

RESOLUTION 69-2015
RESOLUTION AFFIRMING THE INTENT OF THE BOROUGH
OF WOODBURY HEIGHTS TO ENGAGE IN A PROCESS OF
VOLUNTARY COMPLIANCE WITH ITS CONSTITUTIONAL
OBLIGATIONS TO PROVIDE OPPORTUNITIES FOR AFFORDABLE
HOUSING; AUTHORIZING AND DIRECTING THE SOLICITOR
TO PROMPTLY FILE AN ACTION IN THE SUPERIOR COURT FOR
DECLARATORY JUDGMENT, AND; TAKE ALL APPROPRIATE STEPS
TO IMMUNIZE THE BOROUGH AND PLANNING BOARD FROM
EXCLUSIONARY ZONING LAWSUITS

WHEREAS, the Borough of Woodbury Heights acknowledges its constitutional obligation to create a realistic opportunity for satisfaction of its "fair share" obligation to provide for Affordable Housing; and

WHEREAS, the New Jersey Supreme Court has recently directed the Superior Court to act as the entity responsible for the establishment of rules, criteria and quotas for the so-called "Round 3" of Affordable Housing Plans; and

WHEREAS, the Supreme Court has further directed that Municipalities that wish to seek immunity from builder remedy lawsuits during the time within which Round 3 Plans are being prepared and submitted, and for a reasonable time after rules and procedures are established in connection with the same, must file actions for Declaratory Judgment between June 8, 2015, and July 8, 2015, along with contemporaneous Motions for Temporary Immunity; and

WHEREAS, the Borough intends by this Resolution to reaffirm its commitment to engage in a process of voluntary compliance with its constitutional obligations to provide realistic opportunities for Affordable Housing; and

WHEREAS, the Borough, like most municipal governments, is vested with limited economic resources that would be necessary to support and defend Affordable Housing litigation instituted by developers or other stakeholders;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Woodbury Heights, as follows:

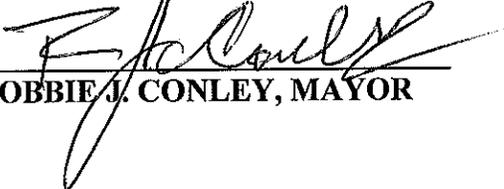
1. The Borough of Woodbury Heights affirms its commitment to be the singular entity engaged in an orderly, non-adversarial process to seek approval of its plans to provide realistic opportunities for Affordable Housing in the Borough;

2. Directing that the Solicitor timely file an action seeking a Declaratory Judgment by the Superior Court of New Jersey as directed by the Supreme Court;

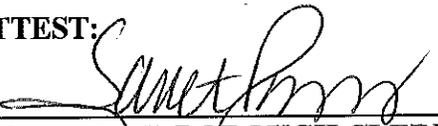
3. Directing the Solicitor to seek Temporary Immunity of the Borough from all "Mount Laurel" lawsuits; and

4. To otherwise take all reasonable and appropriate steps to maintain the Borough's and Planning Board's immunity from all exclusionary zoning lawsuits.

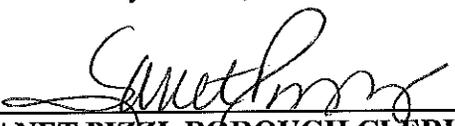
BOROUGH OF WOODBURY HEIGHTS

BY: 
ROBBIE J. CONLEY, MAYOR

ATTEST:


JANET PIZZI, BOROUGH CLERK

The foregoing Resolution was duly adopted by the Borough Council of the Borough of Woodbury Heights at the regular meeting held on the 17th day of June, 2015.


JANET PIZZI, BOROUGH CLERK