

**RESOLUTION ADOPTING THE INITIAL DECISION  
AS THE COUNCIL ON AFFORDABLE HOUSING'S FINAL  
DECISION IN J.A. CONSTRUCTION CO., INC. VS.  
CRESSKILL BOROUGH/BERGEN COUNTY**

WHEREAS, as a result of the filing of valid objections to Cresskill Borough's petition for substantive certification, the Council on Affordable Housing (COAH) conducted mediation in an attempt to resolve the objections; and

WHEREAS, mediation did not successfully resolve all objections to Cresskill Borough's petition for substantive certification; and

WHEREAS, COAH transferred those unresolved issues which constituted a contested case to the Office of Administrative Law (OAL) on January 29, 1996 for a hearing; and

WHEREAS, prior to the hearing, the parties agreed to settle the matter; and

WHEREAS, the parties entered into a Settlement Agreement dated March 6, 1997; and

WHEREAS, Marie P. Simonelli, ALJ, recommended approval of the Settlement Agreement in her Initial Decision; and

WHEREAS, this Initial Decision was filed with COAH on March 14, 1997;  
and

WHEREAS, no exceptions to the Initial Decision were filed with COAH  
within the period permitted.

NOW THEREFORE BE IT RESOLVED that COAH adopts the Initial  
Decision in this matter as its Final Decision, thereby approving the Settlement  
Agreement of the parties and resolving the issues transferred to the OAL; and

BE IT FURTHER RESOLVED that COAH's adoption of the Initial Decision  
does not constitute final action on Cresskill Borough's petition for substantive  
certification.

I hereby certify that this Resolution  
was duly adopted by the Council on  
Affordable Housing at its public  
meeting on *April 2, 1997*.

  
Renee Reiss  
Council Secretary