

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 21-227

**CONCERNED NEIGHBORS OF WASHINGTON  
TOWNSHIP, INC. – MEDIATION WITH TOWNSHIP OF  
WASHINGTON AND VIVIANO – AMERICAN DREAM  
PROJECT**

WHEREAS, the Township of Washington Planning Board granted preliminary major subdivision and preliminary major site plan approval in connection with property designated as Lot 2 in Block 1306 and Lot 1.05 in Block 1305 for the development of a residential project commonly referred to as the American Dream Project which was evidenced by the Planning Board's June 30, 2004 adopted resolution; and

WHEREAS, the developers of the American Dream Project (collectively referred to as "Viviano") filed with the Planning Board an amended site plan and subdivision application, and the Township of Washington Township gave its consent, as title owner of a parcel of Township property (Lot 1.05 in Block 1305) which was part of the American Dream Project, to the application form filed by Viviano by resolution dated April 1, 2019; and

WHEREAS, a group of neighbors and adjacent property owners formed the Concerned Neighbors of Washington Township, Inc. ("CNOWT") for the purpose of opposing the Viviano amended site plan and subdivision application; and

WHEREAS, CNOWT filed suit in the Superior Court of New Jersey opposing the consent of the Township to the application form submitted by Viviano to the Planning Board and opposing the development of the American Dream Project; and

WHEREAS, the suit was dismissed without prejudice to refile, and the matter was referred to mediation which led to a proposed settlement of the suit previously filed and the amended site plan and subdivision application filed by Viviano, subject to the sign off of CNOWT and its members, the sign off of Viviano, and subject to approval of the governing body of the Township of Washington; and

WHEREAS, the terms of settlement are incorporated in the attached letter mediation settlement agreement dated May 4, 2021 which has been executed by CNOWT and its members and by Viviano (the "Mediation Settlement Agreement");

and

WHEREAS, the Township Council has reviewed the Mediation Settlement Agreement, and is of the opinion that such agreement resolves the limited role of the Township Council in affixing its consent to the amended site plan and subdivision application form filed by Viviano with the Planning Board, and leaving said amended site plan and subdivision application to the Planning Board for disposition in the ordinary course of its proceedings; and

WHEREAS, the Township Council wishes to give its approval to the Mediation Settlement Agreement as prescribed in Paragraph 7 of the Mediation Settlement Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington that the Township of Washington hereby gives its approval to the Mediation Settlement Agreement as per the terms thereof.

ATTEST:

APPROVED:  
TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WASHINGTON

  
Susan Witkowski,  
Township Clerk

By:   
Stacey Feeney,  
Council President

DATED: June 9, 2021

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio			X				
DeSena			X				
Feeney	X		X				
Morgan		X	X				
Sears			X				