

**BOROUGH OF WOODCLIFF LAKE  
LAND USE BOARD**

**RESOLUTION NO. 25-13**

**RESOLUTION APPROVING AND ADOPTING A HOUSING ELEMENT AND FAIR  
SHARE PLAN TO SATISFY THE BOROUGH'S FOURTH ROUND AFFORDABLE  
HOUSING OBLIGATION**

**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**, 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 Mayor and Council of the Borough of Woodcliff Lake ("Borough") adopted Resolution No. 25-55 on January 27, 2025, committing to a present need obligation as 0 units and prospective need obligation as 329 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 Woodcliff Lake, County of Bergen, State of New Jersey, Docket No. BER-L-740-25 on January 29, 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**, the Borough received an objection to its Present and Prospective Need numbers from Fair Share Housing Center the New Jersey Builders Association prior to the February 28, 2025 deadline; and

**WHEREAS**, the Borough ultimately secured a determination by Order dated April 10, 2025 that its Present Need obligation is 0 and its Round 4 Prospective Need is 360 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's Affordable Housing Planner, DMR Architects, prepared a proposed HEFSP, entitled "Fourth Round Housing Element and Fair Share Plan" dated May 2025 (the "Fourth Round HEFSP"); and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-28, the Borough of Woodcliff Lake Planning Board ("Board"), may prepare and adopt or amend a master plan or component parts thereof, after a public hearing, to guide the use of lands within the municipality in a manner which protects health and safety and promotes the general welfare; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Board held a public hearing on the proposed Fourth Round HEFSP on June 24, 2025, during which the proposed Fourth Round HEFSP was presented to the Board and public, and opportunity for comments and questions was provided; and

**WHEREAS**, with the conclusion of the public hearing, the Board finds and hereby determines that the proposed Fourth Round HEFSP is consistent with the goals and objectives of the Master Plan of the Borough, will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28, and is designed to achieve the goal of access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310; and

**WHEREAS**, by the adoption of this Resolution, the Board memorializes its adoption of the proposed Fourth Round HEFSP as the Housing Element and Fair Share Plan components of the Borough of Woodcliff Lake Master Plan, in accordance with N.J.S.A. 40:55D-28, the FHA and Directive #14-24.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Woodcliff Lake Planning Board that the plan entitled "Fourth Round Housing Element & Fair Share Plan", prepared by DMR Architects, dated May 2025 (the "Fourth Round HEFSP"), is hereby approved and adopted as the 2025 Housing Element and Fair Share Plan components of the Borough of Woodcliff Lake Master Plan.

**BE IT FURTHER RESOLVED** the Board Secretary is hereby authorized and directed to transmit a certified, electronic copy of the Fourth Round HEFSP and this resolution to the Borough's affordable housing counsel for further disposition

**BE IT FURTHER RESOLVED** the Board Secretary is hereby authorized and directed to provide a copy of the adopted Fourth Round HEFSP and a certified copy of this Resolution to the

Bergen County Planning Board and New Jersey Office of Planning Advocacy, in accordance with the requirements of N.J.S.A. 40:55D-13.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

ROLL CALL:

INTRODUCED BY: *Ms. Nilufer deScherer*

SECONDED BY: *Mr. Rob Friedberg*

AYES: *7*

NAYS: *1*

ABSTAIN: *None*

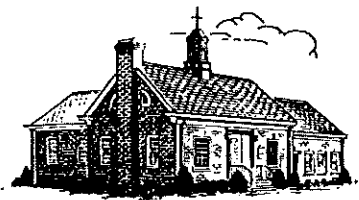
CERTIFICATION

Certified to be a true copy of the Resolution duly adopted by the Land Use Board of the Borough of Woodcliff Lake at its regular meeting on June 24, 2025.



CLAIRESSE AQUILINO

Board Secretary



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Bonanno			X			
Brodsky		X	X			
Margolis			X			
Marsh	X		X			
Pollack			X			
Stern			X			
Mayor Rendo						

## RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT AND FAIR SHARE PLAN

### RESOLUTION NO. 25-192

JUNE 24, 2025

**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 Mayor and Council of the Borough of Woodcliff Lake ("Borough") adopted Resolution No. 25-55 on January 27, 2025, committing to a present need obligation as 0 units and prospective need obligation as 329 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 Woodcliff Lake, County of Bergen, State of New Jersey, Docket No. BER-L-740-25 on January 29, 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**, the Borough received objections to its Present and Prospective Need numbers from Fair Share Housing Center and the New Jersey Builders Association prior to the February 28, 2025 deadline; and

**WHEREAS**, the Borough ultimately secured a determination by the Program judge, the Honorable Ronald E. Bookbinder, A.J.S.C. (Ret.) confirming a mediated obligation consisting of a Present Need obligation of 0 and a Round 4 Prospective Need of 360; 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 Woodcliff Lake Planning Board ("Board") adopted the HEFSP, entitled "Fourth Round Housing Element & Fair Share Plan" prepared by the Borough's affordable housing planner, DMR Architects, dated May 2025 (the "Fourth Round HEFSP"), as an amendment to the Borough's Master Plan on June 24, 2025; and

**WHEREAS**, the Governing Body desires to endorse the Fourth Round HEFSP adopted by the Board on June 24, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Woodcliff Lake, Bergen County as follows:

1. The Governing Body does hereby endorse the Fourth Round HEFSP adopted by the Borough of Woodcliff Lake Planning Board on June 24, 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 Woodcliff Lake, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

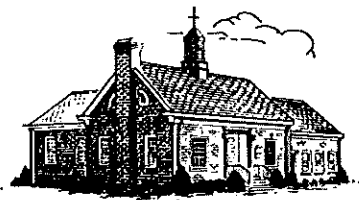
**CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 24, 2025.



