

Planning Board of the Township of Saddle Brook

Resolution Approving an Amendment to the Township's Master Plan and Adoption of the Fourth Round Housing Element and Fair Share Plan Prepared by Colliers Engineering & Design, Dated June 6, 2025

Public Hearing Date: June 16, 2025

Adoption of Resolution: June 16, 2025

WHEREAS, the Township of Saddle Brook filed a declaratory judgment action entitled *In the Matter of the Application of the Township of Saddle Brook, County of Bergen, State of New Jersey*, Superior Court of New Jersey, Law Division, Bergen County, Docket No. BER-L-822-25 pursuant to *N.J.S.A. 52:27D-304.2*, *N.J.S.A. 52:27D-304.3*, and *N.J.S.A. 52:27D-304.1(f)(1)(c)* of the New Jersey Fair Housing Act, *N.J.S.A. 52:27D-301, et seq.* (collectively, the "FHA"), and in accordance with Section II.A of Administrative Directive #14-24 of the Affordable Housing Dispute Resolution Program, seeking a certification of compliance with the FHA; and

WHEREAS, Hon. Gregg A. Padovano, J.S.C., entered an order on May 16, 2025 fixing the present need obligation of the Township as 42 affordable units for the Fourth Round housing cycle, fixing the prospective need obligation for the Township as 279 affordable units for the Fourth Round Housing cycle, and authorizing the Township to proceed with preparation and adoption of its proposed Housing Element and Fair Share Plan for the Fourth Round; and

WHEREAS, the Township has engaged Colliers Engineering & Design to prepare a revised Housing Element and Fair Share Plan for the Fourth Round consistent with the terms of the Court's Order; and

WHEREAS, such a Housing Element and Fair Share Plan for the Fourth Round has been prepared and is being referred to the Township's Planning Board for consideration and possible adoption; and

WHEREAS, the Planning Board did determine to hold a public hearing, as required by law, regarding the revision of the Master Plan and adoption of the revised Housing Element and Fair Share Plan for the Fourth Round on June 16, 2025; and

WHEREAS, said hearing was duly noticed and advertised as required by law; and

WHEREAS, the Planning Board did, in fact, conduct such a hearing at its meeting of June 16, 2025; and

WHEREAS, at the conclusion of that hearing, the Planning Board did vote to adopt the proposed Housing Element and Fair Share Plan for the Fourth Round as amendments to the existing Master Plan;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Saddle Brook as follows:

I. JURISDICTION

The Planning Board determines that the revisions to the Township's Master Plan are exclusively a function of the Planning Board, and further finds that the Planning Board Secretary has provided notice and has advertised for the public hearing as required by law and that it, therefore, has jurisdiction to hold the public hearing and to consider the adoption of the revised Housing Element and Fair Share Plan for the Fourth Round.

II. SYNOPSIS OF EVIDENCE

The Planning Board makes the following synopsis of evidence received at the hearing:

A. Documentary Evidence:

The Planning Board received and reviewed a document entitled "Fourth Round Housing Element & Fair Share Plan, Township of Saddle Brook", dated June 6, 2025 and prepared by Daniel Bloch, PP, AICP, of Colliers Engineering & Design.

B. Testimony:

The Planning Board heard the testimony of Nicholas Dickerson, PP, AICP, who

was qualified as an expert in the field of municipal planning.

C. Comments from the Public:

The Planning Board opened the hearing to the public, but no interested parties commented.

D. Legal Advice:

The Planning Board heard and received legal advice from its attorney, Anthony P. Cialone, Esq. of Birchwale Pellino & Cialone LLC.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Planning Board finds and determines as follows:

A. *N.J.S.A.* 40:55D-28 authorizes a planning board to prepare and, after public hearing, adopt or amend a master plan or component parts thereof.

B. The amendment of the Master Plan by adoption of the Fourth Round Housing Element and Fair Share Plan prepared by Daniel Bloch, PP, AICP of Colliers Engineering & Design, dated June 6, 2025 is in the best interests of the Township of Saddle Brook.

C. The Planning Board determines that the adoption of the proposed Fourth Round Housing Element and Fair Share Plan is required by the Court's Order and will give the Township a judgment of repose which will determine that the Township is in compliance with its constitutional obligations to provide its fair share of affordable housing.

