



Andrew Bayer

PARTNER

732.405.3686

abayer@pashmanstein.com

PRACTICE AREAS

Public Entity Law

Litigation

Health Care

Land Use & Zoning

EDUCATION

B.A., Rutgers University, 1985

J.D., Rutgers University School of Law,
1988

Andrew Bayer's practice is devoted to municipal law, commercial and employment defense litigation, and land use law with a specialty in affordable housing development. He has extensive experience in redevelopment and land use law and related litigation on behalf of public entities, land use boards and private developers. He regularly appears before all levels of New Jersey state and federal courts as well as the Office of Administrative Law.

In his municipal practice Andrew serves as corporation counsel and handles all aspects of a municipality's legal representation, including drafting all resolutions and ordinances, compliance with the Open Public Meetings Act, Open Public Records Law, Local Land and Buildings Law and the Local Public Contracts law. He defends public entities in prerogative writ, employment discrimination and claims under the Tort Claims Act.

He has served as the Township Attorney to many municipalities across the state and has served as Special County Counsel representing Monmouth County and Improvement and Utility Authorities in Hudson and Passaic Counties. He has significant experience representing municipal interests with respect to land use matters, especially a municipality's constitutional obligation to provide its fair share of affordable housing. Clients appreciate Andrew's knowledge of the law and local government, and value his responsiveness, legal guidance and practical advice.

Andrew's experience representing municipalities and planning boards gives him the unique capability to counsel commercial real estate developers through the land use development approval process as well as redevelopment issues in negotiations with municipalities and appearances with Boards.

With extensive trial and appellate experience, Andrew represents private entities including health care providers in commercial litigation. He has successfully tried several disputes involving the right to apply for and control the bed rights to a long-term care facility.

Representative Matters

Our firm is proud of the results it has achieved for clients, some of which are noted here. Of course, each legal matter is unique on many levels, and past successes are not a guarantee of results in any other pending or future matters.

- Serves as the municipal attorney to two large municipalities.
- Successfully tried a lengthy jury trial in the United States District Court involving a claim of excessive force resulting in the death of an inmate in custody.
- Represents the Monmouth County Prosecutor in employment discrimination litigation.
- Successfully prosecuted Mt. Laurel declaratory judgment actions on behalf of municipal clients resulting in Final Judgments of Compliance and Repose protecting clients from builder's remedy litigation through July 2025.

Reported Decisions

- *Lake Valley Associates, LLC v. Township of Pemberton*, 411 N.J. Super. 501 (App. Div. 2010)
- *Vitty v. D.C.P. Corp.*, 268 N.J. Super. 447 (App. Div. 1993)
- *Smid v. New Jersey Highway Auth.*, 268 N.J. Super. 306 (App. Div. 1993)
- *Borough of Princeton v. Board of Chosen Freeholders of the County of Mercer*, 333 N.J. Super. 310 (App. Div. 2000)
- *Borough of Princeton v. Board of Chosen Freeholders of the County of Mercer*, 169 N.J. 135 (2001)

Community & Professional Associations

- Former Chairman, New Jersey Supreme Court District VII Ethics Committee
- Volunteer Attorney, East Windsor Police Athletic League
- Member, Burlington County Bar Association
- Member, Monmouth County Bar Association

Bar Admissions

New Jersey

Pennsylvania

Court Admissions

U.S. District Court, District of New Jersey

U.S. Court of Appeals, Third Circuit

U.S. Supreme Court