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**DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK**



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Bonanno			X			
Brodsky			X			
Margolis			X			
Marsh	X		X			
Pollack			X			
Stern		X	X			
Mayor Rendo						

## RESOLUTION OF INTENT TO BOND IN THE EVENT THAT THERE IS A SHORTFALL IN FUNDING TO EFFECTUATE CERTAIN AFFORDABLE HOUSING MECHANISMS IN ITS FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

RESOLUTION NO. 25-193

JUNE 24, 2025

**WHEREAS**, the Governing Body of the Borough of Woodcliff Lake desires to create a realistic opportunity for the creation of affordable housing within the Borough; and

**WHEREAS**, the Borough voluntarily brought a timely declaratory judgment action pursuant to the procedures set forth by Administrative Directive #14-24 seeking approval of a Housing Element and Fair Share Plan that satisfied the Borough's obligation to provide for its fair share of the regional need of low- and moderate-income housing; and

**WHEREAS**, the Borough of Woodcliff Lake Planning Board has adopted a Fourth Round Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq., which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act; and

**WHEREAS**, the Fourth Round Housing Element and Fair Share Plan provides for expenditures to fund and support its affordable housing mechanisms; and

**WHEREAS**, the Borough has adopted a Development Fee Ordinance in order to generate revenue for the Borough's Affordable Housing Trust Fund; and

**WHEREAS**, the Borough anticipates that monies collected and deposited in the Affordable



Housing Trust Fund, along with other permitted funding sources, will be sufficient to effectuate the above-referenced mechanisms; and

**WHEREAS**, the Borough is committed to securing approval of its Fourth Round Housing Element and Fair Share Plan; and

**WHEREAS**, the Borough acknowledges the affordable housing rules and regulations that provide that, although utilization of a mandatory development fee ordinance is an appropriate mechanism to raise money for the purpose of off-setting the expenses incurred in connection with the Housing Element and Fair Share Plan, there must be an alternative funding source in the event that insufficient monies are derived from the mandatory development fee ordinance or other resources, or the funds are not received in a timely fashion, for the purpose of effectuating the affordable housing mechanisms; and

**WHEREAS**, the Borough wishes to express its commitment to cover such funding shortfalls and to fully implement the mechanisms set forth in its Fourth Round Housing Element and Fair Share Plan through bonding or other lawful means.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey, that it does hereby confirm its intent that in the event that the projected funding from the mandatory development fee ordinance the Borough has adopted is insufficient to complete the aforementioned affordable housing mechanisms, it is the intention of the Governing Body of the Borough of Woodcliff Lake to adopt appropriate bond ordinances in order to provide the requisite funding in an appropriate time frame.

#### **CERTIFICATION**

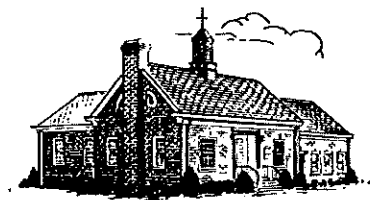
I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 24, 2025.



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**DEBORAH DAKIN, RMC, CMR**  
**BOROUGH CLERK**





# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Bonanno			X			
Brodsky			X			
Margolis			X			
Marsh	X		X			
Pollack			X			
Stern		X	X			
Mayor Rendo						

## RESOLUTION ADOPTING FOURTH ROUND SPENDING PLAN

RESOLUTION NO. 25-194

JUNE 24, 2025

**WHEREAS**, in accordance with the Mount Laurel Doctrine every municipality has a constitutional obligation to create a realistic opportunity for producing a fair share of the regional present and prospective need for housing low and moderate income families; and

**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 Mayor and Council of the Borough of Woodcliff Lake ("Borough") adopted Resolution No. 25-55 on January 27, 2025, committing to a present need obligation as 0 units and prospective need obligation as 329 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 Woodcliff Lake, County of Bergen, State of New Jersey, Docket No. BER-L-740-25 on January 29, 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**, the Borough of Woodcliff Lake Planning Board ("Board") adopted the HEFSP, entitled "Fourth Round Housing Element & Fair Share Plan" prepared by the Borough's affordable housing planner, DMR Architects, dated May 2025 (the "Fourth Round HEFSP"), as an amendment to the Borough's Master Plan on June 24, 2025; and

**WHEREAS**, the Fourth Round HEFSP includes a Fourth Round Spending Plan component, pursuant to the FHA and Directive #14-24, which project anticipated revenues to the Borough's Affordable Housing Trust Fund, and describes estimated expenditures of funds to address its fair share obligations as set forth in the Fair Share plan and which specifically establishes that the expenditure of funds contemplated in the Fourth Round Spending Plan constitute a commitment for expenditure pursuant to N.J.S.A. 52:27D-329.2.d, with the four year time period beginning to run with the date of collection of the funds, as such time may be extended by virtue of the date of the Superior Court's approval of this Fourth Round Spending Plan; and

**WHEREAS**, the Governing Body has reviewed the Fourth Round Affordable Housing Spending Plan appended to the Fourth Round HEFSP adopted by the Board on June 24, 2025, and wishes to adopt said plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Woodcliff Lake, Bergen County, New Jersey, hereby adopts the Affordable Housing Spending Plan prepared by DMR Architects; and,

**BE IT FURTHER RESOLVED** by the Governing Body of the Borough of Woodcliff Lake, Bergen County, New Jersey that this resolution shall take effect immediately.

**CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 24, 2025.



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**DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK**