

**TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY**

RESOLUTION #19-74

**A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP
CLERK TO EXECUTE A SETTLEMENT AGREEMENT WITH
UNITED STATES METAL POWDERS, INC. REGARDING IN THE
MATTER OF THE TOWNSHIP OF RARITAN COMPLIANCE WITH
THIRD ROUND MOUNT LAUREL AFFORDABLE HOUSING
OBLIGATIONS**

WHEREAS, United States Metal Powders, Inc. (“USMP”), a New Jersey corporation, with an address at 2115 Little Gap Road, Palmerton Pennsylvania is the owner of Block 40, Lot 4 on the Township of Raritan (“Township”) Tax Map, commonly known as 408 U.S. Highway 202 (“USMP Property”), which consists of twenty-one (21) acres; and

WHEREAS, USMP intervened in the Township’s declaratory judgement action (“DJ Action”) entitled In the Matter of the Township of Raritan Compliance with Third Round Mount Laurel Affordable Housing Obligations, Docket No. HUN-L-312-15 which seeks a declaration that the Township’s amended Housing Element and Fair Share Plan satisfies its fair share of the regional need for low and moderate income housing pursuant to the Mount Laurel Doctrine; and

WHEREAS, USMP is amenable to fully and finally dismissing its intervention in the DJ Action premised upon the undertakings that the Township has agreed to perform in respect to the USMP Property; and

WHEREAS, the Township has agreed to perform certain undertaking in respect to the USMP Property; and

WHEREAS, the Township and USMP desire to resolve these matters and avoid further litigation and associated costs; and

WHEREAS, the parties have negotiated a Settlement Agreement resolving the matters discussed in this Resolution; and

WHEREAS, the Township Committee of the Township of Raritan believes that it is in the best interest of the Township to enter into the Settlement Agreement substantially in the form attached hereto as Exhibit “A.”

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, in the County of Hunterdon and State of New Jersey, as follows:

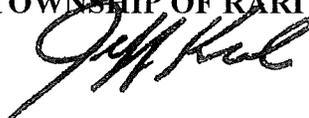
1. The Township of Raritan is hereby authorized to enter into the Settlement Agreement, attached hereto as Exhibit "A," and the Mayor and Clerk are hereby authorized to execute four (4) copies of same.
2. The Clerk shall keep one copy of the executed Settlement Agreement on file with the Township and shall transmit the remaining executed agreements to the Township Attorney.
3. This Resolution shall take effect immediately.

ATTEST:



Lisa Fania, RMC
Township Clerk

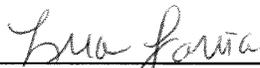
**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**



Jeff Kuhl
Mayor

CERTIFICATION

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing Resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on March 5, 2019.



Lisa Fania, RMC
Township Clerk