

**Leslie G. London, Esq.**  
**McMANIMON, SCOTLAND & BAUMANN, L.L.C.**  
**75 Livingston Avenue, Second Floor**  
**Roseland, New Jersey 07068**  
**(973) 622-1800**  
**Attorneys for Plaintiff/Petitioner,**  
**Borough of Red Bank**  
**Attorney Identification No. 020801988**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MONMOUTH COUNTY

**IN THE MATTER OF THE  
APPLICATION OF THE BOROUGH OF  
RED BANK FOR A DETERMINATION  
OF MOUNT LAUREL COMPLIANCE**

DOCKET NO.: MON-L- 2540-15  
Civil Case  
(*Mount Laurel* )

**AFFIDAVIT OF PUBLICATION**

LESLIE G. LONDON, of full age, being duly sworn according to law upon her oath deposes and, says:

1. I am a member with the law firm of McManimon, Scotland & Baumann, LLC, attorneys for Plaintiff/Petitioner and the person entrusted with the conduct and management of this action.

2. On April 5, 2019, I caused to be published in The Star Ledger, and on April 4, 2019, I caused to be published in the Asbury Park Press, the Order Fixing Date for Fairness and Preliminary Compliance Hearing in this matter. A copy of the Affidavit of Publication for each newspaper is attached hereto.

MCMANIMON, SCOTLAND & BAUMANN, L.L.C.  
Attorneys for Borough of Red Bank

*Leslie G. London/ls*

Leslie G. London, Esq.

Dated: May 24, 2019

State of New Jersey,) ss

County of Middlesex)

Corey Prisco being duly sworn, deposes that he/she is principal clerk of NJ Advance Media; that Star Ledger is a public newspaper, with general circulation in Atlantic, Burlington, Cape May, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren Counties, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

Star Ledger 04/05/2019

Principal Clerk of the Publisher

Sworn to and subscribed before me this 5th day of April 2019

Notary Public

Darian N Alexander  
Notary Public  
New Jersey  
My Commission Expires November 13, 2022  
No. 50071877

**Leslie G. London, Esq.**  
**McMANIMON, SCOTLAND & BAUMANN, L.L.C.**  
**75 Livingston Avenue, Second Floor**  
**Roseland, New Jersey 07068**  
**(973) 622-1800**  
**Attorneys for Plaintiff/Petitioner,**  
**Borough of Red Bank**  
**Attorney Identification No. 020801988**

IN THE MATTER OF THE  
APPLICATION OF THE BOROUGH OF  
RED BANK FOR A DETERMINATION  
OF MOUNT LAUREL COMPLIANCE

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MONMOUTH COUNTY  
DOCKET NO.: **MON-L- 2540-15**  
Civil Case  
(Mount Laurel)  
**ORDER FIXING DATE FOR FAIRNESS  
AND PRELIMINARY COMPLIANCE  
HEARING**

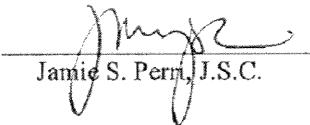
This matter having been opened to the Court by McManimon, Scotland & Baumann, LLC, attorneys for petitioner Borough of Red Bank, for the scheduling of a Fairness and Preliminary Compliance Hearing, approval of the terms of a Settlement Agreement and approval of the Borough of Red Bank's Housing Element and Fair Share Plan and for the issuance of a Final Judgment of Compliance and Repose; and the Court having considered the application and proposed Notice attached hereto and for good cause appearing;

IT IS on this 28th day of March, 2019:

1. A Fairness and Preliminary Compliance Hearing shall be held before the Honorable Jamie S. Perri, J.S.C., on May 29, 2019, at 1:30 p.m., at the Monmouth County Courthouse, 71 Monument Park, Freehold, New Jersey, for consideration and approval of the Settlement Agreement between the Borough of Red Bank and Fair Share Housing Center.
2. Within 10 days of the date of this Order, counsel for the Borough of Red Bank shall:
  - a) Serve a copy of this Order, Notice and Service List upon Adam Gordon, Esq., attorney for Fair Share Housing Center, and Special Master Frank Banisch, P.P. An Affidavit of Service shall be filed with the Court at least 10 days prior to the Hearing date.
  - b) Serve a copy of this Order and attached Notice upon all "interested parties" as set forth on the attached Service List by Certified Mail/RRR and regular mail.
  - c) Publish a copy of this Order and attached Notice in a newspaper of general circulation in Mon-

mouth County, Ocean County and Mercer County.

