BEATTIE PADOVANO, LLC
200 Market Street, Suite 401
Montvale, New Jersey 07645
(201) 573-1810

Co-counsel for the Borough of Ringwood
IN THE MATTER OF THE
APPLICATION OF THE BOROUGH OF
RINGWOOD, a Municipal Corporation of
the State of New Jersey

SUPERIOR COURT OF NEW JERSEY BERGEN COUNTY - LAW DIVISION

DOCKET NO. PAS-L-2297-15
Mt. Laurel
CIVIL ACTION

## AFFIDAVIT OF NOTICE FOR FAIRNESS HEARING

I, Daniel L. Steinhagen, Esq., of full age, being duly sworn according to law, depose and say:

1. I am an attorney at law of the State of New Jersey and a member of the law firm of Beattie Padovano, LLC, which is co-counsel to the Borough of Ringwood.
2. By Order entered on October 21, 2021, the Court scheduled a Fairness Hearing on the Settlement Agreement between the Borough of Ringwood and Fair Share Housing Center for 10:00 a.m. on December 14, 2021. That Fairness Hearing was rescheduled to January 24, 2022 when the Court converted the proceeding to a Zoom hearing.
3. A true and accurate copy of the notice for the Fairness Hearing is attached as Exhibit "A". The notice sets forth the date, time and location of the Fairness Hearing, and where a copy of the Settlement Agreement between the Borough of Ringwood and Fair Share Housing Center could be obtained by a member of the public.
4. On December 23, 2021, a notice advertising the Fairness Hearing was published in the Record, which is one of the Borough of Ringwood's official newspapers. A true and accurate copy of the Affidavit of Publication is attached as Exhibit "B".
5. On December 22, 2021, I caused the notice that is attached as Exhibit "A" to this Affidavit to be served by certified mail, return receipt requested upon all persons listed on the Borough's service list, which is attached as Exhibit "C".
6. The certified mail receipts evidencing the proof of mailing of the December 23, 2021 notice, along with the return receipts that were received by my office, are attached as Exhibit "D".

## BEATTIE PADOVANO, LLD

Co-Counsel for the Borough of Ringwood
BY: _ Daniel Steinfagen
DANIEL L. STEINHAGEN, ESQ.

Sworn and subscribed to before me this 20 day of January, 2022


MARY JANE STATHOPOULOS
NOTARY PUBLIC OF NEW JERSEY My Commission Expires 5/17/12023

## EXHIBIT "A"

# BOROUGH OF RINGWOOD, COUNTY OF PASSAIC 

NOTICE OF MOUNT LAUREL FAIRNESS HEARING<br>DOCKET NO. PAS-L-2297-15

PLEASE TAKE NOTICE that, on January 24, 2022, 2021, beginning at 10 a.m. the Honorable Thomas F. Brogan, P.J.S.C. will conduct a Fairness Hearing" ("Hearing") in the In The Matter of the Application of the Borough of Ringwood in Bergen County, bearing Docket No. PAS-L-2297-15 ("the Action") remotely via Zoom video and telephone conference.

PLEASE TAKE FURTHER NOTICE that during the Fairness Hearing, the Court will consider approving a Settlement Agreement between the Borough of Ringwood and Fair Share Housing Center ("FSHC"). These settlements arise out of the Mount Laurel Declaratory Action filed by the Borough of Ringwood on June 25, 2015, entitled In the Matter of the Application of the Borough of Ringwood, Docket Number PAS-L-2297-15. The Court will evaluate whether the proposed 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).

