Affidavit from

Echoes-Sentinel

STATE OF NEW JERSEY}
COUNTY OF MORRIS } ss.:

Wendy A. Sulllivan, being duly sworn according to law on her oath, deposes and says that she is the accounting clerk of the ECHOES-SENTINEL, a public newspaper which is published in the County of Somerset, and that the notice of which the annexed is a copy, was published in said newspaper on:

7/30/2015

Wendy A. Sullivan

Sworn to and subscribed before me this 30th day of July 2015

Diane Howard

Diane Howard
Notary Public
New Jersey
My Commission Expires 4/23/2019

PUBLIC NOTICES **PUBLIC NOTICES**

Watchung Borough

LEGAL NOTICE

NOTICE OF DECLARATORY ACTION AND MOTION BEFORE THE SUPERIOR COURT OF NEW JERSEY FOR TEMPORARY IMMUNITY FROM MOUNT LAUREL LAWSUITS

NOTICE is hereby given that, on **July 7, 2015**, the Borough of Watchung filed a Declaratory Judgment Complaint in Somerset County Superior Court, Law Division, Docket No. SOM-L-902-15, in response to the Supreme Court's recent decision in In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221N.J. 1 (2015) (hereinafter "In re COAH"). Through its Declaratory Complaint, the Borough is asking the Court to:

1. Enter an Order providing the Borough of Watchung to the opportunity to submit or supplement a Housing Element and Fair Share Plan with the Court, to comply with the criteria and guidelines developed by the Court;

2. Enter an Order granting the Borough and its Planning Board temporary immunity from Mount Laurel lawsuits commencing in accordance with In re: COAH;

3. Enter an Order extending immunity provided that the Borough adopts, endorses, and files a Round 3 Housing Element and Fair Share Plan (hereinafter "Fair Share Plan") in accordance with the orders of the Court;

4. To review and approve the Borough's Fair Share Plan, as may be supplemented and amended to comply with the decisions of the Court;

5. To enter subsequent orders periodically extending immunity until such time as the Court enters a Judgment of Compliance and Repose formally approving the Borough's Fair Share Plan;

6. To approve the Borough's Spending Plan in its current form and as may be revised;

7. To determine that the Borough has committed to expend trust fund monies within four years of receipt in accordance with N.J.S.A. 52:27D-329.2 and 329.3; and

8. To grant such other relief as the Court deems just and equitable.

A "Mount Laurel lawsuit" is brought pursuant to supreme Court opinions commonly referred to as "Mount Laurel I" and "Mount Laurel II" claiming that a municipality has used its zoning powers to exclude low and moderate income households in violation of the requirements of these landmark decisions, the New Jersey Fair Housing Act (N.J.S.A.52:27D-301 et seq.) and other applicable laws. A "temporary immunity" order protects a municipality and its planning board from Mount Laurel lawsuits. A Judgment of Compliance and Repose is an order formally approving a municipality's Housing Element and Fair Share Plan which provides the municipality ten years of protection from Mount Laurel suits. Any response to the Borough's Declaratory Action must be filed in accordance with the Rules of Court. Any interested party seeking to participate in this action should consider consulting legal counsel and should be guided by these Rules.

NOTICE is further given that the Borough also filed a Motion for Temporary Immunity and shall move before the designated Mount Laurel Judge for the County on **August 7, 2015 at 9:00 a.m.**, or such other date and/or time to be determined by the Court, for an Order (1) granting Temporary Immunity from Mount Laurel lawsuits; and (2) providing the Borough the opportunity to file a Fair Share Plan with the Court, commencing from the date the Court determines the criteria and guidelines with which the Borough must comply; or, if the Court declines to commence the start date as the date the Court makes this determination, for five months from the date the Court deems appropriate.

Please be advised that, due to the anticipated number of similar actions to be filed in the wake of In re COAH, it is possible, if not likely, that the date and/or time of the hearing on the Borough's Motion will change. Scheduling information can be obtained from the Somerset County Court Clerk, or through any of the attorneys referenced below.

Any opposition to the Borough's Motion for Temporary Immunity must be submitted in accordance with Rules of Court. More information can be obtained regarding this matter from the Judge presiding over this matter, or from the Borough or from counsel as follows:

Honorable Thomas C. Miller, J.S.C.
Superior Court of New Jersey
Somerset County Court House
20 North Bridge Street
Somerville, NJ 08876

Michelle DeRocco, Clerk
Borough of Watchung Municipal Building
15 Mountain Boulevard
Watchung, NJ 07069-6399

Steven A. Kunzman, Esq.
DiFrancesco Bateman Law Firm
15 Mountain Boulevard
Warren, NJ 07059

A copy of the Borough's Declaratory Action and Motion for Temporary Immunity with supporting documentation are available for public inspection at the office of the Borough Clerk, Borough of Watchung, 15 Mountain Boulevard, Watchung, New Jersey 07069 during regular business hours.
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