3. Copies of the Settlement Agreement filed with the Court shall be available for inspection during regular business hours at the Office of the Borough Clerk, Borough of Red Bank located at 90 Monmouth Street, Red Bank, New Jersey.
4. Any objections to the Settlement Agreement must be filed in writing together with copies of any supporting affidavits or documents on or before May 15, 2019, with the Honorable Jamie S. Perri, J.S.C., Superior Court of New Jersey, Monmouth County Comthouse, Post Office Box 1266, Freehold, New Jersey 07728, with duplicate copies forwarded by mail to counsel for Fair Share Housing Center, Special Counsel for the Borough of Red Bank and Special Master Frank Banisch, P.P., set forth more fully in the attached Notice.
5. The Special Master shall submit his report to the Court no later than May 22, 2019,
6. The Court shall consider approval of the proposed Settlement Agreement. If approved, the Court shall schedule a Final Compliance Hearing at which time the Court will consider approval of the Borough of Red Bank's Housing Element and Fair Share Plan, as adopted and endorsed, and its application for a Final Judgment of Compliance and Repose through July 2, 2025.
7. All temporary immunities shall be extended through the date of the Final Compliance Hearing.



Jamie S. Perri, J.S.C.

**NOTICE OF FAIRNESS HEARING FOR THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, FOR APPROVAL OF A SETTLEMENT OF MOUNT LAUREL LITIGATION**

**DOCKET NO. MON-L-2540-15**

**PLEASE TAKE NOTICE** that on May 29, 2019 beginning at 1:30 p.m., there will be a Fairness Hearing (the "Hearing") before the Honorable Jaime S. Perri, J.S.C. at the Monmouth County Superior Court Courthouse, 71 Monument Park, Freehold, N.J. 07728.

The purpose of the Hearing is for the Court to consider two issues: (1) whether the proposed Settlement Agreement between the Borough of Red Bank (the "Borough") and the Fair Share Housing Center in the Mount Laurel Declaratory Judgment Action entitled In the Matter of the Application of the Borough of Red Bank for a Determination of Mount Laurel Compliance Docket No. MON-L-2540-15 (the "Settlement Agreement"), is fair and reasonable to the region's low- and moderate-income households according to the principles set forth 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), thereby entitling the parties to this settlement to judicial approval of said Settlement Agreement; and (2) whether the establishment of the Borough's fair share obligations and the Borough's preliminary compliance efforts (reflected in the terms of the Settlement Agreement and reflected in the Housing Element and Fair Share Plan as endorsed and adopted by the Borough, pursuant to the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.) will satisfy the Borough's obligation to provide a realistic opportunity to satisfy its rehabilitation, Prior Round and Third Round "fair share" of the regional need for affordable housing to low- and moderate-income households pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the substantive, applicable regulations of the New Jersey Council on Affordable Housing ("COAH"), the New Jersey Supreme Court's March 10, 2015 decision in the matter captioned In re N.J.A.C. 5:96 & N.J.A.C. 5:97, 221, N.J. 1 (2015) and other applicable laws.

The Borough's preliminary compliance efforts, as reflected in the terms of the Borough's Settlement Agreement with FSHC, fully address the existing components of the Borough's affordable housing obligations for the period 1987-2025. These include a Prior Round (1987-1999) obligation of 427 units, a present need obligation of 129 units and a Third Round (1999-2025) obligation of 313 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 available for public inspection and/or photocopying (at requestor's expense) between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, located at Borough of Red Bank, 90 Monmouth Street, Red Bank, NJ 07701 and on the Borough website at <http://www.redbanknj.org>.

On the date of the Hearing, the Court will conduct a Fairness Hearing to determine whether the Settle-

ment Agreement is fair to low- and moderate-income households pursuant to the Morris County and East/West Venture cases referenced above and creates a realistic opportunity for satisfaction of the Borough's affordable housing obligations for the period 1987 through 2025 pursuant to the Mount Laurel decisions and their progeny, the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the substantive, applicable regulations of COAH, and the New Jersey Supreme Court's March 10, 2015 decision in the matter captioned *In re N.J.A.C. 5:96 & N.J.A.C. 5:97*, 221, N.J. 1 (2015).

Any interested person may seek to appear and be heard at the Hearing to address the Borough's Settlement Agreement. Any objections must fully comply with N.J.A.C. 5:91-4.1 and 4.2, which provide minimum standards for such objections. Such objections or comments by any interested party must be filed, together with copies of any supporting affidavits or other documents, with the Court at the below address on or before May 15, 2019, with duplicate copies being forwarded by mail and email to the attention of the following:

Leslie G. London, Esq.  
McManimon, Scotland & Baumann, LLC  
75 Livingston Avenue, 2nd Floor  
Roseland, New Jersey 07068  
llondon@msbnj.com

Frank Banisch, P.P.  
Banisch Associates, Inc.  
111 E. Main Street  
Flemington, NJ 08822  
frankbanisch@banisch.com

Adam Gordon, Esq.  
Fair Share Housing Center  
510 Park Boulevard  
Cherry Hill, New Jersey 08002  
adamgordon@fairsharehousing.org

This Notice is provided by direction of the Court and is intended to inform interested parties of (1) the existence of the Settlement Agreement, and possible consequences of Court approval of the Settlement Agreement, which may ultimately lead to a Judgment of Compliance and Repose; and (2) the Borough's preliminary compliance measures as reflected in the terms of the Settlement Agreement; and to inform such parties that they are able to comment on said Settlement Agreement before the Court reviews and evaluates whether to approve the Settlement Agreement. This Notice does not indicate any view by the Court as to the fairness or the adequacy of the Settlement Agreement with FSHC under the Mount Laurel Doctrine and governing law.