PLEASE TAKE FURTHER NOTICE that in addition to the foregoing, the purpose of the hearing is to consider whether the Borough's plan as summarized in the Settlement Agreement with FSHC provides a realistic opportunity to satisfy the Borough's rehabilitation, Prior Round and Third Round "fair share" of the regional need for housing affordable to very-low income, low income 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 of In the Matter of the Adoption of N.J.A.C. 5:96 \& 5:97 by the Council on Affordable Housing, 221 N.J. 1 (2015) and other applicable laws and judicial decisions. FSHC, a public interest organization representing the housing rights of New Jersey's poor and an interested party in connection with the above-referenced lawsuit, has sought to enhance opportunities for verylow, low and moderate income housing. The Borough and FSHC have resolved various substantive issues concerning the Borough's affordable housing obligation and the means by which the Borough intends to satisfy that obligation, subject to all required public hearings.

PLEASE TAKE FURTHER NOTICE that the terms of the settlement have been memorialized in a final Settlement Agreement executed on behalf of the Borough and FSHC. The terms of the settlement with FSHC include, but are not limited to, the following: 1. The Borough has a "Rehabilitation Share" of 6 affordable units, a "Prior Round" obligation of 51 affordable units, and a "Third Round Prospective Need" obligation (for the period between 1999 and 2025) of 199 units; 2 . the Borough is entitled to 26 "Prior Round" credits for supportive and assisted needs housing at 432 Stonetown Road, 18 Boro Parkway and 20 Morris Road, and 9 bonus credits; 3. the Borough is eligible for a durational adjustment pursuant to N.J.A.C. 5:934.3 of 215 units, which is a reduction of 35 units from its Prior Round and Third Round Prospective Need obligation of 250 units; 4 . the Borough will satisfy its 215 unit new construction obligation by adopting overlay zoning which may support a designation by the

Highlands Council for a Highlands Redevelopment Area Exemption for the "Skyline Drive Inclusionary Zone", which is formally known and designated as Block 800.01 Lot 2 (the "CVS Shopping Center"); Block 801 Lots 4.03 (the "Fieldstone Shopping Center"); Part of Block 800.01 Lot 3 (the "TD Bank Property"); and Part of Block 800 Lot 3.01 (the "Gas Station Property") at a density between 6 units per acre and 8 units per acre and "Greenwood Lake Turnpike Inclusionary Zone", which is formally known and designated as Block 738 Lots 7, 10, 48 ; Block 739 , Lots $48,49,50,52,53,54,5$, and 5.01 at a density of 10 units per acre for multifamily residential development and 8 units per acre for mixed use development consisting of retail/commercial uses and multifamily residential development; 5 . The Borough shall have the obligation to cooperate with redevelopers to obtain utility services within the proposed Skyline Drive Inclusionary Zone and Greenwood Lake Turnpike Zone, including, but not limited to the Borough serving as the named applicant for any and all permits and/or applications required from NJDEP, the Highlands Council and/or private utility providers to extend such utility services and/or infrastructure; 6. FSHC agrees that the Prior Round and Third Round Prospective Need obligation and the manner of satisfying it as summarized above fully and set forth in more detail in the Settlement Agreement satisfies the Borough's responsibilities regarding its affordable housing obligations under the applicable law. 7. Upon the Court's approval of the Settlement Agreement, the Township shall be granted a 10 year Judgment of Compliance and Repose for the time period of July 1, 2015 to July 1, 2025.

PLEASE TAKE NOTICE that a copy of the Settlement Agreement between the Borough and FSHC is available for public inspection and copying during regular business hours at the Office of the Borough Clerk Borough of Ringwood, Borough Hall, 60 Margaret King Avenue, Ringwood, NJ 07456 during normal business hours and also available on the Borough's website (www.ringwoodnj.net) and at https://tinyurl.com/5tak8wvw

