

**RESOLUTION DENYING HASBROUCK HEIGHTS' REQUEST FOR A STAY OF THE  
COUNCIL ON AFFORDABLE HOUSING'S ORDER OF MAY 15, 1989**

WHEREAS, by Opinion and Order dated May 15, 1989 the Council on Affordable Housing (COAH) ordered the Borough of Hasbrouck Heights to adopt any and all ordinances necessary to implement its mediation agreement with the objectors Anthony and Adeline Carrino as assignees for Foresquire Corporation by June 15, 1989; and

WHEREAS, Hasbrouck Heights filed a Notice of Appeal from that decision with the Appellate Division on June 14, 1989; and

WHEREAS, Hasbrouck Heights filed a request for a stay of the May 15, 1989 Order with COAH by letter dated June 12, 1989; and

WHEREAS, all parties were notified of Hasbrouck Heights' request and given an opportunity to respond thereto; and

WHEREAS, COAH considered Hasbrouck Heights' request for a stay at its public meeting on July 17, 1989; and

WHEREAS, after discussion and consideration of the request and all responses thereto COAH determined that the request for the stay should be denied because

1. Hasbrouck Heights' possible loss of substantive certification did not outweigh the public interest in having affordable housing constructed in an expeditious manner;

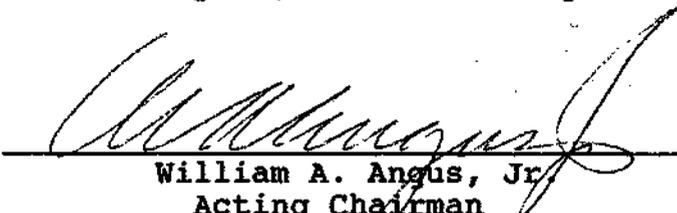
2. Hasbrouck Heights will be required to satisfy its fair share obligation, whether that be pursuant to the administrative process or as a result of the judicial process and therefore there was no need to delay satisfaction of the obligation;

3. Hasbrouck Heights did not set forth in its papers any indication of its likelihood of success on the merits and therefore the Borough has not carried its burden on this point; and

WHEREAS, given the extraordinary relief which Hasbrouck Heights requests and the balancing of the public interests, the Carrino's interests and Hasbrouck Heights' interests, as set forth above, COAH determined that a stay was not appropriate under the circumstances; and

WHEREAS, this Resolution is intended to memorialize the oral decision given by the Council at its public meeting on July 17, 1989;

NOW THEREFORE BE IT RESOLVED that Hasbrouck Heights' request for a stay of COAH's Order of May 15, 1989 is hereby denied.

  
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William A. Angus, Jr.  
Acting Chairman  
Council on Affordable Housing

I hereby certify that the Resolution was duly adopted by the Council on Affordable Housing at its public meeting on August 7, 1989.

  
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Renee Reiss  
Administrative Secretary  
Council on Affordable Housing