# AFFIDAVIT OF PUBLICATION

Publisher's Fee \$182.40 Affidavit \$35.00

**State of New Jersey**

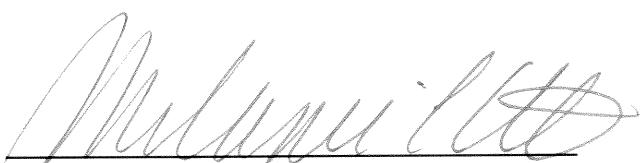
} SS.

Monmouth/Ocean Counties

Personally appeared MM Clin

Of the **Asbury Park Press**, a newspaper printed in Freehold, New Jersey and published in Neptune, in said County and State, and of general circulation in said county, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

04/04/19 A.D 2019



Notary Public of New Jersey

Ad Number: 0003478792



## BOROUGH OF RED BANK

Leslie G. London, Esq.  
McMANIMON, SCOTLAND & BAUMANN, L.L.C.  
75 Livingston Avenue, Second Floor  
Roseland, New Jersey 07068  
(973) 622-1800  
Attorneys for Plaintiff/Petitioner,  
Borough of Red Bank  
Attorney Identification No. 020801988

SUPERIOR COURT OF NEW JERSEY LAW DIVISION:  
MONMOUTH COUNTY

DOCKET NO.: MON-L-2540-15  
Civil Case  
(Mount Laurel )

ORDER FIXING DATE FOR  
FAIRNESS AND PRELIMINARY COMPLIANCE HEARING

## IN THE MATTER OF THE APPLICATION OF THE BOROUGH OF RED BANK FOR A DETERMINATION OF MOUNT LAUREL COMPLIANCE

This matter having been opened to the Court by McManimon, Scotland & Baumann, LLC, attorneys for petitioner Borough of Red Bank, for the scheduling of a Fairness and Preliminary Compliance Hearing, approval of the terms of a Settlement Agreement and approval of the Borough of Red Bank's Housing Element and Fair Share Plan and for the issuance of a Final Judgment of Compliance and Repose; and the Court having considered the application and proposed Notice attached hereto and for good cause appearing;

IT IS on this day of March, 2019:

1. A Fairness and Preliminary Compliance Hearing shall be held before the Honorable Jamie S. Perri, J.S.C., on May 29, 2019, at 1:30 p.m., at the Monmouth County Courthouse, 71 Monument Park, Freehold, New Jersey, for consideration and approval of the Settlement Agreement between the Borough of Red Bank and Fair Share Housing Center.
2. Within 10 days of the date of this Order, counsel for the Borough of Red Bank shall:
  - a) Serve a copy of this Order, Notice and Service List upon Adam Gordon, Esq., attorney for Fair Share Housing Center, and Special Master Frank Banisch, P.P. An Affidavit of Service shall be filed with the Court at least 10 days prior to the Hearing date.
  - b) Serve a copy of this Order and attached Notice upon all "interested parties" as set forth on the attached Service List by Certified Mail/RRR and regular mail.
  - c) Publish a copy of this Order and attached Notice in a newspaper of general circulation in Monmouth County, Ocean County and Mercer County.
3. Copies of the Settlement Agreement filed with the Court shall be available for inspection during regular business hours at the Office of the Borough Clerk, Borough of Red Bank located at 90 Monmouth Street, Red Bank, New Jersey.
4. Any objections to the Settlement Agreement must be filed in writing together with copies of any supporting affidavits or documents on or before May 15, 2019, with the Honorable Jamie S. Perri, J.S.C., Superior Court of New Jersey, Monmouth County Courthouse, Post Office Box 1266, Freehold, New Jersey 07728, with duplicate forwarded by mail to counsel for Fair Share

Housing Center, Special Counsel for the Borough of Red Bank and Special Master Frank Banisch, P.P., set forth more fully in the attached Notice.

5. The Special Master shall submit his report to the Court no later than May 22, 2019.

6. The Court shall consider approval of the proposed Settlement Agreement. If approved, the Court shall schedule a Final Compliance Hearing at which time the Court will consider approval of the Borough of Red Bank's Housing Element and Fair Share Plan, as adopted and endorsed, and its application for a Final Judgment of Compliance and Repose through July 2, 2025.

