



RESOLUTION 20-93

Resolution Authorizing Payment of Attorney Fees and Costs to Fair Share Housing Center Pursuant to Terms of Settlement Agreement of Mount Laurel Declaratory Judgment Action in the sum of \$75,000.00

WHEREAS, on July 7, 2015, pursuant to the New Jersey Supreme Court's affordable housing decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) ("Mount Laurel IV"), the Municipality of Princeton instituted a declaratory judgment action in the Superior Court of New Jersey, entitled In the Matter of the Application of the Municipality of Princeton in Mercer County, Docket No. MER-L-1550-15, seeking a judgment of immunity and repose and a judicial declaration that Princeton's housing plan is presumptively valid because it presents a realistic opportunity for providing its fair share of the regional need for low- and moderate-income housing (the "Action"); and

WHEREAS, Fair Share Housing Center ("FSHC") is a Supreme Court-designated interested party in the Action; and

WHEREAS, Princeton and FSHC engaged in good faith negotiations and successfully resolved the issues and claims raised in the Action, resulting in a Settlement Agreement dated December 18, 2019 that was approved by the Court at a Mount Laurel Fairness Hearing held on February 7, 2020 and entry of an Order on Fairness Hearing and Scheduling Compliance Hearing on February 20, 2020; and

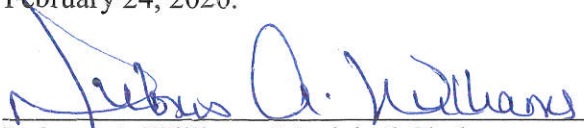
WHEREAS, as part of the Settlement Agreement, Princeton agreed to pay FSHC the amount of \$75,000.00 for attorney fees and costs to fully address any claim of such fees and costs that FSHC has made or could have made against Princeton in relation to the Action from the date of the filing of the Action through entry of final judgment; and

WHEREAS, with the Court's approval of the Settlement Agreement, said sum is now due and owing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Princeton, on this 24th day of February, 2020, that the sum of Seventy Five Thousand (\$75,000.00) Dollars is hereby authorized and directed to be paid to Fair Share Housing Center pursuant to and in satisfaction of Princeton's obligation under the terms of the December 18, 2019 Settlement Agreement by and between the Municipality of Princeton and Fair Share Housing Center.

Table with 9 columns: Councilperson, Absent, Present, 1st, 2nd, Yea, Nay, Abstain, Disqualified. Rows include Mr. Cohen, Ms. Fraga, Ms. Niedergang, Ms. Pirone Lambros, Ms. Sacks, Mr. Williamson, and Mayor Lempert.

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held February 24, 2020.



Delores A. Williams, Municipal Clerk