

ML-Randolph Mountain Industrial Complex
v. Twp of Randolph

6/11/86

Certification of Edward J. Buzak,
Special Counsel to Twp of Randolph

P-3

ML000949V

FILED

JUN 16 1986

STEPHEN SKILLMAN, J.C.

EDWARD J. BUZAK, ESQ.

MONTVILLE OFFICE PARK

150 RIVER ROAD SUITE A-4

MONTVILLE, NEW JERSEY 07045

(201) 335-0600

ATTORNEY FOR Defendants, Township of Randolph, Randolph Township Planning Board
Randolph Township Municipal Utilities Authority and Randolph Township

Plaintiff

MORRIS COUNTY FAIR HOUSING COUNCIL, et. al.

vs.

Defendant

THE TOWNSHIP OF BOONTON, a Municipal Corporation
of the County of Morris and State of New Jersey,
et. al.

Board of Adjustment
SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MORRIS COUNTY/MIDDLESEX COUNTY
(MT. LAUREL LITIGATION)

Docket No. L-59128-85 P.W.
L-6001078 P.W.

CIVIL ACTION

CERTIFICATION

EDWARD J. BUZAK

Plaintiff)

RANDOLPH MOUNTAIN INDUSTRIAL COMPLEX, a New
Jersey Partnership)

Defendant)

vs.)

THE TOWNSHIP OF RANDOLPH, A Municipal
Corporation of the County of Morris and State
of New Jersey, et. al.)

EDWARD J. BUZAK, ESQ., upon his certification, says:

1. I am Special Counsel to the Township of Randolph, and Counsel to
the Township of Randolph Planning Board and the Randolph Township Municipal

Utilities Authority and am personally familiar with all the facts surrounding this action.

2. On or about June 11, 1986 the undersigned filed a Notice of Motion for Leave to Appeal the decision of the Honorable Stephen Skillman on May 29, 1986 joining additional parties Defendant to this action.

3. The primary action in question was commenced on October 13, 1978; The Randolph Mountain Industrial Complex case was commenced on July 23, 1985.

4. No applications were ever made in the Public Advocate case to join any additional parties Defendant as it relates to the Township of Randolph.

5. No previous application to join additional parties was made in The Randolph Mountain Industrial Complex case.

6. The Township of Randolph and Plaintiffs Public Advocate and Randolph Mountain Industrial Complex tentatively settled the exclusionary zoning litigation in July of 1984 with the Township of Randolph providing a realistic opportunity for the construction of 634 units of low and moderate income housing.

7. The Council on Affordable Housing has promulgated its procedural and substantive guidelines and has established a figure of 452 units of low and moderate income housing as Randolph's fair share of the regional and indigenous obligation that it has to provide for said low and moderate income housing.

8. This reduced figure is approximately one-third less than the original figure as settled upon and almost 50% less than the number of units determined by the Court appointed expert in this case.

9. This Court ordered the filing of supplementary data and support for Plaintiff Public Advocate's position on the scope of conditions requested by said Public Advocate not later than May 23, 1986. Despite that requirement,

the undersigned has received no such supplementary documentation until June 9, 1986.

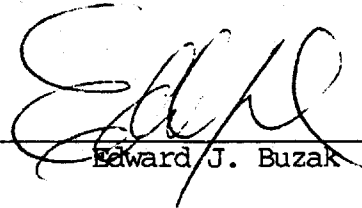
10. The Court further ordered Defendants to respond to the request for conditions to be imposed by the Court not later than June 11, 1986 and further gave Plaintiffs the opportunity to reply to such responses not later than June 18, 1986.

11. On June 11, 1986 the undersigned filed a Motion for Leave to Appeal this Court's joinder of additional parties Defendant in this case.

12. I make this Affidavit to induce the Court to grant Defendants' motion for a stay pending the disposition of Defendants' motion for a leave to appeal filed with the Appellate Division as above stated.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Dated: June 11, 1986



Edward J. Buzak