

**NEW HANOVER TOWNSHIP  
BURLINGTON COUNTY  
NEW JERSEY**

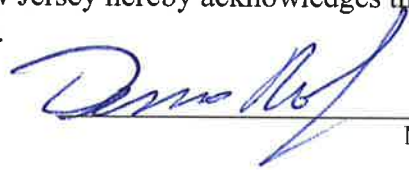
**RESOLUTION NO. 2018-73**

**ACKNOWLEDGING THE SUPERIOR COURT OF NEW JERSEY,  
AFFORDABLE HOUSING ORDER FOR DISMISSAL  
DOCKET NO. BUR-1612-15**

**WHEREAS**, the Township of New Hanover filed a Declaratory Judgment Motion on July 8, 2015, seeking immunity from builder's remedy lawsuits and a determination from the Court that the Township's third round affordable housing plan is fair; and


**WHEREAS**, the Township of New Hanover has indicated it is not opposed to providing affordable housing but is limited in its capacity to do so by its unique location within the Joint base, McGuire-Dix-Lakehurst Area, and has thus elected to dismiss this matter without prejudice; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of New Hanover, County of Burlington, State of New Jersey hereby acknowledges the Superior Court decision to dismiss without prejudice.

  
\_\_\_\_\_  
Mayor

IT IS HEREBY CERTIFIED that this is a true copy of a resolution adopted by the Township Committee of the Township of New Hanover, County of Burlington, State of New Jersey, on the 12<sup>th</sup> day of June, 2018.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the Township of New Hanover the 12<sup>th</sup> day of June, 2018.

  
\_\_\_\_\_  
Adele Gianaris  
Deputy Township Clerk

Record of Vote

	Moved	Second	Yes	No	Abstained	Absent
Koshak	✓		✓			
Murphy		✓	✓			
Peterla			✓			
Rigney			✓			
Roohr			✓			

CAPEHART SCATCHARD, P.A.  
142 West State Street  
Trenton, New Jersey 08608  
Attorneys for Plaintiff,  
Township of New Hanover

**FILED with the Court**

**MAY 2 1 2018**

**Ronald E. Bookbinder, A.J.S.C.**

By: Kelly A. Grant, Esq.  
Attorney ID No: 026962010  
(609) 394-2400

<b>IN THE MATTER OF THE APPLICATION</b>	:	SUPERIOR COURT OF NEW JERSEY
<b>OF THE TOWNSHIP OF NEW HANOVER</b>	:	LAW DIVISION
<b>COUNTY OF BURLINGTON</b>	:	DOCKET NO. BUR-L-1612-15
	:	
	:	CIVIL ACTION
	:	MOUNT LAUREL
	:	<b>ORDER FOR DISMISSAL</b>
	:	

**THIS MATTER** being brought before the Court by Capehart Scatchard, P.A., attorneys for the Plaintiff Township of New Hanover, by way of the filing of a Declaratory Judgment Motion seeking immunity from builder's remedy lawsuits and a determination from the Court that the Township's third round affordable housing plan is fair; and

**IT APPEARING** that the Court granted temporary immunity to the Township and it further appearing that following a series of case management conferences convened by the Court with Capehart Scatchard, P.A. (Kelly A. Grant, Esq. appearing) for the Plaintiff Township of New Hanover, the Fair Share Housing Center

(Kevin D. Walsh, Esq. appearing) and the Court appointed Master, Mary Beth Lonergan, PP, AICP, in this matter; and


**IT FURTHER APPEARING** that the efforts of the Court and the Court-Master, combined with the parties' desire to reach a negotiated settlement in this matter with regard to the Township's third round affordable have concluded; and

**IT FURTHER APPEARING** that the Township has indicated it is not opposed to providing affordable housing but is limited in its capacity to do so by its unique location within the Joint Base Maguire-Dix-Lakehurst Area, and has thus elected to dismiss this matter and has requested the entry of this order,

**IT IS, THEREFORE,** on this 21<sup>st</sup> day of May, 2018

**ORDERED that:**

1. This litigation is dismissed without prejudice.
2. A copy of this Order shall be served on all parties within seven (7) days from receipt from the Court.

  
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Hon. Ronald E. Bookbinder, A.J.S.C.