7. All temporary immunities shall be extended through the date of the Final Compliance Hearing.

NOTICE OF FAIRNESS HEARING FOR THE BOROUGH OF RED BANK  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY, FOR APPROVAL

OF A SETTLEMENT OF MOUNT LAUREL LITIGATION

DOCKET NO. MON-L-2540-15

PLEASE TAKE NOTICE that on May 29, 2019 beginning at 1:30 p.m., there will be a Fairness Hearing (the "Hearing") before the Honorable Jaime S. Perri, J.S.C. at the Monmouth County Superior Court Courthouse, 71 Monument Park, Freehold, N.J. 07728.

The purpose of the Hearing is for the Court to consider two issues: (1) whether the proposed Settlement Agreement between the Borough of Red Bank (the "Borough") and the Fair Share Housing Center in the Mount Laurel Declaratory Judgment Action entitled *In the Matter of the Application of the Borough of Red Bank for a Determination of Mount Laurel Compliance Docket No. MON-L-2540-15* (the "Settlement Agreement"), is fair and reasonable to the region's low- and moderate-income households according to the principles set forth 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), thereby entitling the parties to this settlement to judicial approval of said Settlement Agreement; and (2) whether the establishment of the Borough's fair share obligations and the Borough's preliminary compliance efforts (reflected in the terms of the Settlement Agreement and reflected in the Housing Element and Fair Share Plan as endorsed and adopted by the Borough, pursuant to the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.) will satisfy the Borough's obligation to provide a realistic opportunity to satisfy its rehabilitation, Prior Round and Third Round "fair share" of the regional need for affordable housing to low- and moderate-income households pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the substantive, applicable regulations of the New Jersey Council on Affordable Housing ("COAH"), the New Jersey Supreme Court's March 10, 2015 decision in the matter captioned *In re N.J.A.C. 5:96 & N.J.A.C. 5:97*, 221, N.J. 1 (2015) and other applicable laws.

The Borough's preliminary compliance efforts, as reflected in the terms of the Borough's Settlement Agreement with FSHC, fully address the existing components of the Borough's affordable housing obligations for the period 1987-2025. These include a Prior Round (1987-1999) obligation of 427 units, a present need obligation of 129 units and a Third Round (1999-2025) obligation of 313 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 available for public inspection and/or photocopying (at requestor's expense) between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, located at Borough of Red Bank, 90 Monmouth Street, Red Bank, NJ 07701 and on the Borough website at <http://www.redbanknj.org>.

On the date of the Hearing, the Court will conduct a Fairness Hearing to determine whether the Settlement Agreement is fair to low- and moderate-income households pursuant to the Morris County and East/West Venture cases referenced above and creates a realistic opportunity for satisfaction of the Borough's affordable housing obligations for the period 1987 through 2025 pursuant to the Mount Laurel decisions and their progeny, the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the substantive, applicable regulations of COAH, and the New Jersey Supreme Court's March 10, 2015 decision in the matter captioned *In re N.J.A.C. 5:96 & N.J.A.C. 5:97*, 221, N.J. 1 (2015).

Any interested person may seek to appear and be heard at the Hearing to address the Borough's Settlement Agreement. Any objections must fully comply with N.J.A.C. 5:91-4.1 and 4.2, which provide minimum standards for such objections. Such objections or comments by any interested party must be filed, together with copies of any supporting affidavits or other documents, with the Court at the below address on or before May 15, 2019, with duplicate copies being forwarded by mail and email to the attention of the following:

Leslie G. London, Esq.  
McManimons, Scotland & Baumann, LLC  
75 Livingston Avenue, 2nd Floor  
Roseland, New Jersey 07068  
llondon@msbnj.com

Frank Banisch, Jr.  
Banisch Associates, Inc.  
111 E. Main Street  
Flemington, NJ 08822  
frankbanisch@banisch.com

Adam Gordon, Esq.  
Fair Share Housing Center  
510 Park Boulevard  
Cherry Hill, New Jersey 08002  
adamgordon@fairsharehousing.org

This Notice is provided by direction of the Court and is intended to inform interested parties of (1) the existence of the Settlement Agreement, and possible consequences of Court approval of the Settlement Agreement, which may ultimately lead to a Judgment of Compliance and Repose; and (2) the Borough's preliminary compliance measures as reflected in the terms of the Settlement Agreement; and to inform such parties that they are able to comment on said Settlement Agreement before the Court reviews and evaluates whether to approve the Settlement Agreement. This Notice does not indicate any view by the Court as to the fairness or the adequacy of the Settlement Agreement with FSHC under the Mount Laurel Doctrine and governing law.  
(\$182.40)

