



**BOROUGH OF EDGEWATER  
RESOLUTION**

COUNCILPERSON	YES	NO	ABSTAIN	ABSENT
GUTIERREZ				
LAWLOR				
MONTE				
VIDAL				
MARTIN				
BARTOLOMEO				
MAYOR				

DATE: July 15, 2024

RESOLUTION No. 2024-205

INTRODUCED BY: \_\_\_\_\_

SECOND BY: \_\_\_\_\_

**RESOLUTION AUTHORIZING THE PARTICIPATION IN LITIGATION TO ADDRESS THE CONSTITUTIONALITY AND/OR VALIDITY OF NEW JERSEY’S AFFORDABLE HOUSING MANDATES**

WHEREAS, the Borough of Montvale (Bergen County) is coordinating litigation or potential litigation to review, challenge and/or declare unconstitutional certain mandates from the State of New Jersey concerning the obligations of municipalities relating to affordable housing; and

WHEREAS, affordable housing can be a benefit to every municipality within the State of New Jersey if such obligation is shared fairly and proportionately among all municipalities; and

WHEREAS, the Borough of Montvale is seeking additional municipalities to join in such litigation in order to promote the efficiency and effectiveness of same; and

WHEREAS, participation in such litigation would permit each municipality to benefit from any relief awarded by the Court; and

WHEREAS, the Borough of Montvale has provided a preliminary cost estimate for such litigation of Ten Thousand Dollars (\$10,000.00) for each year of 2024 and 2025 for an estimated commitment from each participating municipality of Twenty Thousand Dollars (\$20,000.00); and

WHEREAS, the public interest favors participation in such litigation;

NOW THEREFORE BE IT RESOLVED, by and Mayor and Council of Edgewater, County of Bergen, State of New Jersey, that the Borough of Edgewater is hereby authorized to join as a party to the above referenced litigation and is hereby authorized to contribute \$10,000.00 in 2024 and another \$10,000.00 in 2025; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for this purpose; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute such Agreements with Counsel to be selected by the Borough of Montvale so as to effectuate participation in such litigation, including but not limited to any Retainer Agreement, Confidentiality Agreement, or such other documents as may be necessary to effectuate participation in said litigation; and

BE IT FURTHER RESOLVED, that participation in such litigation shall not be deemed a rejection of any currently obligation while such litigation is pending.

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Joseph Iannaconi, Jr.  
Chief Financial Officer

I hereby certify that the above Resolution was adopted by the Mayor and Council on July 15, 2024.

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Michael McPartland  
Mayor

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Stephanie Evan, RMC  
Municipal Clerk