

RESOLUTION 232-25

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF FRANKLIN LAKES ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE FRANKLIN LAKES PLANNING BOARD

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter “FHA II”); and

WHEREAS, FHA II established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan (“HEFSP”); and

WHEREAS, that procedure contemplated that municipalities would adopt a resolution by January 31, 2025 committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution and then filing a HEFSP by June 30, 2025 and filing that plan within 48 hours with the Affordable Housing Dispute Resolution Program (the “Program”); and

WHEREAS, in accordance with this statutory procedure, the Borough adopted a binding resolution on January 22, 2025 committing to a Fourth Round Present Need of 65 and Round 4 Prospective Need obligation of 463, subject to applicable adjustments;

WHEREAS, in accordance with this statutory procedure, the Borough filed a declaratory relief action within 48 hours from adoption of the binding resolution; and

WHEREAS, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

WHEREAS, on May 19, 2025, the Court issued an Order setting the Round 4 Present Need obligation of 65 units and a Round 4 Prospective Need obligation of 480; and

WHEREAS, the Borough’s affordable housing planning consultant, Elizabeth McManus, PP, AICP, of Kyle + McManus Associates, has prepared an HEFSP to address the Borough’s affordable housing obligations under FHA II; and

WHEREAS, the Franklin Lakes Borough Planning Board adopted an HEFSP, prepared by Ms. McManus on June 19, 2025 which is attached hereto as Exhibit A; and

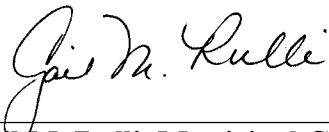
WHEREAS, in accordance with the procedure established by FHA II, the Borough’s affordable housing counsel filed the duly adopted HEFSP with the Program created by FHA II within 48 hours from adoption; and

WHEREAS, the Borough Council now wishes to endorse the Housing Element and Fair Share Plan adopted by the Franklin Lakes Planning Board and seek approval of the HEFSP by the Program and Court.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, as follows:

1. The Borough Council hereby endorses the Fourth Round HEFSP previously adopted by the Franklin Lakes Planning Board and attached hereto.
2. The Borough Council hereby directs the Borough's Affordable Housing Counsel to (a) file this resolution with the Program, along with any additional documents the professionals deem necessary or desirable; and (b) seek a Compliance Certification from the Program or Vicinage area judge as may be appropriate formally approving the Plan.
3. The Borough reserves the right to further amend the HEFSP attached hereto, should that be necessary.

I, Gail M. Rulli, Municipal Clerk for the Borough of Franklin Lakes, do hereby certify that the above is a certified true copy of a resolution passed by the Mayor and Council on the 19th day of June 2025, at 6:00 P.M. in the Council Chambers of the Municipal Building, a quorum being present.



Gail M. Rulli, Municipal Clerk

June 20, 2025

Date