

**MANSFIELD TOWNSHIP  
BURLINGTON COUNTY**

**RESOLUTION NO. 2020-1-37**

**RESOLUTION AUTHORIZING PARKER MCCAY, PA., JOHN C. GILLESPIE,  
ESQUIRE, TO CONTINUE TO REPRESENT MANSFIELD TOWNSHIP AS  
TEMPORARY SPECIAL COUNSEL CONCERNING THE TOWNSHIP'S  
AFFORDABLE HOUSING MATTERS AND TO CONTINUE TO REPRESENT  
MANSFIELD TOWNSHIP IN DEFENSE OF LITIGATION, VILLAGE OF  
MAPLETON V TOWNSHIP OF MANSFIELD**

**WHEREAS**, John C. Gillespie Esq. of Parker McCay, PA (“PMC”) was the appointed Township Solicitor for the Township of Mansfield during years 2018 and 2019; and

**WHEREAS**, Prime & Tuvel, LLC (“Prime Law”) has been appointed as the Township Solicitor for the Township of Mansfield for calendar year 2020; and

**WHEREAS**, during that time period, PMC represented the Township in negotiation, preparation and submission of documents to satisfy Mansfield's constitutional obligation to provide a realistic opportunity for affordable housing in the Township (“affordable housing matters”), including the Settlement Agreement and First Amendment with Tower Gate Associates” (“Settlement Agreement”), a December, 2019, draft Housing Element and Fair Share Plan (“Affordable Housing Plan”) and a Spending Plan for the Townships affordable housing trust fund (“Spending Plan”); and

**WHEREAS**, in order to provide for an orderly transition in the legal representation of the Township’s affordable housing matters, the Township Committee desires to have PMC complete the court approval of the Settlement Agreement, Affordable Housing Plan and Spending Plan; and

**WHEREAS**, a "Fairness Hearing" is scheduled before the Burlington County Superior Court, Law Division, on February 5, 2020, at which said hearing, the Township is seeking approval of the terms of the Settlement Agreement, approval of the Affordable Housing Plan and the Spending Plan.

**WHEREAS**, the Township is also a party to certain litigation known as Villages at Mapleton v Township of Mansfield. (“Mapleton litigation”) The Township Committee desires to have PMC represent the Township through the completion of the litigation.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that:

1. The Township Committee hereby authorizes Parker McCay, John C. Gillespie Esq., to provide the necessary and required legal services in connection with the court approval of the Settlement Agreement, the Township's Affordable Housing Plan, and the Township

proposed Spending Plan, subject to the right of termination by the Township as set forth in the contract authorized herein. Said legal services shall include the necessary preparation for and attendance at the February 5, 2020 Fairness Hearing, as the same may be adjourned or otherwise postponed, including the completion and execution of the required Court Order approving the Settlement Agreement, Affordable Housing Plan and Spending Plan aforesaid.

2. After the Fairness Hearing, and upon execution by the Court and filing of the Court Order approving the Settlement Agreement, Affordable Housing Plan and Spending Plan aforesaid, Prime Law shall assume representation of the Township through the subsequent compliance period and completion and implementation of the Settlement Agreement, Affordable Housing Plan and Spending Plan.
3. In the event that the Settlement Agreement, Affordable Housing Plan and Spending Plan are not approved at the February 5, 2020, Fairness Hearing, as the same may be adjourned or otherwise postponed, the Township Committee reserves the right to terminate this Contract and authorize Prime Law to continue legal representation of the Township's affordable housing matters at that time.
4. The Township Committee hereby further authorizes Parker McCay, John C. Gillespie Esq., to continue to provide the necessary and required legal services in connection with the Mapleton litigation. This appointment shall continue until final resolution of said litigation by settlement, court order or otherwise, subject to the right of termination by the Township as set forth in the contract authorized herein. In the event of an appeal or other action after resolution of the litigation, the Township Committee shall review and determine the future course of action and legal representation of the Township in said litigation at that time.
5. The Mayor and Township Clerk are hereby authorized to execute the Contract authorized herein, attached hereto and made a part hereof as Exhibit A together with any related documents necessary to effectuate the intent and terms of this Resolution.

**MOTION: CAIN**

**SECOND: HIGGINS**

**ROLL CALL VOTE:**

**AYES: CAIN, HIGGINS, MAGEE, OCELLO, DIGIUSEPPE NAYS: NONE**

**ABSTAIN: NONE**

**ABSENT: NONE**

I, **LINDA SEMUS, RMC, CMR**, Municipal Clerk of the Township of Mansfield, County of Burlington, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of the Resolution duly adopted by the Mansfield Township Committee at its Regular Meeting held on January 9, 2020 at 7:00PM at the Municipal Complex.

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**LINDA SEMUS, RMC, CMR**  
**MUNICIPAL CLERK**