

September 14, 2017

A Regular Session Meeting of the Allendale Planning Board was held in the Municipal Building, 500 West Crescent Avenue, Allendale, NJ on September 14, 2017. Chairman Quinn announced that the Open Public Meetings Act requirements were met by the required posting and notice to publications and called the meeting to order at 8:01 p.m.

**PRESENT:** Mr. Daloisio, Mr. O'Toole, Councilman Sasso, Chief Scherb, Mayor White, Mr. Zambrotta and Mr. Quinn.  
**ABSENT:** Mr. O'Connell

Mr. Quinn explained that there is a need for the Planning Board to approve the settlement agreement with Fair Share Housing Center as the housing element of the Master Plan will need to be updated as a requirement of this agreement. He noted that there will be a certain timeframe within which changes to the Master Plan must be enacted once the settlement agreement has been approved by the court.

#### **PUBLIC COMMENT**

No one came forward.

#### **RESOLUTIONS**

##### **PB 17-14: Approving Settlement Agreement with Fair Share Housing**

Mr. Botta advised that he had worked with Borough Attorney Wiss on preparing this resolution to ensure that it is consistent with the resolution being considered by the Mayor and Council this evening. He then read the proposed resolution into the record:

#### **RESOLUTION AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT RE: MOUNT LAUREL FAIR SHARE OBLIGATIONS**

**WHEREAS**, the Borough of Allendale filed an action in the Superior Court of New Jersey seeking a judicial decision that its Housing Element and Fair Share Plan satisfies the requirements of the "Mount Laurel" doctrine; and

**WHEREAS**, the sole adversary of the Borough in this litigation is the Fair Share Housing Center ("FSHC") of New Jersey which is in the process of litigating Fair Share plans throughout the State of New Jersey; and

**WHEREAS**, extensive discussions, meetings, conferences and negotiations have occurred with FSHC, in conjunction with the Court-Appointed Special Master, as a result of which a settlement of this litigation has been recommended; and

**WHEREAS**, The Mayor and Council and Planning Board of the Borough of Allendale have reviewed the terms of the proposed settlement with its professionals and have provided authorization to conclude the litigation on the terms recited therein; and

**WHEREAS**, a final and formal Settlement Agreement has now been prepared and submitted to the Municipality which resolves all issues presented.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Allendale, County of Bergen, State of New Jersey, as follows:

1. The Borough of Allendale Planning Board hereby authorizes and approves an agreement to resolve all issues between the Borough of Allendale and the Fair Share Housing Center concerning the Borough's Mount Laurel Fair Share Housing obligation and the means by which the Borough shall satisfy the same.
2. The Settlement Agreement shall be in the form approved by the Borough Attorney, the terms of which are incorporated by reference herein, and a copy of which is available for review and inspection in the office of the Borough Clerk.
3. The Mayor and Borough Clerk be and are hereby authorized and directed to execute this Settlement Agreement on behalf of the Borough, and the Borough Planner, and Borough Attorney are hereby authorized and directed

to take all steps necessary in order to implement the terms of the Settlement Agreement.

On a motion by Mr. Daloisio, second by Councilman Sasso, to approve Resolution PB 17-14. On a roll call, all members present voted in favor, none opposed. The motion carried.

#### **MINUTES**

On a motion by Chief Scherb, second by Mr. Zambrotta, to approve the April 20, 2017 Regular Session Minutes. All members present voted in favor, none opposed. The motion carried.

Mr. Quinn noted that the Planning Board will have 120 days from the date that the settlement agreement with Fair Share Housing Center is approved by the court to enact the changes to the Master Plan.

Mr. Daloisio commended the Mayor and Council for all of their hard work in protecting the Borough's interests with respect to this agreement.

Mr. Quinn also thanked the Council's Committee on Affordable Housing for the wonderful job that they did in putting this agreement together.

#### **AJOURNMENT**

There being no further business to come before the Planning Board, on a motion by Mr. Daloisio, second by Mayor White, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION  
PLANNING BOARD OF THE  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

DATE: 9/14/2017

RESOLUTION# PB 17-14

Member	Motion	Second	Yes	No	Abstain	Absent
Daloisio	✓		✓			
O'Connell						
O'Toole			✓			
Sasso		✓	✓			
Scherb			✓			
White			✓			
Zambrotta			✓			
Quinn			✓			

Carried  Defeated  Tabled

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RESOLUTION  
PLANNING BOARD OF THE  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

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3. The Mayor and Borough Clerk be and are hereby authorized and directed to execute this Settlement Agreement on behalf of the Borough, and the Borough Planner, and Borough Attorney are hereby authorized and directed to take all steps necessary in order to implement the terms of the Settlement Agreement.

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I hereby certify the above to be a true copy of a Resolution adopted by the Planning Board of the Borough of Allendale on September 14, 2017.



Michelle Ryan  
Planning Board Secretary