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**Leslie G. London, Esq.**  
**McMANIMON, SCOTLAND & BAUMANN, L.L.C.**  
**75 Livingston Avenue, Second Floor**  
**Roseland, New Jersey 07068**  
**(973) 622-1800**  
**Attorneys for Plaintiff/Petitioner,**  
**Borough of Red Bank**  
**Attorney Identification No. 020801988**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MONMOUTH COUNTY

**IN THE MATTER OF THE  
APPLICATION OF THE BOROUGH OF  
RED BANK FOR A DETERMINATION  
OF MOUNT LAUREL COMPLIANCE**

DOCKET NO.: **MON-L- 2540-15**  
Civil Case  
(*Mount Laurel*)

**AFFIDAVIT OF PUBLICATION**

LESLIE G. LONDON, of full age, being duly sworn according to law upon her oath deposes and, says:

1. I am a member with the law firm of McManimon, Scotland & Baumann, LLC, attorneys for Plaintiff/Petitioner and the person entrusted with the conduct and management of this action.

2. On June 11, 2019, I caused to be published in The Star Ledger and in the Asbury Park Press, the Order Fixing Date for Final Compliance Hearing in this matter. A copy of the Notice and Affidavit of Publication for each newspaper is attached hereto.

MCMANIMON, SCOTLAND & BAUMANN, L.L.C.  
Attorneys for Borough of Red Bank

*Leslie G. London/s*  
Leslie G. London, Esq.

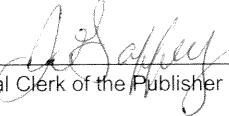
Dated: July 8, 2019

State of New Jersey,) ss

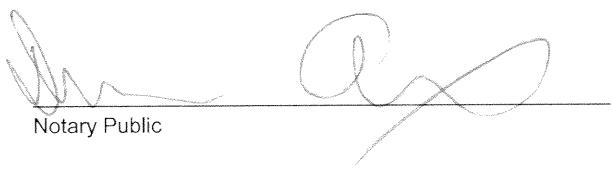
County of Middlesex)

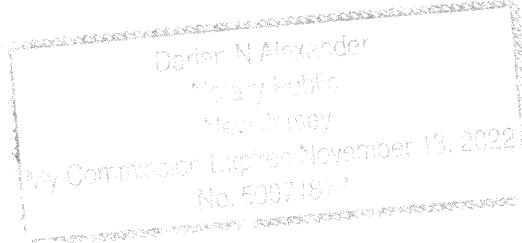
Julia Gaffey being duly sworn, deposes that he/she is principal clerk of NJ Advance Media; that Star Ledger is a public newspaper, with general circulation in Atlantic, Burlington, Cape May, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren Counties, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

Star Ledger 06/11/2019

  
Principal Clerk of the Publisher

Sworn to and subscribed before me this 14th day of June 2019

  
Notary Public

  
Dorothy N. Alexander

Notary Public

State of New Jersey

My Commission Expires November 13, 2022

No. 5007187

**Leslie G. London, Esq.**  
**McMANIMON, SCOTLAND & BAUMANN, L.L.C.**  
**75 Livingston Avenue, Second Floor**  
**Roseland, New Jersey 07068**  
**(973) 622-1800**  
**Attorneys for Plaintiff/Petitioner,**  
**Borough of Red Bank**  
**Attorney Identification No. 020801988**

IN THE MATTER OF THE  
APPLICATION OF THE  
BOROUGH OF RED BANK  
FOR A DETERMINATION OF  
MOUNT LAUREL COMPLIANCE

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MONMOUTH COUNTY  
DOCKET NO.: **MON-L- 2540-15**  
Civil Case  
(Mount Laurel)  
**ORDER FIXING DATE FOR**  
**FINAL COMPLIANCE HEARING**

This matter having been opened to the Court by McManimon, Scotland & Baumann, LLC, attorneys for Petitioner Borough of Red Bank, for the scheduling of a Final Compliance Hearing, approval of the Red Bank's Housing Element and Fair Share Plan and for the issuance of a Final Judgment of Compliance and Repose; and the Court having considered the application and proposed Notice attached hereto and for good cause appearing;

IT IS on this 31st day of May, 2019:

1. A Final Compliance Hearing shall be held before the Honorable Jamie S. Perri, J.S.C., on July 17, 2019, at 9 a.m., at the Monmouth County Courthouse, 71 Monument Park, Freehold, New Jersey, for consideration and approval of the Borough's Housing Element and Fair Share Plan and for the issuance of a Final Judgment of Compliance and Repose.
2. Within 10 days of the date of this Order, counsel for the Borough of Red Bank shall:
  - a) Serve a copy of this Order, Notice and Service List upon Adam Gordon, Esq., attorney for Fair Share Housing Center, and Special Master Frank Banisch, P.P. An Affidavit of Service shall be filed with the Court at least 10 days prior to the Hearing date.

