

**RESOLUTION NO. 262-2025**

**BOROUGH OF ROSELAND  
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF ROSELAND ENDORSING A FOURTH ROUND  
HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, the Borough of Roseland (hereinafter the “Borough” or “Roseland”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 6, 2015, the Borough of Roseland filed a Declaratory Judgment Complaint in 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 income 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, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and

**WHEREAS**, the Borough continues to actively 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 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

**WHEREAS**, the Borough adopted a “binding resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 21, 2025, establishing its Fourth Round Present Need of zero (“0”) and Prospective Need of 152; and

**WHEREAS**, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Court and the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 23, 2025; 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**, the Borough did not receive any objections to its Present and Prospective Need Obligations by February 28, 2025, resulting in the statutory automatic acceptance of the Borough’s Fourth Round obligations on March 1, 2025; and

**WHEREAS**, on March 24, 2025, the Court entered an order establishing the Borough’s Fourth Round Present Need of zero (“0”) and Prospective Need of 152; and

**WHEREAS**, the Amended FHA requires a municipality to adopt and file a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

**WHEREAS**, in accordance with the Amended FHA, the Borough's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A; and

**WHEREAS**, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 30, 2025 and adopted the Fourth Round Housing Element and Fair Share Plan via a resolution on that same night, and both were subsequently filed with the Program and the Court prior to the Amended FHA deadline; and

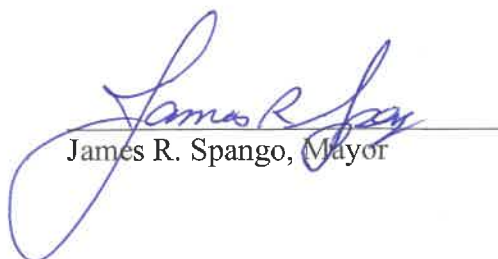
**WHEREAS**, the Borough Council wishes to endorse the Fourth Round Housing Element and Fair Share Plan that was adopted by the Planning Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Roseland, County of Essex, State of New Jersey, as follows:

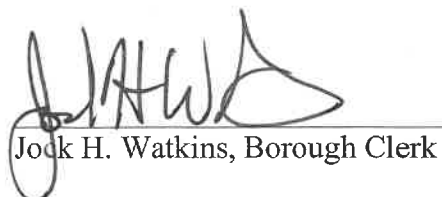
1. The Borough Council hereby endorses the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A, which was adopted by the Borough's Planning Board on June 30, 2025.
2. The Borough Council hereby directs the Borough's Affordable Housing Counsel to seek Program and Court approval of the Fourth Round Housing Element and Fair Share Plan via a Compliance Certification, and to take whatever actions are necessary to maintain the Borough's immunity from all Mount Laurel exclusionary zoning lawsuits.
3. The Borough reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi		X	X				
Council President Biront							X
Councilwoman Perrotti			X				
Councilman Schroeder			X				
Councilwoman Tolli	X		X				
Councilman Trillo			X				
Mayor Spango (In case of tie)							
VOTE:			5	0			

I do hereby certify that the forgoing is a true and exact copy of a Resolution adopted by the Mayor and Borough Council of the Borough of Roseland on July 15, 2025.



James R. Spango, Mayor



Jock H. Watkins, Borough Clerk