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FRED G. STICKEL, III
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November 10, 2021

Hon. Gregg A. Padovano, J.S.C.
Bergen County Courthouse, Chambers 331
10 Main Street
Hackensack, NJ 07601

Re: In re Borough of Saddle River Third Round Mount Laurel
Affordable Housing Obligation, Docket No. BER-L-6120-15
Submission of Second Amendment to the Settlement Agreement and
Additional Compliance Document 38 through 42

Dear Judge Padovano:

As you are aware, I represent the Borough of Saddle River (the "Borough") in the above matter in which your Honor is in the process of conducting a combined fairness and compliance hearing.

I am writing to advise the court that the Borough has settled the objections of Zhanna Torres ("Torres") and the Borough of Woodcliff Lake ("Woodcliff Lake") by entry into a Second Amendment to the Settlement Agreement which was signed on November 8, 2021 (the "Second Amendment"). Among other provisions, the Second Amendment eliminate the 78 Woodcliff Lake Road site from the Borough's compliance plan and adds a new lot to the compliance plan, with the new lot located at 25 E. Allendale Road and to become part of the 100% affordable housing development to be constructed by The Michaels Organization.

Because of the addition of a new lot to the compliance plan, the Borough will have to re-notice at least 30 days prior to the continuation and completion of the combined fairness and compliance hearing. The Borough is requesting that the hearing be scheduled for December 28, 2021 with backup dates of December 29 and 30 so that the hearing can be concluded prior to the end of the year.

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Attached as exhibits to this letter for submission into the record are the following documents, which I have identified by document number and by the exhibit number I will use for entry into evidence during the continued hearing:

<u>Doc#</u>	<u>Ex #</u>	<u>Description</u>
38	P-48	Second Amendment to the Settlement Agreement
39	P-49	COAH Spreadsheet of Approved RCA's
40	P-50	COAH Third Round Rule re RCA's - <u>N.J.A.C. 5:97-7</u>
41	P-51	Fairness Order entered by Judge Harris on 1/11/2000 which, in para., 6 provides that the "existence of Villa Marie Claire entitles the municipality to 18 credits against its fair share obligation"
42	P-52	COAH Third Round Rule re Credits - <u>N.J.A.C. 5:97-4</u>

I will move document 38 (the Second Amendment) into evidence as exhibit P-48 by stipulation of the parties.

I will move documents 39, 40, 41 and 42 into evidence as exhibits P-49, P-50, P-51 and P-52 on the basis of judicial notice pursuant to N.J.R.E. 201(a) and (d) as the documents consist of either official government records, state agency rules or court orders. These four documents are being submitted to close the loop on some issues which have been previously raised so that special master Banisch can consider them prior to his preparation of his final compliance report.

By copy of this letter, I will be providing special master Banisch and all counsel who are participating in the combined fairness and compliance hearing with a filed copy of this letter and a filed copy of the aforementioned documents.

Respectfully submitted,

STICKEL, KOENIG, SULLIVAN & DRILL, LLC



By: JONATHAN E. DRILL

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Copy w/ enclosures via email:

Frank Banisch, III, PP, AICP (special master)
Adam M. Gordon, Esq. (Attorney for Intervening Defendant FSHC)
Joshua Bauers, Esq. (Attorney for Intervening Defendant FSHC)
Eric M. Bernstein, Esq. (Attorney for Intervening Defendant SRI)
Joshua Zielinski, Esq. (Attorney for SR Residents - NJ, objecting to
the SRI sites)
Robert Simon, Esq. (Attorney for Galitis objecting to SR Residents)
Wendy Rubenstein, Esq. (Attorney for Zhanna Torres, objecting to the
78 Woodcliff Lake Road site)
John L. Schettino, Esq. (Attorney for Borough of Woodcliff
Lake, objecting to the 78 Woodcliff Lake Road site, and Intervening
Defendant as to the issue of providing access to Woodcliff Lake's
sewer and water resources)
Richard S. Mazawey, Esq. (Attorney for the Silvers and the
Rodriquez's, objecting to the 78 Woodcliff Lake Road site)
Steven G. Sanders, Esq. (representing himself and his wife pro se)

Copy w/enclosures to all other counsel of record via eCourts