

**RESOLUTION MODIFYING INITIAL DECISION
- IN THE MATTER OF PETITION FOR SUB-
STANTIVE CERTIFICATION OF WEST PATER-
SON BOROUGH, PASSAIC COUNTY PURSUANT
TO THE FAIR HOUSING ACT OF 1985, OAL
DOCKET NO. CAH-2328-89, AGENCY DOCKET
NO. COAH TRANSFER 89-3**

WHEREAS, on August 1, 1990, the Council on Affordable Housing (COAH) received the Initial Decision in In the Matter of Petition for Substantive Certification of West Paterson Borough, Passaic County, Pursuant to the Fair Housing Act of 1985 (Site Suitability of Property of Jack Neugarten for Inclusion), OAL Docket No. CAF-2328-89, Agency Docket No. COAH Transfer 89-3; and

WHEREAS, COAH received two extensions of its time to act on the Initial Decision due to COAH's lack of a quorum, which extensions require COAH to act by December 13, 1990; and

WHEREAS, COAH has reviewed and considered the Initial Decision; and


WHEREAS, COAH further has reviewed and considered the exceptions filed by West Paterson and the objector, Jack Neugarten; and

NOW THEREFORE BE IT RESOLVED THAT COAH hereby accepts the Initial Decision with the following modification:

Regarding what the Initial Decision refers to as COAH item 6 in the discussion portion of the Decision, the Initial Decision states that the Administrative Law Judge found "no compelling evidence concerning inadequacy of present water distribution facilities that would require extensions to the pumping schedule for the municipal water storage tank to accommodate any additional site density." Initial Decision at p. 18. The Initial Decision then sites exhibits O-3 and O-7. COAH modifies this portion of the decision to reflect that exhibit O-7, the map of West Paterson's water distribution

system demonstrates that there is available wa-
ter capacity to accommodate the proposed eight
units per acre on the objector's site.

I hereby certify that
this Resolution was duly
adopted by the Council on
Affordable Housing at its
Public Meeting on 12/5/90.


Renee Reiss, Secretary
Council on Affordable Housing