

## **BOROUGH OF EDGEWATER**

### **NOTICE OF FAIRNESS HEARING THE PROPOSED SETTLEMENT OF THE BOROUGH'S MOUNT LAUREL AFFORDABLE HOUSING DECLARATORY JUDGEMENT ACTION RELATED TO THE BOROUGH'S THIRD ROUND AFFORDABLE HOUSING OBLIGATION**

**TAKE NOTICE THAT** a fairness hearing will be held on July 23, 2020, commencing at 10:00 a.m. before the Honorable Gregg A. Padavano, J.S.C., in Courtroom 331 in the Bergen County Justice Center, 10 Main Street, Hackensack, New Jersey 07601, **if the Courthouse is open to the public at that time.** The Courthouse is presently closed to the public as a result of the COVID-19 Public Health Emergency and State of Emergency declared by the Governor. **If the Courthouse remains closed to the public as of 48 hours prior to the scheduled fairness hearing, the fairness hearing** may take place via video-teleconference. Information about courthouse closings is available at [www.njcourts.gov](http://www.njcourts.gov). If the courthouse is closed to the public, information about how to participate in the video-teleconference will be posted on the Borough website at <http://www.edgewaternj.org/> at least 48 hours prior to the hearing.

The purpose of the fairness hearing is for the court to consider whether the terms of the settlement agreement, dated June 15, 2020 (“Settlement Agreement”), between the Borough of Edgewater (“Borough”) and Fair Share Housing Center (“FSHC”), which would settle the Borough’s Mount Laurel declaratory judgment action titled In The Matter of the Application of the Borough of Edgewater, County of Bergen, Docket No. BER-L-6364-15, is fair and reasonable to the region’s low and moderate income households and should be approved by the Court in accordance with the principles establish in Morris County Fair Housing Council v. Boonton Tp., 197 N.J. Super. 359 (Law Div. 1984), aff’d o.b., 209 N.J. Super. 108 (App. Div. 1986), and East/West Venture v. Bor. Of Fort Lee, 286 N.J. Super. 311 (App. Div. 1996).

The Settlement Agreement with FSHC fully addresses the components of the Borough’s affordable housing obligations for the period 1987-2025. These include the Prior Round (1987-1999) obligation of 28 units, a present need obligation of 32 units, and a Third Round (1999-2025) obligation of 624 units. The proposed terms of the Settlement Agreement provide a detailed list of the Borough’s total affordable housing obligation and compliance mechanisms that demonstrate the Borough’s compliance with those affordable housing obligations.

The executed Settlement Agreement is on file with the Office of the Borough Clerk, Borough of Edgewater, Municipal Building, Second Floor, 55 River Road, Edgewater, NJ 07020 and is available for public inspection and photocopying during normal business hours. To the extent you are unable to obtain the documents from the Municipal Building due to coronavirus-related closures, please contact the Borough Attorney at [jm@mariniellolaw.com](mailto:jm@mariniellolaw.com).

Anyone who wishes to object to the Settlement Agreement on any grounds and wants to be heard by the Court at the fairness hearing shall be required to submit written objections together with a summary of any lay testimony and written expert’s report by mail and/or email, no later than **July 8, 2020**, to the following:

Honorable Gregg A. Padavano, J.S.C.  
Bergen County Justice Center, Courtroom 311

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This Notice is provided pursuant to the direction of the Court and is intended to inform interested parties of the Settlement Agreement and the fairness hearing to be conducted on the Settlement Agreement, which may lead to the court's approval of the Settlement Agreement and the Borough's affordable housing obligation. This Notice lets interested parties know that they will have an opportunity to offer comments and/or objections to the Settlement Agreement to the Court, before the Court decides whether to approve the Settlement Agreement. This Notice is not intended to indicate any view by the Court as to the fairness, reasonableness, or adequacy of the proposed settlement or whether the Court will approve the Settlement Agreement.