PLEASE TAKE FURTHER NOTICE that any interested party, including, without limitation, any very-low, low or moderate income person residing in the housing region, any organization representing the interests of very-low, low and moderate income persons, any owner of property in the Borough, or any organization representing the interests of owners of property in the Borough was permitted to file comments on, or objections to, the Settlement Agreement, which were due on or before November 24, 2021, any person wishing to be heard, whether or not a written objection has been filed, was to advise of that intention in writing on or before November 24, 2021, and that failure to provide such written notice would preclude presentation of any evidence, oral presentation or augment. Such comments, objections and responses, together with copies of any supporting affidavits or other documents, were to be filed in writing with the Honorable Thomas F. Brogan, P.J.S.C., Superior Court of New Jersey, Law Division, New Court House, Chambers 322, 77 Hamilton Street, Paterson, New Jersey 07505 with copies of all papers being forwarded by mail or e-mail to: Christine A. Nazzaro-Cofone, P.P. (Special Master) Cofone Consulting Group, LLC, 125 Half Mile Road, Suite 200, Red Bank, NJ 07701, ccofone@cofoneconsulting.com; Nicole Langenmayr, Borough Clerk, Borough of Ringwood, Borough Hall, 60 Margaret King Avenue, Ringwood, NJ 07456 clerk@ringwoodnj.net; Richard J. Clemack, Esq. (Borough Attorney) 55 Skyline Drive, Ringwood, NJ 07456, riclemack@optonline.net; Daniel L. Steinhagen, Esq. (Borough Special Counsel), Beattie Padovano, LLC, 200 Market Street, Suite 401, Montvale, NJ 07645, dsteinhagen@beattielaw.com; Joshua Bauers, Esq. Fair Share Housing Center 510 Park

Boulevard Cherry Hill, NJ 08002 joshbauers@fairsharehousing.org; Richard J. Hoff, Jr., Esq. (Attorney for Intervenor HAL, LLC et als), Bisgaier Hoff LLC, Suite 3,25 Chestnut Street, Haddonfield, NJ 08033-1875, rhoff@,bisgaierhoff.com

PLEASE TAKE FURTHER NOTICE that this Notice is intended to inform all interested parties of the existence of the Settlement Agreement and the possible consequences of Court approval of the Settlement Agreement. It does not indicate any view by the Court as to the merits of the above referenced Mount Laurel action, the fairness, reasonableness, or adequacy of the settlement, or whether the Court will approve the settlement.

PLEASE TAKE FURTHER NOTICE that the January 24, 2022 Fairness Hearing is scheduled to commence at 10:00 a.m. via Zoom video and telephone conference. Any member of the public wishing to attend the Fairness Hearing may utilize the following dial-in instructions by (1) utilizing the Zoom application on a computer or mobile device and entering the Meeting ID, which is 1612579744 , and the Password, when prompted, which is 080278 , or by utilizing the following link to the Zoom conference:
https://njcourts.zoomgov.com/j/1612579744?pwd=QVFicHdYM1FKR2s1OFA4VHE4RGgzZz0 $\underline{9}$ Members of the public wishing to dial into the hearing using telephony services can call 1-646-828-7666 and enter the Meeting ID and Password, which are 1612579744 and 080278, when prompted. There is no Participant ID required. Alternatively, a member of the public can use the following one-tap number on a mobile device: $+16468287666,1612579744 \#$

## EXHIBIT "B"

Ad Order Number 0005055834

STATE OF NEW JERSEY
COUNTY OF PASSAIC


Of full age, being duly sworn according to law, on his/her oath says that he/she is employed at North Jersey Media Group publisher of the The Record. Included herewith is a true copy of the notice that was published in the issue (s) dated on the following:

12/23/2021
in The Record, a newspaper of general circulation and published in Hackensack, in the County of Bergen and circulated in Bergen, Passaic, Hudson, Morris and Essex Counties. Said newspaper is published seven days a week.

Subscribed and sworn before me this 23 day of December, 2021


A Notary Public, State of Wisconsin, County of Brown

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919 \sqrt{5}
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My Commission Expires

PLEASE TAKE NOTICE that, on January 24, 2022, 2021, beginning at 10
a.m. the Honorable Thomas F. Brogan, P.J.S.C. will conduct a Fairness a.m. the Honorable Thomas F. Brogan, P.J.S.C. will conduct a Fairness
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Bor, of Fort Lee, 286 N.J. Super. 311 (App. Div. 1996). Bor. of Fort Lee, 286 N.J. Super, 311 (App. Div. 1996).

