

**SURENIAN, EDWARDS, BUZAK, & NOLAN LLC**

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Attorneys for Declaratory Plaintiff, Township of Wall

By: Erik C. Nolan (Attorney ID: 014032006)

**IN THE MATTER OF THE  
APPLICATION OF THE TOWNSHIP OF  
WALL, COUNTY OF MONMOUTH**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MONMOUTH COUNTY**

**DOCKET NO: MON-L-5604-05**

*Civil Action -Mount Laurel*

**ORDER SETTING COMPLIANCE  
HEARING DEADLINES**

**THIS MATTER** having been opened via the filing of a Declaratory Judgment Complaint, along with a simultaneous motion for temporary immunity, by Surenian, Edwards, Buzak, & Nolan LLC, Erik C. Nolan, Esq. appearing on behalf of Declaratory Plaintiff, the Township of Wall (hereinafter the “Township” or “Wall”); and the Court having entered the last Order Setting Compliance Hearing Deadlines on October 12, 2022 that scheduled a final Combined Fairness and Compliance Hearing for March 21, 2023, March 22, 2023 and March 23, 2023; and the Township and Fair Share Housing Center (hereinafter “FSHC”) needing more time to enter into an amended settlement agreement; and the Court having extended the Township’s immunity from all Mount Laurel lawsuits in an Order entered on July 21, 2020, which will remain in effect until one month after a final Compliance Hearing is held; and for good cause appearing:

IT IS on this 7th day of February 2023, **ORDERED** as follows:

1. By February 28, 2023, the Township shall provide to the Court Master and FSHC:
  - a. A copy of an executed agreement with the Township of Neptune Sewerage Authority (hereinafter “TNSA”) confirming the availability of sewer service for

the affordable housing developments in the TNSA sewer-service area, or will initiate an alternate route to legally securing sewer capacity from the TNSA.

- b. A copy of the Developer's Agreement between the Township and Downtown Metro, LLC.
  - c. Confidential settlement documentation discussed during mediation and agreed upon between the Township and FSHC concerning the parcels in the area in need of redevelopment studies, which will assist with finalizing an amended settlement agreement between the Township and FSHC.
2. The Township and FSHC will continue to work on entering into the First Amendment to December 18, 2019 Settlement Agreement (hereinafter "First Amendment"), but if the parties are not able to come to an agreement in principle by March 7, 2023, then the parties will engage in mediation on that same day at 10:00 a.m. in an attempt to reach an accord prior to March 15, 2023.
  3. The Combined Fairness and Compliance Hearing in this matter currently scheduled for March 21, 2023, March 22, 2023 and March 23, 2023 is hereby rescheduled to June 6, 2023, June 7, 2023 and June 8, 2023.
  4. The Township will properly Notice the Combined Fairness and Compliance Hearing by April 14, 2023, which will include both public and direct notice to the Township's Service List, as well as putting said notice up on the Township's website.
  5. The Township will submit to the Court, the Court Master, and all parties a copy of the First Amendment between the Township and FSHC should such an agreement be entered into between the parties, on or before March 24, 2023. The First Amendment will be put on file at the Township Municipal Building for public inspection.

6. The Township will submit to the Court, the Court Master, and all parties a copy of its Housing Element and Fair Share Plan, along with its Appendix, on or before April 14, 2023. The Housing Element and Fair Share Plan and its Appendix will be put on file at the Township Municipal Building for public inspection.
7. Any opposition to the Township's submission to the Court by interested parties or members of the public shall be filed by May 5, 2023.
8. The Township's reply submission to the Court shall be filed with the Court by May 19, 2023.
9. The report of Special Master Francis Banisch shall be submitted to the Court and all counsel by May 26, 2023.
10. Counsel for the Township shall provide all parties with a copy of this Order within seven (7) days of receipt, and will ensure that by April 14, 2023 that this Order is posted on the Township's website for public inspection.

*/s/ Linda Grasso Jones, J.S.C.*  
HONORABLE LINDA GRASSO JONES, J.S.C.