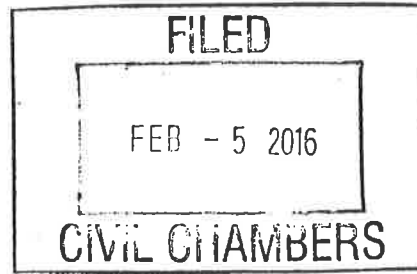


ORDER PREPARED BY THE COURT



IN THE MATTER OF THE  
DECLARATORY JUDGMENT  
ACTIONS FILED IN THE COUNTY OF  
SOMERSET, STATE OF NEW JERSEY,  
PURSUANT TO In Re Adoption of  
N.J.A.C. 5:96, 221 N.J. 1 (2015)

Petitioner.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
SOMERSET COUNTY

CIVIL ACTION  
(Mount Laurel)

IN THE MATTER OF THE  
DECLARATORY JUDGMENT  
ACTIONS FILED IN THE COUNTY OF  
HUNTERDON, STATE OF NEW  
JERSEY, PURSUANT TO In Re Adoption  
of N.J.A.C. 5:96, 221 N.J. 1 (2015)

Petitioner.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
HUNTERDON COUNTY

CIVIL ACTION  
(Mount Laurel)

IN THE MATTER OF THE  
DECLARATORY JUDGMENT  
ACTIONS FILED IN THE COUNTY OF  
WARREN, STATE OF NEW JERSEY,  
PURSUANT TO In Re Adoption of  
N.J.A.C. 5:96, 221 N.J. 1 (2015)

Petitioner.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
WARREN COUNTY

CIVIL ACTION  
(Mount Laurel)

**OMNIBUS ORDER  
REGARDING APPOINTMENT OF  
RICHARD B. READING AS SPECIAL  
REGIONAL MASTER**

THE MATTERS having come before the Court at a joint case management conference involving all of the Somerset, Hunterdon and Warren County Municipalities that are involved in “Mt. Laurel” cases within Vicinage 13; and the Court having found that the interests of justice and judicial economy are best served by determining the methodology for state, regional and municipal allocation of the affordable housing in a consolidated hearing in which all of the “Mt. Laurel” cases filed in Vicinage 13 shall be included and participate; and the Court recognizes that Somerset and Hunterdon Counties are part of Region “3” together with Middlesex and Hunterdon Counties; and that Warren County is part of Region “2” together with Essex, Morris and Union Counties; and the Court has indicated at the joint case management conference that its inclination was to designate Richard B. Reading of Richard B. Reading Associates of Princeton, New Jersey as Special Regional Master for the purpose of advising the Court on the methodology and allocation of state, regional and municipal fair share housing obligations; and the Court having determined that the Court and the parties will similarly benefit from Richard B. Reading’s services as its Special Regional Master; and the Court having considered comments and arguments concerning the appointment of Mr. Reading with many comments consisting of positive feedback and there being only mild objection to the appointment by the parties present<sup>1</sup>;

IT IS on this 5<sup>th</sup> day of February, 2016

ORDERED:

1. The Court appoints Richard B. Reading as its Special Regional Master to assist the Court, the various municipalities and all interested parties in the adoption of an appropriate methodology for determining the state and regional need for low and moderate income housing and for allocating the appropriate portion of such need among the municipalities within the County of Somerset.

2. The scope of services to be provided to the Court by the Regional Special Master shall include, but not be limited to, the services set forth in Exhibit A attached hereto.

3. The Regional Special Master shall bill his services in accordance with the Schedule of Fees attached hereto as Exhibit B.

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<sup>1</sup> None of the parties objected to the actual appointment of Richard Reading, although several parties recognizing the Court’s discretion in this matter; having urged the Court to consider other potential experts to serve in that role.

4. The fees charged by the Special Master shall be apportioned among all of the Vicinage 13 Municipalities which are set forth in paragraph 7 below.<sup>2</sup>

5. The Court designates a law firm to be chosen from among the attorneys representing any of the Municipalities in this matter as the municipal representative for the purposes of facilitating dissemination of the Special Regional Master's bills.

