

**TOWNSHIP OF CEDAR GROVE  
ESSEX COUNTY NEW JERSEY**

**AGENDA ITEM: #7(c)**

**JUNE 23, 2025**

**RESOLUTION ENDORSING THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, the Township of Cedar Grove (hereinafter the “Township”) has a demonstrated history of voluntary compliance as evidenced in its Third-Round record; and

**WHEREAS**, pursuant to N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), the Township filed a Declaratory Judgment Complaint in the Superior Court, Law Division, seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share,” of the regional need for low and moderate housing pursuant to the “Mount Laurel doctrine,” and

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose on February 26, 2020, which precludes all Mount Laurel lawsuits including builder’s remedy lawsuits, until July 2, 2025; and

**WHEREAS**, the Township continues to incorporate and implement its Court approved Third Round Housing Element and Fair Share Plan; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2. which amended the 1985 Fair Share Housing Act (hereinafter the “Amended FHA”) which, among other things, designated the Department of Community Affairs (DCA) to establish initial nonbinding present and prospective need affordable housing obligation numbers for most municipalities, including the Township; and

**WHEREAS**, the Township accepted the prospective need obligation proposed by the DCA formulation of 170 units and the present need as indicated by the DCA as 15 units; and

**WHEREAS**, the Township adopted a binding Resolution relative its Fourth Round Obligation on January 27, 2025; and

**WHEREAS**, in accordance with the Amended FHA in the Administrative Office of the Courts Directive #14-24, the Township filed a timely Fourth Round Declaratory Judgment Complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (the “Program”) on January 29, 2025; and

**WHEREAS**, as no interested party filed a challenge to the Township’s DJ Complaint an Order was entered by the Honorable Aldo J. Russo, J.S.C. fixing the Township’s present need obligation at fifteen (15) affordable units and the prospective need obligation at one hundred and seventy (170) affordable units for the Fourth-Round housing cycle; and

**WHEREAS**, the Township authorized the preparation of a Fourth Round Housing Element and Fair Share Plan to be prepared by the Township Planner, Christopher N. Dochney, P.P., A.I.C.P. of CME Associates; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13 that the Planning Board of the Township held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 3, 2025; and

**WHEREAS**, the Planning Board determined after hearing testimony from its Planner and the public that the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit "A", is consistent with the goals and objectives of the Township's current Master Plan and that the adoption and implementation of the Fourth Round Housing Element and Fair Share Plan is in the public interest and protects the public health and safety and promotes the general welfare; and

**WHEREAS**, on the 3<sup>rd</sup> day of June 2025, the Planning Board adopted the Fourth Round Housing Element and Fair Share Plan; and

**WHEREAS**, N.J.A.C. 5:97-2.1(a) requires the adoption of the Housing Element and Fair Share Plan by the Planning Board and the endorsement thereof by the Township Committee.

**NOW THEREFORE BE IT RESOLVED**, on this 23<sup>rd</sup> day of June 2025, that Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey, hereby endorses the Fourth Round Housing Element and Fair Share Plan as adopted by the Township of Cedar Grove Planning Board; and

**BE IT FURTHER RESOLVED** that Township Council of the Township of Cedar Grove, pursuant to the provisions of the Administrative Office of the Courts Directive #14-24, submits this Resolution as a petition for compliance certification of the Fourth Round Housing Element and Fair Share Plan and authorizes the filing of same with the Program.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately, according to law.

INTRODUCED BY: Councilman Maceri

SECONDED BY: Deputy Mayor Mega

ROLL CALL VOTE				
COUNCILMEMBER	YES	NO	ABSTAIN	ABSENT
Maceri	X			
Peterson				X
Zazzali	X			
Mega	X			
Skabich	X			

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**CERTIFIED TO BE A  
TRUE COPY OF THE ORIGINAL**

*[Signature]*  
TOWNSHIP CLERK  
CEDAR GROVE, NJ