



**BOROUGH OF EDGEWATER
RESOLUTION**

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

DATE: June 23, 2025

RESOLUTION No. 2025-160

INTRODUCED BY: _____

SECOND BY: _____

RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the New Jersey Fair Housing Act (the “FHA”) (N.J.S.A. 52:27D-301, *et al.*); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the “Fourth Round” of affordable housing obligations (“Fourth Round”); and

WHEREAS, the Council of the Borough of Edgewater (“Borough”) adopted Resolution No. 2025-073 on January 21, 2025, identifying its present need obligation as 6 units and prospective need obligation as 295 affordable units for the Fourth Round.

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 (“Directive #14-24”), the Borough filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Bergen County, entitled In the Matter of the Application of the Borough of Edgewater, County of Bergen, State of New Jersey, Docket No. BER-L-560-25 on January 23, 2025 (the “DJ Action”), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan (“HEFSP”) as required by the FHA; and

WHEREAS, no parties challenged the Borough’s present and prospective need obligations; and

WHEREAS, on May 16, 2025, the Honorable Gregg A. Padovano, J.S.C., issued an Order setting the Borough’s present need obligation at 6 units and the prospective need obligation at 295 affordable units and further authorized the Borough to proceed with preparation and adoption of a proposed HEFSP to satisfy the Borough’s affordable housing obligation; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

WHEREAS, the Borough of Edgewater Planning Board (“Board”) adopted the HEFSP, entitled “Round 4 Housing Element & Fair Share Plan” prepared by the Gregory Associates, LLC (the “Fourth Round HEFSP”), as an amendment to the Borough’s Master Plan on June 23, 2025; and

WHEREAS, the Governing Body desires to endorse the Fourth Round HEFSP adopted by the Board on June 23, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Edgewater, Bergen County as follows:

1. The Governing Body does hereby endorse the Fourth Round HEFSP adopted by the Borough of Edgewater Planning Board on June 23, 2025.
2. The Governing Body does hereby authorize the filing of this Resolution endorsing the Fourth Round HEFSP adopted by the Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Borough of Edgewater, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

I hereby certify that the above Resolution was adopted by the Mayor and Council on June 23, 2025.

Michael J. McPartland
Mayor

Stephanie Evans, RMC
Borough Clerk