6. Each of the Municipalities within Vicinage 13 that are involved in pending Mt. Laurel lawsuits (as listed below in paragraph 7 of this Order) shall, within thirty (30) days of the date of this Order, establish an escrow account with an initial sum of \$5,000 which shall be held and administered in accordance with the terms of this Order to pay for the services of the Special Regional Master. The funds for the escrow may be paid from each Municipalities' affordable housing trust fund. The Special Regional Master shall submit monthly invoices to the law firm that is chosen from among the Municipal attorneys (see paragraph 5 below) which shall in turn forward copies of the monthly bill to each municipality within five (5) days of receipt together with a calculation of the municipality's respective share of the bill. It shall be the obligation of the Municipalities to remit payment directly to the Special Regional Master within thirty (30) days of receipt. In the event any Municipality's share of payments due to the Special Regional Master exceeds the initial escrow, the Court may require that the Municipalities replenish the fund, as necessary.

7. Should any municipality contest any of the Special Regional Master's charges, it shall notify the "designated representative" of the law firm that is chosen by the Municipalities in writing of the nature of the concern. The "designated representative" shall then canvas the other municipalities to determine whether the issue is unique to the complaining municipality or whether it is a common concern which may be resolved directly with the Special Regional Master. The "designated representative" shall advise the Special Regional Master of its findings and, if the matter cannot be amicably resolved, shall advise the Court if its intervention is required. Notification of a concern shall not relieve a municipality of its obligation to pay the Special Regional Master's bill as set forth above.

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<sup>2</sup> Any municipality that has amicably resolved their particular matter so that their participation in the "methodology hearing" would no longer be required, shall be only responsible for their pro rata share of the Regional Special Master's fees up to the date of the notice to the Court of the proposed settlement (which shall include the agreement by all intervenors and Fair Share Housing), or up to the date of acceptance of the "settlement" by the Court, whichever date is sooner.

As to the following matters:

SOMERSET COUNTY

In the Matter of the Township of Bedminster	SOM-L-914-15
In the Matter of the Borough of Bernardsville	SOM-L-925-15
In the matter of the Township of Branchburg	SOM-L-898-15
In the Matter of the Township of Bridgewater	SOM-L-934-15
In the Matter of the Township of Franklin	SOM-L-866-15
In the Matter of the Township of Green Brook	SOM-L-929-15
In the Matter of the Township of Hillsborough	SOM-L-900-15
In the Matter of the Borough of North Plainfield	SOM-L-935-15
In the Matter of the Borough of Peapack-Gladstone	SOM-L-905-15
In the Matter of the Borough of Raritan	SOM-L-926-15
In the Matter of the Borough of Rocky Hill	SOM-L-901-15
In the Matter of the Township of Warren	SOM-L-904-15
In the Matter of the Borough of Watchung	SOM-L-902-14

HUNTERDON COUNTY

In the Matter of the Township of Alexandria	HNT-L-300-15
In the Matter of the Township of Bethlehem	HNT-L-316-15
In the Matter of the Township of Clinton	HNT-L-315-15
In the Matter of the Town of Clinton	HNT-L-304-15
In the Matter of the Township of East Amwell	HNT-L-306-15
In the Matter of the Borough of Flemington	HNT-L-308-15
In the Matter of the Township of Franklin	HNT-L-314-15
In the Matter of the Township of Frenchtown	HNT-L-309-15
In the Matter of the Borough of Glen Gardner	HNT-L-302-15
In the Matter of the Borough of High Bridge	HNT-L-310-15
In the Matter of the Township of Kingwood	HNT-L-317-15
In the Matter of the City of Lambertville	HNT-L-311-15
In the Matter of the Township of Lebanon	HNT-L-299-15
In the Matter of the Township of Milford	HNT-L-303-15
In the Matter of the Township of Raritan	HNT-L-312-15
In the Matter of the Township of Readington	HNT-L-301-15
In the Matter of the Township of Tewksbury	HNT-L-313-15
In the Matter of the Township of Union	HNT-L-305-15
In the Matter of the Township of West Amwell	HNT-L-307-15

