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**LETTER REQUESTING SUSPENSION
OF CASE MANAGEMENT ORDER
SCHEDULE THROUGH APRIL 26, 2020**

Please Reply to:
Countryside Plaza North
361 Route 31
Building E, Suite 1301
Flemington, New Jersey 08822

Via E-Filing

April 6, 2020

Honorable Michael C. Gaus, J.S.C.
Superior Court of New Jersey
43-57 High Street
Newton, New Jersey 07860

Re: In the Matter of the Township of Chatham for a
Judgment of Compliance of its Third Round Housing
Element and Fair Share Plan
Docket No. MRS-L-1659-15
Our File No. C22172

Dear Judge Gaus:

This firm represents the Township of Chatham in this matter and I am writing to request that the Compliance/Implementation Schedule in that Case Management Order filed on March 27, 2020 be suspended through April 26, 2020 consistent with the New Jersey Supreme Court Order entered on March 27, 2020.

The Township has, in a similar way as the State of New Jersey and the tri-state region, been impacted by COVID-19. In Morris County, as of April 5, 2020, there were 1,618 positive test results for COVID-19, with 51 deaths. In the Township, there have been 25 positive results. Within the Township municipal workforce, two Police Officers, three Department of Public Works employees and two administrative staff members are under quarantine.

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Additionally, the Township administrative staff has been working in the Municipal Building on alternate days to maintain social distancing all while attempting to provide municipal services to Township residents during the national and state States of Emergency.

On April 4, 2020, both the President of the United States and the Governor of New Jersey projected that the next two weeks would see dramatic increases in the number of positive cases and unfortunately deaths from COVID-19.

Under these circumstances, after consultation between the Township Mayor, Administrator and Planning Board Chair, the Planning Board meeting scheduled for April 6, 2020 at which the 2020 Housing Element and Fair Share Plan and authorization to conduct a Preliminary Investigation to determine whether property on River Road met the criteria for an area in need of non-condemnation redevelopment was cancelled and tentatively rescheduled until April 20, 2020. This means that because of the national and state States of Emergency, that the Township is out of compliance with the schedule in the last Case Management Order.

However, the Township continues to work toward fulfilling that Order as follows:

1. One property is under contract for a group home.
2. Another property is under attorney-review for a group home.
3. Two other properties on River Road are being appraised with the intention to purchase at least one of the properties to augment the already municipally owned site on River Road.
4. Two other properties are under active consideration for at least one more group home.

Accordingly, the Township continues to proceed forward with its affordable housing plan.

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In addition to property acquisition, on March 26, 2020, the Township introduced a budget which anticipates spending \$3,300,000.00 for affordable housing to accomplish the above described acquisitions. On March 26, 2020, the Township also authorized that its computer infrastructure be upgraded to specifically provide for wi-fi along with Zoom teleconferencing. Capacities that the Township did not previously employ. The wi-fi and related wiring upgrade has now been completed. While the Township took the above budget actions, the adoption of both the State of New Jersey and Township budgets have been extended to allow the state and municipalities to focus their attention on meeting the needs of their residents during the COVID-19 crisis and at a later date be able to provide the attention that government budgets require.

With this background, I am writing to request a suspension of the Compliance/Implementation Schedule consistent with the March 27, 2020 Order of the New Jersey Supreme Court Order though April 26, 2020.

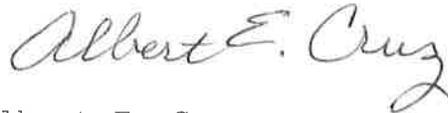
Much has transpired since that original agreement was reached with the Fair Share Housing Center, Inc. as supervised by the Special Master on February 21, 2020 and since I appeared before your Honor on March 13, 2020. These changes were recognized by the New Jersey Supreme Court on March 27, 2020 when it stated in its Order that "the practical impossibility of continuing business as usual during this public health crisis" required adjustments. While teleconferencing is an available option, the Township and its residents should have a full opportunity to address the myriad of issues that affordable housing presents in a manner that the ability of all residents to participate in the process are assured. Within this context, the Department of Community Affairs, Division of Local Government Services issued a bulletin titled "Local Operational Guidance-Covid-19: Guidance for Remote Public Meetings in New Jersey", which, while encouraging remote public meetings, cautioned to avoid controversial topics:

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"Meetings noticed pursuant to P.L. 2020, c.11, limit, 'to the extent practicable' the meeting 'to matters necessary for the continuing operation of government which relate to the applicable emergency declaration.' While the language is broad, it does attempt to place some limitations on action taken at electronically noticed meetings".

Therefore, the Township requests that the Compliance/Implementation Schedule be administratively, without motion practice, suspended through April 27, 2020 and that the 2020 Housing Element and Fair Share Plan and Preliminary Investigation authorization be considered at next Planning Board meeting after that date and scheduled for May 4, 2020, and further direction of the New Jersey Supreme Court.

Respectfully submitted,



Albert E. Cruz

AEC/bl

cc:

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(All via e-mail)