

TOWNSHIP OF MAPLEWOOD



RESOLUTION NO. 182-15

RESOLUTION APPROVING ADDENDA AND AMENDMENTS TO MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT IN CONNECTION WITH MAPLEWOOD TOWNSHIP=S MT. LAUREL OBLIGATIONS

WHEREAS, the Township of Maplewood ("Township"), along with 300 other municipalities, has filed a Declaratory Judgment Action in accordance with the decision of the New Jersey Supreme Court in *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) for a Judgment of Compliance and Repose among other forms of relief and a determination of the Township=s obligation to provide a realistic opportunity for its fair share of the region=s affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

WHEREAS, approximately 200 municipalities have agreed to cooperate to retain experts and to collect data and other information needed to develop housing obligations that may be used in planning and in the litigation; and

WHEREAS, pursuant to that Shared Services Defense Agreement, the participating municipalities retained Dr. Robert Burchell from Rutgers University to conduct an analysis and prepare a report of the housing need for each region and the allocation of that need to the individual municipalities in the region, and also to serve as a witness in the litigation; and

WHEREAS, Dr. Burchell has suffered from a serious health problem which will prevent him from completing his report and testifying on behalf of the various member municipalities; and

WHEREAS, at a meeting held at Rutgers University on September 10, 2015, the participating municipalities agreed to retain Econsult to perform those services that were to be performed by Dr. Burchell; and

WHEREAS, an addendum to the Shared Services Defense Agreement is being prepared to retain Econsult in Dr. Burchell=s place; and

WHEREAS, it may become necessary to retain other experts to protect the interests of the participating municipalities in the ongoing Mount Laurel litigation; and

WHEREAS, time is of the essence inasmuch as there are various deadlines for the submission of reports set forth in the case management orders that have been entered in the pending Mount Laurel cases; and

WHEREAS, the Township Attorney has recommended that the Township continue to participate in the Shared Services group and that the governing body authorize the execution of addenda and amendments to the Shared Services Agreement in order to reflect the changed circumstances and to protect the Township=s interests; and

WHEREAS, there was an initial assessment of \$2,000 per municipality to cover the anticipated cost; and

WHEREAS, no additional payments are required at this time.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey that:

The Township Business Administrator and the Township Clerk be and are hereby authorized to execute any addenda and/or amendments to the Municipal Shared Services Defense Agreement necessary to carry out the purposes described in this Resolution.

I, Elizabeth J. Fritzen, Township Clerk of the Township of Maplewood, in the County of Essex and State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey, at a regular meeting of said Committee held on September 15, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Township of Maplewood in the County of Essex and State of New Jersey, on this 15th day of September 2015.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk