

RESOLUTION ON THE APPLICABILTY
OF L.1989, C.142 TO
HASBROUCK HEIGHTS

WHEREAS, by Orders dated November 6, 1989 and January 11, 1990, the Superior Court, Appellate Division remanded In the Matter of the Petition for Substantive Certification of the Borough of Hasbrouck Heights, Docket No. A-5001-88T2 and In the Matter of the Petition for Substantive Certification of the Borough of Hasbrouck Heights, Docket No. A-471-89T2 to the Council on Affordable Housing (COAH) for consideration of the application of L.1989, c.142, a recent amendment to the Fair Housing Act, NJSA 52:27D-301 et.seq.; and

WHEREAS, COAH allowed all parties to the matter to submit in writing their positions on the issue remanded; and

WHEREAS, at its public meeting on January 29, 1990, COAH discussed the issue remanded and determined that L.1989, c.142 does apply to Hasbrouck Heights; and

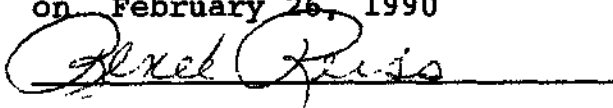
WHEREAS, by letter to the Appellate Division dated February 16, 1990, Douglas V. Opalski, Executive Director of COAH, in order to comply with the January 11, 1990 Order of Remand, set forth in writing the basis for COAH's decision as discussed and expressed orally on January 29, 1990; and

WHEREAS, that letter fully sets forth the basis for COAH's decision that L.1989, c.142 applies to Hasbrouck Heights, as well as the effect of that decision;

NOW THEREFORE BE IT RESOLVED that for the reasons set forth in Douglas V. Opalski's letter to the Appellate Division dated February 16, 1990, which is hereby incorporated by reference herein, COAH finds that L.1989, c.142 does apply to Hasbrouck Heights and effectively invalidates COAH's decision of May 15, 1989; and

BE IT FURTHER RESOLVED that COAH hereby adopts Douglas V. Opalski's letter in its entirety as its opinion on this issue.

I hereby certify that this Resolution was duly adopted by the Council on Affordable Housing at its public meeting on February 26, 1990

A handwritten signature in cursive script, appearing to read "Axel Russo", is written over a horizontal line.