

# **RESOLUTION NO. 2025-12**

## **RESOLUTION OF THE PLANNING/ZONING BOARD, IN ITS CAPACITY AS A PLANNING BOARD, OF THE CITY OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, APPROVING AND ADOPTING A HOUSING ELEMENT AND FAIR SHARE PLAN TO SATISFY THE CITY'S FOURTH ROUND AFFORDABLE HOUSING OBLIGATION**

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

**WHEREAS**, on January 17, 2025, the City adopted a "binding resolution" as required by the Amended FHA, accepting the DCA-calculated Present Need and Prospective Need obligation, establishing its Fourth Round Present Need of zero (0) units and Prospective Need of twenty-eight (28) units; and

**WHEREAS**, in accordance with the Amended FHA and the Administrative Office of the Court's Directive No. 14-24 ("Directive 14-24"), the City filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("Program"), along with its binding resolution, on January 22, 2025; and

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

**WHEREAS**, the City did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the City's Fourth Round obligations on March 1, 2025; and

**WHEREAS**, on April 8, 2025, the court prepared an order fixing the City's obligation and authorizing the City to proceed with preparing and adopting its Housing Element and Fair Share Plan for the Fourth Round ("Court Order"); and

**WHEREAS**, pursuant to the Amended FHA and Directive #14-24, the municipality must adopt a housing element and fair share plan as provided for by the "Fair Housing Act," P.L. 1985, c. 222 by June 30, 2025; and

**WHEREAS**, in accordance with the Amended FHA, Directive 14-24 and the Court Order, Charles Latini, P.P., A.I.C.P., the Township's Affordable Housing Planner ("Planner") drafted a Fourth Round Housing Element and Fair Share Plan ("Fourth Round HEFSP"); and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-28, the City of Bordentown Planning/Zoning Board, in its capacity as a 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 in accordance with N.J.S.A. 40:55D-13, the Board held a public hearing on July 21, 2025, on the adoption of the Fourth Round HEFSP as required by the Municipal Land Use Law. Said hearing was attended by the Planner, who was duly sworn, and provided testimony regarding the Fourth Round HEFSP; and

**WHEREAS**, the hearing was opened to the public and no members of the public provided any testimony on the Fourth Round HEFSP; and

**WHEREAS**, the Board determined that the Fourth Round HEFSP is consistent with the goals and objectives of the City's current Master Plan, and that adoption and implementation of the Fourth Round HEFSP is in the public interest and protects public health and safety and promotes the general welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning/Zoning Board, in its capacity as a Planning Board, of the City of Bordentown, County of Burlington, State of New Jersey, that the Planning/Zoning Board hereby adopts the Fourth Round HEFSP, attached hereto as Exhibit A.

**BE IT FURTHER RESOLVED** that the Planning/Zoning Board of the City of Bordentown adopts this resolution to memorialize the action taken by the Board following the close of the public hearing on July 21, 2025.

**BE IT FURTHER RESOLVED** that the Secretary is hereby authorized and directed to transmit a copy of the adopted Fourth Round HEFSP and a certified copy of this Resolution to the governing body together with this Board's request that the governing body endorse the adopted Fourth Round HEFSP.

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ROLL CALL VOTE ON MOTION TO ADOPT THE HOUSING ELEMENT AND FAIR SHARE PLAN AFTER FINDING THAT IT IS CONSISTENT WITH THE MASTER PLAN.

(July 21, 2025)

Moved By: Mr. Advani  
Those in Favor: Mayor Sciortino  
Mr. Malone  
Ms. Robinson  
Ms. Haney  
Mr. Edwards  
Mr. Advani

Seconded By: Ms. Robinson

Those Absent or Recused: Mr. Antozzeski  
Mr. Kennedy  
Ms. Murphy  
Mr. Braz

Those Opposed: None

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**I hereby certify this to be a true and accurate copy of the resolution adopted by the Planning/Zoning Board of the City of Bordentown, Burlington County, New Jersey at a public meeting held on July 21, 2025.**



**Jennifer M. Smith**

**Planning Board Secretary**