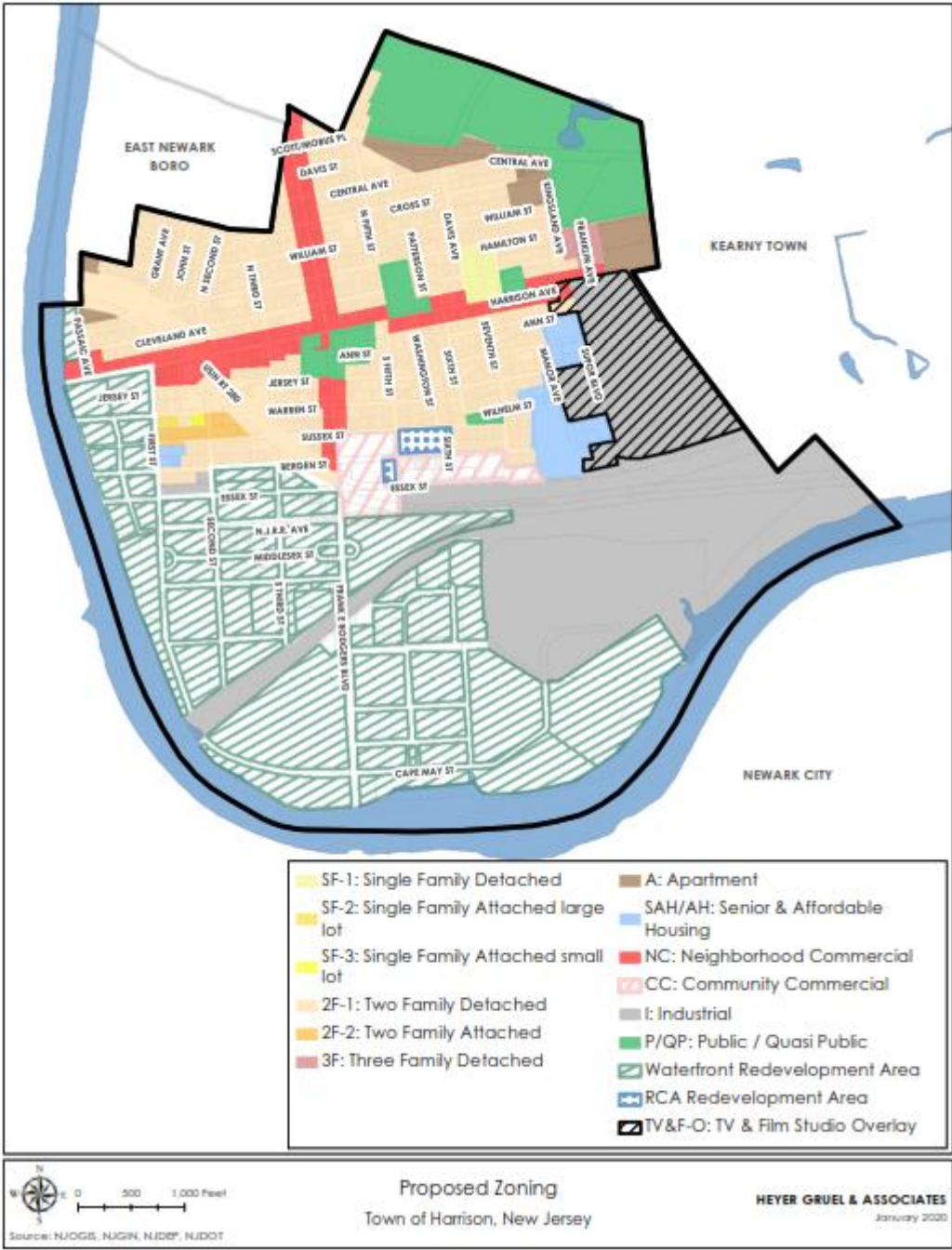
Introduced: 02-04-2020

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council held on February 4, 2020 the foregoing Ordinance passed on first reading.

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	X		X			
M. CAMANO			X			
M. DOLAGHAN			X			
J. DORAN			X			
J. HUARANGA		X	X			
E. MENDOZA			X			
F. NASCIMENTO			X			
E. VILLALTA						X
J. FIFE						X

Adopted: 03-03-2020



SF-1: Single Family Detached	A: Apartment
SF-2: Single Family Attached large lot	SAH/AH: Senior & Affordable Housing
SF-3: Single Family Attached small lot	NC: Neighborhood Commercial
2F-1: Two Family Detached	CC: Community Commercial
2F-2: Two Family Attached	I: Industrial
3F: Three Family Detached	P/QP: Public / Quasi Public
	Waterfront Redevelopment Area
	RCA Redevelopment Area
	TV&F-O: TV & Film Studio Overlay







Source: NJGIS, NJGIN, NJDEP, NJDOT

**Proposed Studio Overlay**  
 Town of Harrison, New Jersey

**MEYER GRUEL & ASSOCIATES**  
 January 2020

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1411

**AN ORDINANCE TO AMEND ORDINANCE NOS. 974, 1055, 1122, 1253, 1316, 1336 AND ORDINANCE DATED SEPTEMBER 3, 1885, REGARDING THE TABLE OF ORGANIZATION OF THE HARRISON POLICE DEPARTMENT**

WHEREAS, the Town of Harrison, in consultation with the Department of Community Affairs, Division of Local Government Services (“DLGS”), established a Table of Organization for the Harrison Police Department (“HPD”) pursuant to Ordinance No. 1336; and

WHEREAS, the current Table of Organization for the HPD consists of no more than:

One (1)	Police Chief
Zero (0)	Police Captains
Six (6)	Police Lieutenants
Eight (8)	Police Sergeants
Thirty (30)	Police Officers (Patrolmen)
Ten (10)	Special Law Enforcement Officers, Class I
Five (5)	Special Law Enforcement Officers, Class II
Three (3)	Special Law Enforcement Officers, Class III; and

WHEREAS, the Town wishes to amend the Table of Organization of the HPD.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Harrison, County of Hudson and State of New Jersey, that Ordinance Numbers 974, 1055, 1122, 1253, 1316, 1336 and Ordinance dated September 3, 1885, be and they are hereby amended as follows:

**Section 1.** Beginning March 30, 2020, the HPD shall consist of no more than:

One (1)	Police Chief
Zero (0)	Police Captains
Seven (7)	Police Lieutenants
Eight (8)	Police Sergeants
Thirty (30)	Police Officers (Patrolmen)
Ten (10)	Special Law Enforcement Officers - Class I
Five (5)	Special Law Enforcement Officers - Class II
Three (3)	Special Law Enforcement Officers - Class III.

**Section 2.** Beginning April 1, 2020, the HPD shall consist of no more than:

One (1)	Police Chief
Zero (0)	Police Captains
Seven (7)	Police Lieutenants
Seven (7)	Police Sergeants
Thirty (30)	Police Officers (Patrolmen)
Ten (10)	Special Law Enforcement Officers - Class I
Five (5)	Special Law Enforcement Officers - Class II
Three (3)	Special Law Enforcement Officers - Class III.

The reductions established by this Section shall be implemented through attrition, and no person shall have his employment terminated or rank reduced because of same.

**Section 3.** Any existing ordinances or parts thereof which are inconsistent with the provisions herein are hereby repealed to the extent of such inconsistencies.

**Section 4.** This Ordinance shall take effect immediately upon final passage and publication according to law.

/s/ Ellen Mendoza  
Councilwoman Ellen Mendoza

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council held on March 3, 2020 the foregoing Ordinance passed on first reading.