WARREN COUNTY

In the Matter of the Township of Allamuchy	WRN-L-232-15
In the Matter of the Town of Belvidere	WRN-L-238-15
In the Matter of the Township of Blairstown	WRN-L-226-15
In the Matter of the Borough of Bloomsbury	WRN-L-298-15
In the Matter of the Township of Franklin	WRN-L-224-15
In the Matter of the Township of Frelinghuysen	WRN-L-231-15
In the Matter of the Township of Greenwich	WRN-L-228-15
In the Matter of the Township of Hackettstown	WRN-L-234-15
In the Matter of the Township of Hardwick	WRN-L-240-15
In the Matter of the Township of Harmony	WRN-L-239-15
In the Matter of the Township of Independence	WRN-L-246-15
In the Matter of the Township of Knowlton	WRN-L-215-15
In the Matter of the Township of Lopatcong	WRN-L-241-15
In the Matter of the Township of Mansfield	WRN-L-242-15
In the Matter of the Township of Oxford	WRN-L-243-15
In the Matter of the Township of Pohatcong	WRN-L-220-15
In the Matter of the Borough of Washington	WRN-L-230-15
In the Matter of the Township of Washington	WRN-L-244-15
In the Matter of the Township of White	WRN-L-245-15



HON. THOMAS C. MILLER, P.J.Cv.

For the reasons previously expressed in a companion Order issued simultaneously with this Order, the Court has determined to consolidate, on a limited basis, all of the “Mt. Laurel” cases within Vicinage 13 for the purpose of conducting a hearing concerning the issues involved in the determination of the methodology to be applied to calculate the regional and municipal fair share housing need and allocation for all of the municipalities within the Vicinage. The Court has determined that given the significant disparity between the methodologies proposed by the experts for the respective parties and the complexity of the issues involved that it is necessary that the Court appoint a Special Regional Master to perform certain services for the benefit of the Court and the parties, which services have generally been described on the attached Exhibit “A”. Those services include providing advice and analysis to the Court regarding the methodologies proposed by the experts that have or will be offered by the parties in this case and to provide alternate methodologies if determined by the Court to be appropriate and beneficial.

**EXHIBIT "A"**  
**SCOPE OF SERVICES**  
**SPECIAL REGIONAL MASTER FOR SOMERSET COUNTY, NEW JERSEY**

Task 1 – Review and analysis of first and second round COAH rules and 3/10/15 NJ Supreme Court decision as they relate to the calculation of Region 3 (Somerset, Hunterdon and Middlesex Counties) affordable housing need and allocation to constituent municipalities.

Task 2 – Review Preliminary/Draft and Final Reports, demographic data and methodologies prepared by expert Kinsey and those experts designated on behalf of the various municipalities and any intervenors.

Task 3 – Meet with the Municipal Special Masters, Banisch, Bolan, Caton, McManus, McKenzie and Coyle<sup>3</sup> to discuss overall project goals and objectives and further information gathering.

Task 4 – Meet with Municipal Special Masters on a date specified by the Regional Special Master to establish general parameters and agenda in anticipation of mediation sessions with planning experts for all parties.

Task 5 – Advise the Court regarding the appropriate time frame for engaging in mediation sessions with planning experts of all parties, and if requested, chair such mediation sessions for the purpose of establishing consensus and conflict points regarding statewide and regional need and municipal allocation thereof.

Task 6 – Prepare and issue Preliminary Report on determination of statewide, regional (Essex, Morris, Union and Warren Counties) and municipal affordable housing needs for Warren County.

Task 7 – Review written responses and reports to Preliminary Report from all involved parties.

Task 8 – Prepare and issue Final Report of recommendations.

Task 9 – Prepare Answers to Deposition questions as may be required by the Court.

Task 10 – Attend and participate in Court Hearing/Trial as to the state and regional need for affordable housing and the obligations of the Somerset/Hunterdon/Warren County municipalities based upon such determination.

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<sup>3</sup> Or any other Special Masters appointed by the Court.

# RICHARD B. READING ASSOCIATES

759 STATE ROAD, PRINCETON, NEW JERSEY 08540  
Tel 609-924-6622 e-mail:rbrprin@aol.com Fax 609-924-1628

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## SCHEDULE OF FEES

### Professional Service Fees:

Principal Time	\$200.00 per hour
Senior Time	\$160.00 per hour
Analyst and Programming	\$ 80.00 per hour
Drafting and Staff	\$ 50.00 per hour
Processing and Production	\$ 40.00 per hour

### Non-Salary Expenses:

Travel	\$ 0.40 per mile
Copying	\$ 0.120 per copy
Miscellaneous	\$ Billed at Cost