**Leslie G. London, Esq.**  
**McManimon, Scotland & Baumann, LLC**  
**75 Livingston Avenue, 2nd Floor**  
**Roseland, New Jersey 07068**  
llondon@msbnj.com

**Frank Banisch, P.P.**  
**Banisch Associates, Inc.**  
111 E. Main Street  
Flemington, NJ 08822  
frankbanisch@banisch.com

**Adam Gordon, Esq.**  
**Fair Share Housing Center**  
510 Park Boulevard  
Cherry Hill, New Jersey 08002  
adamgordon@fairsharehousing.org

This Notice is provided by direction of the Court and is for the form interested parties of (1) the existence of the Borough of Red Bank's Housing Element and Fair Share Plan, and possible consequences of the Plan, which may lead to a Final Judgment of Compliance; and (2) to inform such parties that they are able to review and comment on the Housing Element and Fair Share Plan before the Court evaluates whether to approve the Plan. This Notice does not express any view by the Court as to the fairness or the adequacy of the Housing Element and Fair Share Plan under the Mount Laurel Doctrine and governing law.

**BOROUGH OF RED BANK**  
**SERVICE LIST FOR FINAL COMPLIANCE HEARING**  
**JULY 17, 2019**

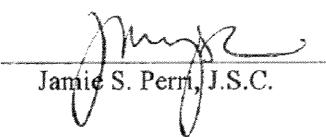
**Edward J. Buzak, Esq./The Buzak Law Group**  
Montville Office Park  
150 River Road, Suite N-4  
Montville, New Jersey 07045

**Jeffrey Kantowitz, Esq.**  
Law Office of Abe Rappaport  
195 Route 46 W., Suite 6  
Totowa, New Jersey 07512

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Laurel Doctrine

**RING**

- b) Serve a copy of this Order and attached Notice upon all "interested parties" as set forth on the attached Service List by Certified Mail/RRR and regular mail.
- c) Publish a copy of this Order and attached Notice in a newspaper of general circulation in Monmouth County, Ocean County and Mercer County.
- 3. Copies of the Borough's Housing Element and Fair Share Plan filed with the Court shall be available for inspection during regular business hours at the Office of the Borough Clerk, Borough of Red Bank located at 90 Monmouth Street, Red Bank, New Jersey.
- 4. Any objections to the Borough's Housing Element and Fair Share Plan must be filed in writing together with copies of any supporting affidavits or documents on or before July 3, 2019, with the Honorable Jamie S. Perri, J.S.C., Superior Court of New Jersey, Monmouth County Comthouse, Post Office Box 1266, Freehold, New Jersey 07728, with duplicate copies forwarded by mail to Adam Gordon, Esq., counsel for Fair Share Housing Center, Leslie G. London, Esq., Special Counsel for the Borough of Red Bank and Special Master Frank Banisch, P.P., set forth more fully in the attached Notice.
- 5. The Special Master shall submit his report to the Court no later than July 10, 2019.
- 6. The Court shall consider approval of the Borough of Red Bank's Housing Element and Fair Share Plan, as adopted and endorsed, and its application for a Final Judgment of Compliance and Repose through July 1, 2025.
- 7. All temporary immunities shall be extended through the date of the Final Compliance Hearing.



Jamie S. Perri, J.S.C.

**NOTICE OF FINAL COMPLIANCE HEARING FOR THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, FOR APPROVAL OF A SETTLEMENT OF MOUNT LAUREL LITIGATION**

**DOCKET NO. MON-L-2540-15**

**PLEASE TAKE NOTICE** that on July 17, 2019 beginning at 9:00 a.m., there will be a Final Compliance Hearing (the "Hearing") before the Honorable Jaime S. Perri, J.S.C. at the Monmouth County Superior Court Courthouse, 71 Monument Park, Freehold, NJ 07728.

The purpose of the Hearing is for the Court to consider approval of the Borough's Housing Element and Fair Share Plan as endorsed and adopted by the Borough, pursuant to the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. will satisfy the Borough's obligation to provide a realistic opportunity to satisfy its rehabilitation, Prior Round and Third Round "fair share" of the regional need for affordable housing to low- and moderate-income households pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the substantive, applicable regulations of the New Jersey Council on Affordable Housing ("COAH"), the New Jersey Supreme Court's March 10, 2015 decision in the matter captioned In re N.J.A.C. 5:96 & N.J.A.C. 5:97, 221, N.J. 1 (2015) and other applicable laws.