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Drive. Ringwood, NJ 07456 , rjclemack@optonline.net, Daniel L. Steinhagen, Esq. (Borough Special Counsel), Beattie Padovano, LLC, 200 Market Street, Suite 401, Montvale, NJ 07645, dsteinhagen@beattielaw. com; Joshua Bauers, Esq. Fair Share Housing Center 510 Park Boulevard Cherry Hill, NJ 08002 joshbauersefairsharehousing.org; Richard J. Hoff, Jr. Esq. (Attorney for Intervenor HAL, LLC et als), Bisgaier Hoff LLC, Suite 3,25 Chestnut Street, Haddonfield, NJ 08033-1875, rhoff@bisgaier hoff.com

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above referenced Mount Laurel action, the fairness, reasonableness, or above referenced Mount Laurel action, the fairness, reasonableness, or tlement.
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to dial into the hearing using telephony services can call $1-646-828-7666$ to dial into the Mearing using telephony services can call 1-646-828-7666 080278 , when prompted. There is no Participant ID required. Alternatively, a member of the public can use the following one-tap number tively, a member of the public can use the foll
on a mobile device: $+16468287666,1612579744$

The Record: 12/26/2021
Fee: $\$ 133.20$ (148) 0005055834

## EXHIBIT "C"

## SERVICE LIST

Fair Share Housing Center
510 Park Boulevard
Cherry Hill, New Jersey 08002
New Jersey Builders Association
200 American Metro Blvd. Suite 123
Hamilton, New Jersey 08619
New Jersey League of Municipalities
222 West State Street
Trenton, New Jersey 08608
Council on Affordable Housing (COAH)
101 S. Broad Street
Trenton, New Jersey 08608
Passaic County Planning Department
930 Riverview Drive - Suite 250
Totowa, New Jersey 07512
James Humphries
New Jersey Highlands Council
100 North Road
Route 513
Chester, New Jersey 07930-2322
Karl Hartkopf
Office of Smart Growth
Dept. of Community Affairs
101 S. Broad Street - P.O.Box 204
Trenton, NJ 08625
Spectrum for Living
210 River Road - Suite 3
River Vale, NJ 07675
Bryce Builders, LLC
11 Birch Street
Midland Park, NJ 07432

## Ronald Pagano

H.A.L., LLC

55 Harristown Road - Suite 301
Glen Rock, New Jersey 07452
C.H. Forbes, LLC

42 Ricker Drive
Ringwood, NJ 07456
Jonathan E. Drill, Esq.
Stickel, Koenig, Sullivan \& Drill, LLC
571 Pompton Avenue
Cedar Grove, NJ 07009
Edward J. Buzak, Esq.
The Buzak Law Group, LLC
Montville Office Park
150 River Road - Suite N-4
Montville, NJ 07045
Geraldine Callahan, Esq.
Deputy Attorney General
Office of the Attorney General
25 W. Market Street - P.O.Box 112
Trenton, NJ 08625
Jeffrey Kantowitz, Esq.
Law Office of Abe Rapaport
195 Route 46 West - Suite 6
Totowa, NJ 07512
Stephen Eisdorfer, Esq.
Hill Wallack, LLP
202 Carnegie Center - P.O.Box 5226
Princeton, NJ 08543

## EXHIBIT "D"





PS Form 3811, July 2020 PSN 7530-02-000-9053







| COMPLETE THIS SECTION ON DELIVERY |  |
| :--- | :--- | :--- |
| A．Signature |  |
| A |  |
| B．Received by（Printed Name） | C．Date of Delivery |
|   <br> D．Is delivery address different from item 1？ $\square$ Yes <br> If YES，enter delivery address below： $\square$ No |  | D．Is delivery address different from item 17 Yes

