



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-174

RESOLUTION APPROVING THE SETTLEMENT AGREEMENT REGARDING THE BOROUGH'S MT. LAUREL DECLARATORY JUDGMENT ACTION

WHEREAS, the Borough of Highlands (the "Borough") filed a declaratory judgment action captioned In the Matter of the Application of the Borough of Highlands, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. MON-L-20012-17 (the "Mt. Laurel Litigation") following the New Jersey Supreme Court's decision in the matter of In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, wherein the Supreme Court directed that municipalities were required to file declaratory judgment actions in the Superior Court to evaluate compliance with their *Mount Laurel* obligations in order to maintain immunity from builder's remedy litigation; and

WHEREAS the Court appointed Michael P. Bolan, P.P. , AICP to serve as the Special Master in the Mt. Laurel Litigation to advise the Court and the parties on affordable housing compliance issues; and

WHEREAS, the Fair Share Housing Center ("FSHC") is a Supreme Court designated interested party in this Mt. Laurel Litigation to advocate on behalf of low and moderate income households in the State of New Jersey and the County of Monmouth; and

WHEREAS, the Borough's fair share obligation for the time period 1999-2025 has yet to be determined by the Court and the Borough participated in a mediation process with the Judge overseeing the matter along with the assistance of the Special Master in an attempt to reach a fair and reasonable resolution of the Mt. Laurel Litigation, and the Borough Council finds it is in the best interest of the Borough to enter into a Settlement Agreement with FSHC in order to avoid the expense and risk of trial and uncertain results; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands in the County of Monmouth and State of New Jersey that the Mayor is hereby authorized to execute a Settlement Agreement with Fair Share Housing Center in a form substantially similar to the Settlement Agreement attached hereto.

Motion to Approve Resolution 19-174:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON	X		X			
MAZZOLA			X			
RYAN		X	X			
O'NEIL				X		

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held June 19, 2019. WITNESS my hand this 20th day of June 2019.



Bonnie Brookes, RMC
Municipal Clerk