The Borough's preliminary compliance efforts, as reflected in the terms of the Borough's Amended Settlement Agreement with FSHC, which was approved by the Court on May 29, 2019, set forth the Borough's affordable housing obligations for the period 1987-2025, which included a Prior Round (1987-1999) obligation of 427 units, a present

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need obligation of 129 units and a Third Round (1999-2025) obligation of 313 units. The terms of the Amended Settlement Agreement provided a detailed list of the Borough's total affordable housing obligation and compliance mechanisms to demonstrate the Borough's compliance with those affordable housing obligations. The approved Amended Settlement Agreement and the Borough's Housing Element and Fair Share Plan are available for public inspection and/or photocopying (at requestor's expense) between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, located at Borough of Red Bank, 90 Monmouth Street, Red Bank, NJ 07701 and on the Borough website at <http://www.redbanknj.org>.

On the date of the Hearing, the Court will conduct a Final Compliance Hearing to determine whether the Plan is fair to low- and moderate-income households pursuant to the Morris County and East/West Venture cases referenced above and creates a realistic opportunity for satisfaction of the Borough's affordable housing obligations for the period 1987 through 2025 pursuant to the Mount Laurel decisions and their progeny, the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the substantive, applicable regulations of COAH, and the New Jersey Supreme Court's March 10, 2015 decision in the matter captioned In re N.J.A.C. 5:96 & N.J.A.C. 5:97, 221, N.J. 1 (2015).

Any interested person may seek to appear and be heard at the Hearing to address the Borough's Housing Element and Fair Share Plan. Any objections must fully comply with N.J.A.C. 5:91-4.1 and 4.2, which provide minimum standards for such objections. Such objections or comments by any interested party must be filed, together with copies of any supporting affidavits or other documents, with the Court at the below address on or before July 3, , 2019, with duplicate copies being forwarded by mail and email to the attention of the following:

6/11/2019

Lawrenceville, New Jersey, USA

**Kevin Walsh/Peter J. O'Connor/Adam Gordon**

Fair Share Housing Center  
510 Park Boulevard  
Cherry Hill, New Jersey 08002

**Ronald K. Chen**

Constitutional Litigation Clinic Ctr for Law & Justice  
123 Washington Street  
Newark, New Jersey 07102

**David R. Oberlander, Esq.**

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**Christopher Norman, Esq.**

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**Thomas Palumbo**

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# AFFIDAVIT OF PUBLICATION

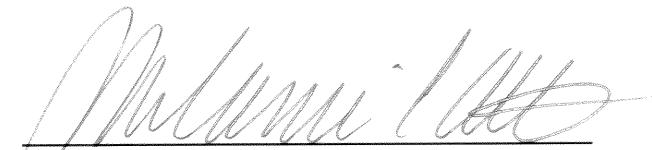
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State of New Jersey } SS.  
Monmouth/Ocean Counties

Personally appeared M. Caltz

Of the **Asbury Park Press**, a newspaper printed in Freehold, New Jersey and published in Neptune, in said County and State, and of general circulation in said county, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

06/11/19 A.D 2019



Notary Public of New Jersey

Ad Number: 0003616904



MONMOUTH COUNTY

Leslie G. London, Esq.  
McManimon, Scotland & Baumann, LLC  
75 Livingston Avenue, Second Floor  
Roseland, New Jersey 07068  
(973) 622-1800  
Attorneys for Plaintiff/Petitioner  
Borough of Red Bank  
Attorney Identification No. 020801988

Superior Court of New Jersey  
Law Division:Monmouth County  
Docket No MON-L-2510-15  
Civil Case  
(Mount Laurel)

Order Fixing Date for Final Compliance Hearing

In the matter of the application of the Borough of Red Bank for a determination of Mount Laurel  
Compliance

This matter having been opened to the Court by McManimon, Scotland, & Baumann, LLC, attorneys for  
Petitioner Borough of Red Bank, for the scheduling of a Final Compliance Hearing, approval of the  
Borough of Red Bank's Housing Element and Fair Share Plan and for the issuance of a Final Judgment  
of Compliance and Repose; and the Court having considered the application and proposed Notice  
attached hereto and for good cause appearing;

It is on this 31st day of May, 2019:

1. A Final Compliance Hearing shall be held before the Honorable Jamie S. Perri, J.S.C., on July 17, 2019, at 9 am, at the Monmouth County Courthouse, 71 Monument Park, Freehold, New Jersey, for  
consideration and approval of the Borough's Housing Element and Fair Share Plan and for the issuance  
of a Final Judgment of Compliance and Repose.

2. Within 10 days of this Order, counsel for the Borough of Red Bank shall:

a) Serve a copy of this Order, NOTice and Service List upon Adam Gordon, Esq., attorney for Fair Share  
Housing Center, and Special Master Frank Banisch, P.P. An affidavit of service shall be filed with the  
Court at least 10 days prior to the Hearing date.

b) Serve a copy of this Order and attached Notice upon all "interested parties" as set forth on the  
attached Service List by Certified Mail//RRR and regular mail.

c) Publish a copy of this Order and attached Notice in a newspaper of general circulation in Monmouth  
County, Ocean County, and Mercer County.