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	X		X			
M. CAMANO			X			
M. DOLAGHAN			X			
J. DORAN						X
J. HUARANGA		X	X			
E. MENDOZA			X			
F. NASCIMENTO						X
E. VILLALTA			X			
J. FIFE			X			



TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1404

**AN ORDINANCE AMENDING CHAPTER 17 ENTITLED “LAND DEVELOPMENT ORDINANCE” OF THE CODE OF THE TOWN OF HARRISON TO INCLUDE PROVISIONS FOR THE AFFORDABLE SENIOR HOUSING ZONE**

WHEREAS, the Mayor and Council of the Town of Harrison have the power to adopt or amend zoning ordinances provided such ordinances or amendments are either (i) substantially consistent with the Land Use Plan Element and the Housing Element of the Master Plan or (ii) designed to effectuate such plan elements pursuant to N.J.S.A. 40:55D-62; and

WHEREAS, the Mayor and Council of the Town of Harrison desire to create a realistic opportunity for the creation of affordable housing within the Town; and

WHEREAS, the Mayor and Council of the Town of Harrison has determined that certain land within the Town is suited for age-restricted affordable development; and

WHEREAS, the Town wishes to foster development that provides affordable housing for seniors; and

WHEREAS, the Town has a constitutional obligation to create a realistic opportunity for the construction of its fair share of the region’s need for affordable housing; and

WHEREAS, pursuant to that obligation, the Town entered into a settlement agreement with Fair Share Housing Center (“FSHC”), which was signed by the Mayor on November 12, 2019, which provides for a new affordable senior housing zone along Supor Boulevard; and

WHEREAS, a Housing Element and Fair Share Plan was prepared and adopted by the Planning Board on December 17, 2019 (“HEFSP”) recommending the implementation of an affordable senior housing zone.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HARRISON, IN THE TOWN OF HARRISON AS FOLLOWS:

THAT: Ordinance Section 17-81.1, entitled “Establishment of Zones,” is hereby amended to remove the “AH Affordable Housing Overlay” and the “SAH/SH Senior and Affordable Housing Zone” and include the “ASH Affordable Senior Housing Zone.”

THAT: Ordinance Section 17-81.2, entitled “Zoning Map” is hereby amended to read as follows:  
“The location and boundaries of the above zones are hereby established on the Zoning Map, dated January 2020, which is attached hereto and made part of this Chapter.”

THAT: The Official Zoning Map of the Town of Harrison is hereby amended in accordance with Attachment A to rezone the following parcels to the ASH Affordable Housing Zone:

Block 89	Lots 1, 5, 6, 7, 8, 27, and 33
Block 189	Lot 1
Block 193	Lots 1, 2, 4, 5, 27, and 32
Block 198	Lot 1
Block 199	Lots 1, 5, 9, 13, 19, 20, 21, and 23
Block 202	Lot 1, 13, 17, and 21

THAT: Ordinance Section 17-83, entitled “Affordable Housing Overlay” is deleted in its entirety and replaced with the following:

17-83 ASH Affordable Senior Housing Zone

- A. Purpose. The principal purpose of the ASH Affordable Senior Housing Zone is to provide areas within the Town for age-restricted affordable development in the form of multi-family, townhouse, and/or mixed-use development. The development shall include age-restricted affordable housing that will be incorporated into the multi-family, townhouse, and/or mixed-use development. A minimum of 98 age-restricted affordable units shall be generated from this zone.

The units may be delivered as part of an inclusionary development and/or as a 100% affordable development.

B. Permitted Principal Uses.

1. Multi-Family Housing. Multi-family housing is a building containing (4) or more dwelling units where each unit is joined to other dwelling units above, adjacent, and/or below. Also known as an “apartment building.”
2. Townhouse. A townhouse is a single-family dwelling in a row of at least three such attached dwellings in which each dwelling has its own front and rear access to the outside. No dwelling is located over another dwelling and each dwelling is separated from all other attached dwellings by one or more vertical common fire-resistant walls.
3. Mixed-Use Development. Mixed-use development is the development of a tract of land or building or structure with two or more permitted uses, one of which shall be residential. Permitted non-residential uses include office/co-working space, retail, restaurants, medical uses, TV and film studios, adult educational facilities/schools. Office/co-working space is an arrangement where multiple companies share an office space in order to save costs through the utilization of common facilities, including office space, equipment, utilities, and administrative staff such as a receptionist and/or IT personnel.