D. The Planning Board finds and determines that the proposed Fourth Round Housing Element and Fair Share Plan will have the effect of creating a realistic opportunity for the construction of affordable housing within the Township of Saddle Brook as required by constitutional principles as laid down by the Supreme Court in a series of decisions colloquially known as Mt. Laurel I, II, III and IV, and that same is therefore in the best interests of the Township of Saddle Brook.

IV. ADOPTION

BE IT FURTHER RESOLVED by the Township of Saddle Brook as follows:

A. The Planning Board does hereby amend the Master Plan and accordingly does hereby adopt the Fourth Round Housing Element and Fair Share Plan as identified above, and annexed hereto as Schedule A, as an amendment to the Township's Master Plan.

B. The Planning Board Secretary be and hereby is authorized and directed to publish a notice of the adoption of the amendment to the Master Plan, and to give actual notice to the Bergen County Planning Board with a copy of this Resolution together with a copy of the Fourth Round Housing Element and Fair Share Plan.

IT IS FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Township Clerk, Township Affordable Housing Counsel, and Township Attorney.

Motion: June 16, 2025

MOTION: MR. BROWNE

SECOND: MAYOR WHITE

	YES	NO	ABSTAIN	OTHER
Mr. Ambrogio	✓			
Mr. Browne	✓			
Mr. Compitello, Chairman				
Mr. Cook	✓			
Mr. Hickey	✓			
Mr. LaGuardia				
Mr. Maniscalco, Vice Chairman				
Councilwoman Mazzer	✓			
Mayor White	✓			
Mr. Camporeale, 1 st Alt.				
Mr. Vermilyea, 2 nd Alt.	✓			
Ms. Barrale, Mayor's Alt.				

This Resolution is voted upon by the Board pursuant to *N.J.S.A. 40:55-D-10(g)* and adopted at a regular meeting on June 16, 2025

	YES	NO	ABSTAIN	OTHER
Mr. Ambrogio	M ✓			
Mr. Browne	2nd ✓			
Mr. Compitello, Chairman				
Mr. Cook	✓			
Mr. Hickey	✓			
Mr. LaGuardia				
Mr. Maniscalco, Vice Chairman				
Councilwoman Mazzer	✓			
Mayor White	✓			
Mr. Camporeale, 1 st Alt.				
Mr. Vermilyea, 2 nd Alt.	✓			
Ms. Barrale, Mayor's Alt.				

ATTEST:

SO APPROVED:


JAYNE KAPNER, Secretary


~~ROCCO COMPITELLO, Chairman~~
CLIFFORD COOK, ACTING CHAIRMAN

Schedule A

RESOLUTION**RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT AND FAIR SHARE PLAN****CR# 625-104**

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 Governing Body of the Township of Saddle Brook ("Township") adopted Resolution No. 25-1-54 on January 29, 2025, identifying its present need obligation as 42 units and prospective need obligation as 279 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 Township 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 Township of Saddle Brook, County of County, State of New Jersey, Docket No. BER-L-822-25 on January 31, 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 Township'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 Township's present need obligation at 42 units and the prospective need obligation at 279 affordable units and further authorized the Township to proceed with preparation and adoption of a proposed HEFSP to satisfy the Township'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 Township of Saddle Brook Planning Board (“Board”) adopted the HEFSP, entitled “2025 Fourth Round Housing Element & Fair Share Plan” prepared by the Township’s affordable housing planner, Daniel Bloch, PP, AICP of Colliers Engineering & Design, dated June 6, 2025 (the “Fourth Round HEFSP”), as an amendment to the Township’s Master Plan on June 16, 2025; and

WHEREAS, the Governing Body desires to endorse the Fourth Round HEFSP adopted by the Board on June 16, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Saddle Brook, Bergen County as follows:

1. The Governing Body does hereby endorse the Fourth Round HEFSP adopted by the Township of Saddle Brook Planning Board on June 16, 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 Township of Saddle Brook, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

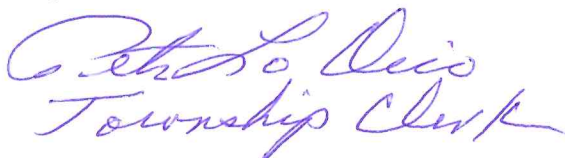
Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

Councilman Cimiluca – yes
 Councilman Accomando – absent
 Councilwoman Sanchez – absent
 Councilwoman Mazzer – yes
 Council President Gierak – yes

I hereby certify this to be a true resolution adopted by the Township Council at its Public meeting held on June 19, 2025.


 Township Clerk