3. Copies of the Borough's Housing Element and Fair Share Plan filed with the Court shall be available  
for inspection during regular business hours at the Office of the Borough Clerk, Borough of Red Bank  
located at 90 Monmouth Street, Red Bank, New Jersey.

4. Any objections to the Borough's Housing Element and Fair Share Plan must be filed in writing  
together with copies of any supporting affidavits or documents on or before July 3, 2019, with the  
Honorable Jamie S. Perri, J.S.C. Superior Court of New Jersey, Monmouth County Courthouse, Post  
Office Box 1266, Freehold, New Jersey 07728, with duplicate copies forwarded by mail to Adam  
Gordon, Esq., counsel for Fair Share Housing Center, Leslie G London, Esq., Special Counsel for the  
Borough of Red Bank and Special Master Frank Banisch, P.P., set forth more fully in the attached Notice.

5. The Special Master shall submit his report to the Court no later than July 10, 2019.

6. The Court shall consider approval of the Borough of Red Bank's Housing Element and Fair Share  
Plan, as adopted and endorsed, and its application for a Final Judgment of Compliance and Repose  
through July 1, 2020.

7. All temporary immunities shall be extended through the date of the Final Compliance Hearing.

/s/ Jamie S. Perri, J.S.C.

NOTICE OF FINAL COMPLIANCE HEARING FOR THE BOROUGH OF RED BANK, COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY, FOR APPROVAL OF A SETTLEMENT OF MOUNT LAUREL  
LITIGATION

DOCKET NO. MON-L-2540-15

PLEASE TAKE NOTICE that on July 17, 2019 beginning at 9:00 a.m., there will be a Final Compliance  
Hearing (the "Hearing") before the Honorable Jamie S. Perri, J.S.C. at the Monmouth County Superior  
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The purpose of the Hearing is for the Court to consider approval of the Borough's Housing Element  
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Any interested person may seek to appear and be heard at the Hearing to address the Borough's Housing Element and Fair Share Plan. Any objections must fully comply with N.J.A.C. 5:91-4.1 and 4.2, which provide minimum standards for such objections. Such objections or comments by any interested party must be filed, together with copies of any supporting affidavits or other documents, with the Court at the below address on or before July 3, 2019, with duplicate copies being forwarded by mail and email to the attention of the following:

Leslie G. London, Esq.  
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llondon@msbnj.com

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Cherry Hill, New Jersey 08002  
adamgordon@fairsharehousing.org

This Notice is provided by direction of the Court and is intended to inform interested parties of (1) the existence of the Borough's Housing Element and Fair Share Plan, and possible consequences of Court approval of the Plan, which may lead to a Final Judgment of Compliance and Repose; and (2) to inform such parties that they are able to comment on said Housing Element and Fair Share Plan before the Court reviews and evaluates whether to approve the Plan. This Notice does not indicate any view by the Court as to the fairness or the adequacy of the Borough's Housing Element and Fair Share Plan under the Mount Laurel Doctrine and governing law.

**BOROUGH OF RED BANK  
SERVICE LIST FOR FINAL COMPLIANCE HEARING  
JULY 17, 2019**

Edward J. Buzak, Esq./The Buzak Law Group  
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**Roseland, New Jersey 07068**  
**(973) 622-1800**  
**Attorneys for Plaintiff/Petitioner,**  
**Borough of Red Bank**  
**Attorney Identification No. 020801988**

**IN THE MATTER OF THE  
APPLICATION OF THE BOROUGH OF  
RED BANK FOR A DETERMINATION  
OF MOUNT LAUREL COMPLIANCE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MONMOUTH COUNTY

DOCKET NO.: **MON-L- 2540-15**  
Civil Case  
(*Mount Laurel* )

**AFFIDAVIT OF SERVICE**

I certify that on June 6, 2019, a copy of the attached Order Fixing Date Final Compliance Hearing and Notice of Final Compliance Hearing were served upon Adam Gordon, Esq. and Special Master Frank Banisch, P.P. via overnight mail and copies were also served on the parties set forth on the attached Service List (with the exception of Adam Gordon, Esq. and Special Master Frank Banisch, P.P.) by Certified Mail/RRR and regular mail.

MCMANIMON, SCOTLAND & BAUMANN, L.L.C.  
Attorneys for Borough of Red Bank

*Leslie G. London/s*  
Leslie G. London, Esq.

Dated: July 8, 2019

**BOROUGH OF RED BANK**  
**SERVICE LIST FOR JULY 17, 2019 FAIRNESS HEARING**

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