C. Permitted Accessory Uses.

1. All uses accessory and incidental to the principal use

D. Area and Yard Requirements

1. Minimum lot area: 20,000 square feet
2. Minimum setback from the public right-of-way:
  - i. Residential-only development: 10 feet
  - ii. Mixed-use development: 5 feet

E. Maximum Height

1. 6 stories if parking is provided under the building
2. 5 stories if no parking is provided under the building

F. Maximum Density

1. 55 dwelling units per acre

G. Minimum Off-Street Parking

1. Age-restricted residential: 1 space per unit
2. Office/Retail/Financial Institutions/TV and Film Studios: 1 space per 1,000 square feet of gross floor area
3. Off-site parking is permitted for non-residential uses only if the developer can provide a long-term parking arrangement to the satisfaction of the Planning Board.

H. Affordable Housing

1. A minimum on-site affordable housing set-aside of 15% shall be required for rental residential inclusionary development and 20% for sales inclusionary development.
2. The development of all affordable units shall comply with the executed Settlement Agreement between the Town and Fair Share Housing Center (signed by the Town on November 12, 2019), the Uniform Housing Affordability Controls (“UHAC”) found at N.J.A.C. 5:80-26.1 et. seq. or any successor legislation; COAH’s applicable regulations including but not limited to the phasing requirements of N.J.A.C. 5:97-6.4(d); the Fair Housing Act, and all other relevant law, including but not limited to, affirmative marketing requirements, bedroom and income distribution requirements, and deed-restriction requirements.

3. A minimum of 50% of all affordable units shall be affordable to very low and low-income households. A minimum of 13% of all affordable units shall be affordable to very low-income households. All other affordable units may be affordable to moderate-income households.
  4. Affordable units shall remain affordable for a period of at least thirty (30) years from the date of their initial occupancy.
  5. The developer's obligations related to the creation of Affordable Housing shall, as a condition of any site plan approval, be incorporated into a developer's agreement with the Town of Harrison.
  6. A 100% age-restricted affordable development is permitted.
- I. Article V, "Development Requirements and Standards" of the Harrison Land Development Ordinance shall apply. Should the standards in Article V conflict with the standards in this ordinance section, the standards in this section shall apply.

THAT: Zoning Schedule I, entitled "Bulk Regulations – All Districts," and Zoning Schedule II-A, entitled "Use Regulations – Residential Districts," is hereby amended to remove all references to the SH Senior Housing Zone and AH Affordable Housing Overlay and shall include the following additional language:

"ASH Affordable Senior Housing Zone: see Ordinance Section 17-83 Affordable Senior Housing Zone for all use and bulk regulations"