If YES，enter delivery address below：
－Priority Mail Express ©

 $\square$ Signature

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\hline SENDER：COMPLETE THIS SECTION \& \multicolumn{2}{|l|}{COMPLETE THIS SECTION ON DELIVERY} \\
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国 Complete items 1,2 ，and 3. \\
－Print your name and address on the reverse so that we can return the card to you． \\
－Attach this card to the back of the mailpiece， or on the front if space permits．
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1．Article Addressed to： \\
Edward J．Buzak，Esq． \\
The BuzakLaw Group，LLC \\
Montville Office Park \\
150 River Road－Suite N－4 \\
Montville，N\＆ 07045 \\
DLS／150090－2
\end{tabular} \& \multicolumn{2}{|l|}{D．Is delivery address different from item 1？\(\square\) Yes If YES，enter delivery address below：\(\square\) No} \\
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Signature Confirmation ${ }^{\text {TM }}$ Signature Confirmation Restricted Delivery
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Complete item＇s 1,2 ，and 3 ． so that we can return the card to you． Attach this card to the back of the mailpiece， 1．Article Addressed to： Geraldine Callahan，Esq． Deputy Attorney General
Office of the Attorney General
25 W．Market Street，P．O．Box 112
Trenton，NJ $08625 \quad$ DLS／150090－2
25 W．Market Street，P．O．Box 112
Trenton，NJ $08625 \quad$ DLS／150090－2

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（over $\$ 500$ ）

COMPLETE THIS SEGTION ON DELIVERY

## SENDER：COMPLETE THIS SECTION

 or on the front if space permits． PS Form 3811，July 2020 PSN 7530－02－000－9053
Domestic Return Receipt ：

Route 513
Chester，NJ 07930－2322

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PS Form 3811．July 2020 PSN 7530－02－000－9053
 or on the front if space permits． 1．Article Addressed to：
Jeffrey Kantowitz，Esq． Law Office of Abe Rapaport 195 Route 46 West－Suite 6 Totowa，NJ 07512

## DLS／150090－2

$\square$ Priority Mail Express（i） $\square$ Registered Mail ${ }^{\text {rTM }}$ Registered Mail Restricted <br>Signature Confirmatio Insured Mau I Insurad Mail Restricted Dellveny （over 55000 Collect on Delivery Collect on Dellivery Restricted Delivery

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PS Form 3811，July 2020 PSN 7530－02－000－9053



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Karl Hartkopf
Office of Smart Growth
Dept．of Community Affairs
Karl Hartkopf
Office of Smart Growth
Dept．of Community Affairs
101 S．Broad Street，PO Box 204
Trenton，NJ 08625 DLS／150090－2 11

SENDER：COMPLETE THIS SECTION
－Complete items 1，2，and 3．
－Print your name and address on the reverse
so that we can return the card to you．
Attach this card to the back of the mailpiece，
or on the front if space permits．
SENDER：COMPLETE THIS SECTION
Complete items 1，2，and 3 ．
（1）Print your name and address on the reverse
so that we can return the card to you．
Attach this card to the back of the mailpiece，
or on the front if space permits．
SENDER：COMPLETE THIS SECTION
Complete items 1，2，and 3 ．
（1）Print your name and address on the reverse
so that we can return the card to you．
Attach this card to the back of the mailpiece，
or on the front if space permits．
SENDER：COMPLETE THIS SECTION
Complete items 1，2，and 3．
（1）Print your name and address on the reverse
so that we can return the card to you．
Attach this card to the back of the mailpiece，
or on the front if space permits． 1．Article Addressed to：

Karl Hartkopf
1．Article Addressed to：
3．Service Type

| B．Received by（Printed Name） | C．Date of Delivery |
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| - Print your name and address on the reverse so that we can return the card to you. |  |
| Attach this card to the back of the mailpiece, or on the front if space permits. |  |
| 1. Article Addressed to: Stephen Eisdorfer, Esq |  |
| Hill Whattack, LLP |  |
| 21 Roszel Road - PO Box 5226 |  |
| Princeton, NJ 08543 |  |
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