

EYE ON THE CLIFFS

"Let people know the facts and the country will be safe." Abraham Lincoln

EC for Responsible Government

Website: <https://ecfrg.org>

May 25, 2021

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COURT SIGNS ORDER ENDING AFFORDABLE HOUSING LITIGATION

On Monday May 24, NJ Superior Court Judge Christine Farrington signed an Order of Final Judgment in the Englewood Cliffs Affordable Housing matter, which ends the nearly six-year long litigation. The Court will retain jurisdiction to address any breaches of the Settlement Agreements, any issues in the enforcement of the Settlement Agreements, or any violations of the Settlement Agreements.

The Court enumerated several conditions that the Borough is still obligated to meet to comply with previous Court Orders that implement the Settlement Agreements, and set forth the dates for such compliance.

The Court ordered the Borough to reimburse the legal fees Fair Share Housing Center incurred in opposing the Borough's motions to invalidate the Settlement Agreements. The Borough will now have to compensate both the Fair Share Housing Center and 800 Sylvan for their legal fees.

COURT APPROVES FINAL SITE PLAN FOR 800 SYLVAN AVENUE 450-UNIT PLAN CAN MOVE FORWARD

On May 21, the Court approved the site plan for 800 Sylvan Avenue for both the 600-unit plan (per Builder's Remedy) and 450-unit plan (per October 4, 2020 Settlement Agreement) as recommended by Special Hearing Officer Judge Maurice Gallipoli. In both approved plans, there will be an entrance and exit onto Floyd Street for the townhomes, and all residents will be able to access Sylvan Avenue. The buffer on Floyd Street will be 10 feet wide, and a sidewalk will be constructed from Hollywood Avenue to Witte Field. Judge Farrington concurred with Judge Gallipoli in finding that the Borough's recommendations, including certain public safety and emergency access matters, had all been thoroughly addressed, and were "redundant, unresponsive, and not useful."

The Court Order and the detailed recommendations of the Special Hearing Officer regarding the 800 Sylvan Avenue site plan can be viewed on <https://ecfrg.org>.

**BOROUGH SUIT AGAINST FORMER BOROUGH ATTORNEYS IS
DISMISSED FOR FAILURE TO STATE A CAUSE OF ACTION**

Earlier this year, the Borough sued four former Borough Attorneys claiming each of them had violated the New Jersey Rules of Professional Conduct for Attorneys by failing to turn over all their files to the Borough. On May 21, the Court dismissed the Borough's suit for failure to state a cause of action under New Jersey law, but permitted the Borough to file an amended claim or provide a list of all the documents it could identify as missing from the 55 boxes of documents and 17,000 emails which had already been turned over to the Borough in January 2021.

Residents are encouraged to visit the website of EC for Responsible Government at <https://ecfrg.org>. Each of the Court Orders is reproduced in its entirety as published on the official e-courts website.