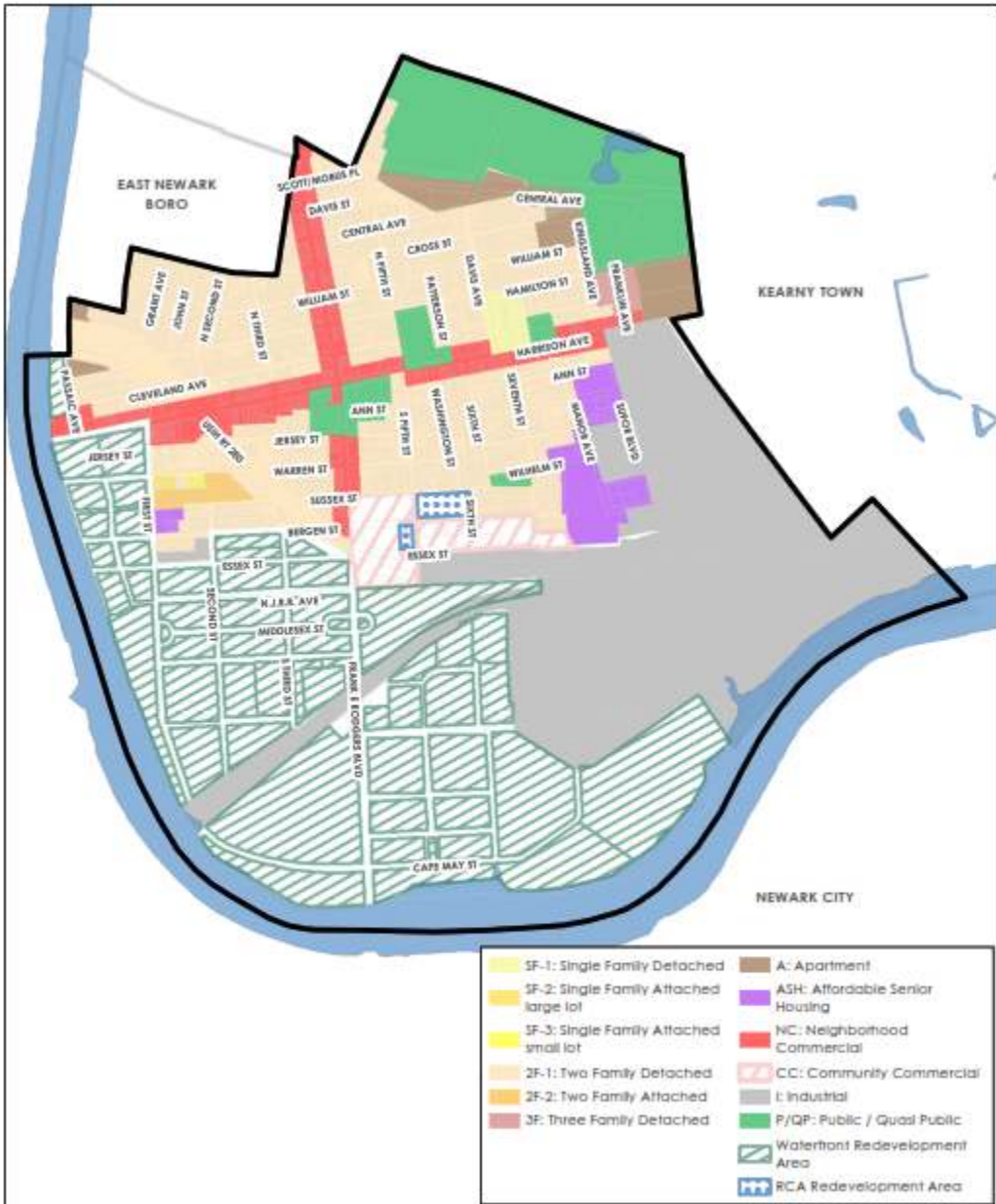
BE IT FURTHER ORDAINED that all prior Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon final passage and publication as required by law.

