

RESOLUTION

WHEREAS, on March 10, 2015, the Supreme Court of New Jersey issued a decision in the matter captioned In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (the “Affordable Housing Decision”); and

WHEREAS, the Affordable Housing Decision established a transitional process whereby municipalities that previously achieved substantive certification from the Council on Affordable Housing (“COAH”) with respect to their plans for addressing their affordable housing obligations (“Plans”) are permitted to file declaratory judgment actions seeking judicial declarations that the Plans are valid; and

WHEREAS, COAH granted substantive certification to the Plan submitted on behalf of the Township of West Orange (the “Township”) on December 9, 2009; and

WHEREAS, the Township intends to file a declaratory judgment action (the “Action”) in conformance with the transitional process established in the Affordable Housing Decision; and

WHEREAS, in connection with the Action, the Township will require the services of an expert to opine on the Township’s affordable-housing obligations; and

WHEREAS, Dr. Robert Burchell (“Dr. Burchell”), Distinguished Professor of the Edward J. Bloustein School of Planning and Public Policy at Rutgers University, has agreed to serve as an expert for municipalities seeking judicial approval of their Plans in conformance with the transitional process established in the Affordable Housing Decision; and

WHEREAS, Dr. Burchell has agreed to provide his expert services to multiple municipalities through a shared services agreement (the “Agreement”), the parties to which will each be able to retain Dr. Burchell’s services at a cost of \$2,000 per municipality;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Township is hereby authorized to file the Action, in conformance with the transitional process established in the Affordable Housing Decision, seeking a judicial declaration as to the validity of its Plan; and be it further

RESOLVED that the Mayor be and is hereby authorized to execute the Agreement to retain Dr. Burchell to serve as the Township's expert in the Action for the sum of \$2,000; and be it further

RESOLVED this resolution shall be published and made available in the Clerk's office in accordance with applicable law.

**Karen J. Carnevale,
Municipal Clerk**

**Jerry Guarino,
Council President**

Adopted: June 9, 2015

I hereby certify funds are available from: _____
Account No.

JOHN O. GROSS, CFO