

3. Defendant Board of Commissioners of the Borough of Haddonfield (“the Commissioners”) is an elected body organized and existing under the Walsh Act which maintains its principal address at 242 Kings Highway East, Haddonfield, New Jersey.

4. Upon information and belief, defendant Woodmont Properties, LLC (“Woodmont”) is a New Jersey limited liability company which maintains its principal address at 100 Passaic Avenue, Suite 240, Fairfield, New Jersey.

OPERATIVE FACTS

5. Plaintiffs incorporate all of the foregoing paragraphs by reference as if those paragraphs were fully set forth at length herein.

6. For over one hundred years, the properties currently designated at Block 13, Lot 25 and Block 14, Lot 2 on the Haddonfield Borough Tax Map were utilized as a facility for children afflicted by various types of developmental disabilities (the “Bancroft Property”).

7. The Bancroft Property comprises approximately 19.22 acres and is bisected by Hopkins Lane; Block 13, Lot 25 (6.07 acres) is situated to the west and Block 14, Lot 2 (13.15 acres) is situated to the east.

8. On or about September 8, 2015, the Commissioners adopted Resolution No. 2015-09-08-151 which authorized and directed the Planning Board of the Borough of Haddonfield (“Planning Board”) to conduct a preliminary investigation to determine if the Bancroft Property met the criteria for designation as “an area in need of redevelopment” as established by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (“LRHL”).

“cease to be a resident of the local unit to which the office pertains” the office “shall be vacant, and shall be filled in the manner prescribed by law.”

26. The Commissioners are required to be residents of Haddonfield in order to hold the office of Commissioner.

27. Upon information and belief, Commissioner Kevin Roche ceased being a resident of Haddonfield no later than March 28, 2024.

28. Upon information and belief, Commissioner Kevin Roche was not eligible to hold the office of Commissioner on May 13, 2024.

29. Notwithstanding this situation, Commissioner Kevin Roche participated in the meeting on May 13, 2024 and voted to designate Woodmont as the conditional redeveloper of the Residential portion of the Bancroft Property as memorialized by Resolution No. 2024-05-13-021WS.

30. The Commissioners’ actions with the participation of Commissioner Kevin Roche were ultra vires..

31. The Commissioners’ actions with the participation of Commissioner Kevin Roche were arbitrary, capricious, unreasonable and contrary to law.

WHEREFORE, plaintiffs David Huehnergath and Christopher Maynes demand the entry of judgment in their favor and against defendants Board of Commissioners of the Borough of Haddonfield and Woodmont Properties, LLC, for the following:

- (a) An Order setting aside and invalidating Resolution No. 2024-05-13-021WS designating Woodmont as the conditional redeveloper of the Residential portion of the Bancroft Property;

CERTIFICATION PURSUANT TO RULE 4:69-4

I hereby certify that a transcript of the local agency proceedings in this cause has been ordered.

BARON & BRENNAN, P.A.
Attorneys for Plaintiffs

JEFFREY M. BRENNAN, ESQUIRE

Dated: July 19, 2024