

Prepared by the court

IN RE PETITION OF THE BOROUGH OF  
CARLSTADT FOR A JUDGMENT OF  
COMPLIANCE AND REPOSE,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY

Docket No. BER-L-6392-15

CIVIL ACTION

**FILED**  
NOV 19 2020  
ORDER CREGG A. PADOVANO, J.S.C.

**THIS MATTER** comes before the court upon the declaratory judgment complaint of petitioner Borough of Carlstadt (“Borough” or “Petitioner”), seeking a determination that the Borough has complied with its Mount Laurel obligation, in accordance with the procedures set forth in In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV); and

**THE COURT** having conducted a “fairness hearing”, in accordance with the requirements of Morris County Fair Housing Council v. Boonton Township, 197 N.J. Super. 359, 364 (Law Div. 1984), aff’d o.b., 209 N.J. Super. 108 (App. Div. 1986) and East/West Venture v. Borough of Fort Lee, 286 N.J. Super. 311, 328 (App. Div. 1996), to review the Borough’s proposed plan to provide for affordable housing in accordance with applicable statutes, regulations and provisions of the New Jersey Constitution, which hearing was occurred on September 9, 2019; and

**THE COURT** having entered an order date November 18, 2020 identifying its findings and granting a preliminary judgment of compliance and response with conditions; and

**THE COURT** having conducted a case management conference on November 10, 2020 with counsel for the Borough and Fair Share Housing Center and Special Master Elizabeth K. McManus, AICP, PP appearing by video conference and the court having scheduled a final compliance hearing, as discussed on the record, and for other good cause show

**IT IS ON THIS 19<sup>th</sup> DAY OF NOVEMBER 2020**

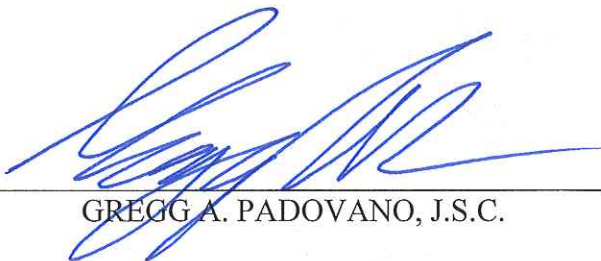
**ORDERED** that the Final Hearing to consider entering a final judgment of compliance and repose in this matter is scheduled for **December 23, 2020 at 10:00 a.m.** before this court at the Bergen County Justice Center, 10 Main Street, Courtroom 331, Hackensack, New Jersey 07601, which hearing shall be conducted by video conferencing; and it is further

**ORDERED** that the Borough shall provide public notice of the final judgment of compliance and repose, as may be required; and it is further

**ORDERED** that the Borough shall also provide notice of the video conference access number / link to all counsel / parties of record and all members of the public requesting same and shall publish the link / call-in number for the video conference final judgment of compliance and repose hearing by posting the information on the Borough of Carlstadt's official website; and it is further

**ORDERED** that the Borough of Carlstadt, the Governing Body of the Borough and the Borough Planning Board shall continue to have temporary immunity (without any prior lapse) from the filing and serving of any Mount Laurel or builder's remedies suits, unless otherwise ordered by the court, until and including January 30, 2021; and it is further

**ORDERED** that a copy of this order shall be served upon all counsel of record electronically by eCourts. Petitioner shall serve a copy of this order to all parties not served electronically or requesting same.



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GREGG A. PADOVANO, J.S.C.