

RESOLUTION 2017 - 208

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY ACCEPTING AND APPROVING THE SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER TO RESOLVE THE AFFORDABLE HOUSING LITIGATION

WHEREAS, the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the “Township”) has been involved in litigation with the Fair Share Housing Center (hereinafter referred to as "FSHC"); and

WHEREAS, the litigation is venued in the Superior Court of New Jersey, Law Division, Ocean County, Docket No. OCN-L-1856-15, before the Honorable Mark Troncone, J.S.C.; and

WHEREAS, the litigation involves issues concerning the Township's affordable housing requirements, and the requests by the Township to be immunized from any builders remedies through December 31, 2025; and

WHEREAS, a Settlement Agreement has been reached with FSHC which will require affordable housing units to be constructed at no cost to the Township or its taxpayers, but rather by developers who construct homes and commercial properties within the Township; and

WHEREAS, the Settlement Agreement dated April 20, 2017 is on file at the Office of the Township Clerk and can be reviewed by the public during normal business hours; and

WHEREAS, the Township Committee finds that the Settlement Agreement negotiated by the Township Solicitor is acceptable and meets the goals of the Township while allowing the Township to meet its constitutional requirements.

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

NOW, THEREFORE, BE IT RESOLVED, this 2nd day of May, 2017 by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. The Township accepts the recommendations of the Township Solicitor and approves the Settlement Agreement dated April 20, 2017. A true copy of the Settlement Agreement dated April 20, 2017 is on file at the office of the Township Clerk and can be reviewed by the public during normal business hours.

2. The Township authorizes and directs the Mayor, Township Clerk, Township Administrator and Township Solicitor to execute any and all necessary documents in order to implement the intent of this Resolution.

3. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Honorable Albert Bille, Mayor;
- (b) Martin Lisella Township Administrator;
- (c) John J. Hess, P.E.;
- (d) Jennifer Beahm, P.P.;
- (e) Stacy Cole, Planning Board Secretary
- (f) Jerry J. Dasti, Esquire;

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a regular meeting held on May 2, 2017, a quorum being present and voting in the majority.

MICHELE RIVERS, RMC,
Township Clerk

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS
Forked River, New Jersey 08731

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