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Councilwoman Ellen Mendoza

Introduced: 04-07-2020



Proposed Zoning  
Town of Harrison, New Jersey

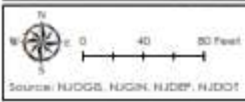
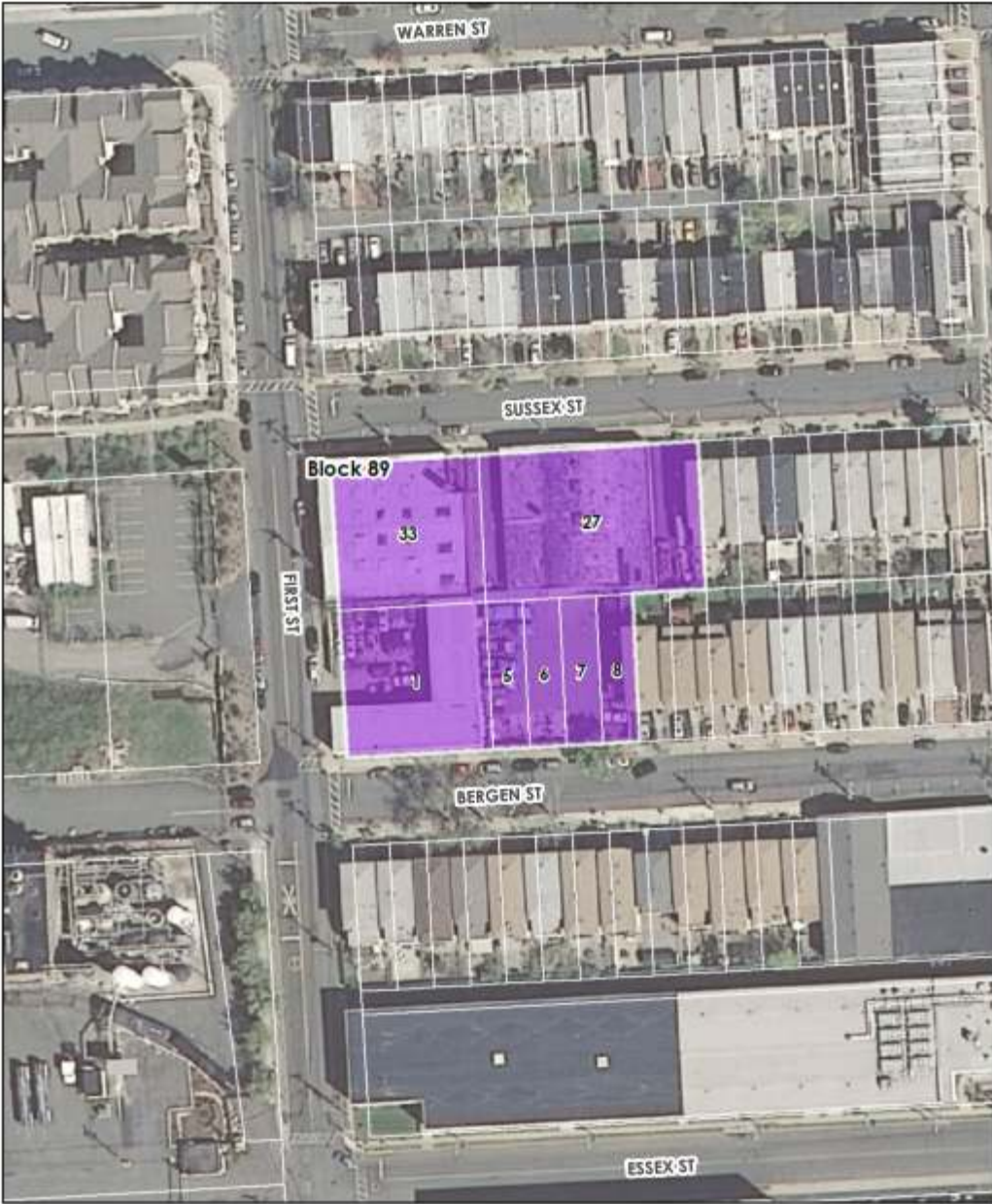
HEYER GRUEL & ASSOCIATES  
January 2020





Easterly ASH-Zoned Lots  
Town of Harrison, New Jersey

HEYER GRUEL & ASSOCIATES  
January 2020



Westerly ASH-Zoned Lots  
Town of Harrison, New Jersey

MEYER GRUEL & ASSOCIATES  
January 2020

**TOWN OF HARRISON**

Meeting Date: 04/07/2020

Committee: Finance

Resolution #: R-2020-



Presented by Councilperson:  
Ellen Mendoza

**HUDSON COUNTY**

**A RESOLUTION AUTHORIZING A REFUND OF REAL PROPERTY  
TAX OVERPAYMENTS TO HARRISON BUILDING 6 URBAN  
RENEWAL, LLC FOR BLOCK 101, LOT 1.03**

WHEREAS: Harrison Building 6 Urban Renewal, LLC made real property tax overpayments on its property designated on the Tax Map of the Town as Block 101, Lot 1.03 totaling \$37,756.76 during the tax years 2019 and 2020 (the "Overpayments"); and

WHEREAS: Harrison Building 6 Urban Renewal, LLC has requested that the Overpayments be refunded to it; and

WHEREAS: The Overpayments are due and owing to Harrison Building 6 Urban Renewal, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: The Chief Financial Officer and Tax Collector are hereby authorized and directed to issue a refund to Harrison Building 6 Urban Renewal, LLC in the amount of \$37,756.76 for real property tax overpayments on its property designated on the Tax Map of the Town as Block 101, Lot 1.03.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. CAMANO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. MENDOZA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. VILLALTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. FIFE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
James A. Fife, Mayor

I hereby certify this to  
be a true and correct copy

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk