

June 18, 2025

**BOROUGH OF BRADLEY BEACH**

**RESOLUTION 2025-223**

**RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT & FAIR SHARE PLAN**

Mayor Gubitosi offered the following resolution and moved its adoption:

**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 Council of the Borough of Bradley Beach ("Borough") adopted Resolution No. 2025-65 on January 21, 2025, identifying its present need obligation as 64 units and prospective need obligation as 30 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, Monmouth County, entitled In the Matter of the Application of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, Docket No. MON-L-305-25 on January 23, 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 Borough's present and prospective need obligations; and

**WHEREAS**, on April 1, 2025, the Honorable Linda Grasso Jones, J.S.C., issued an Order setting the Borough's present need obligation at 64 units and the prospective need obligation at 30 affordable units 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 of Bradley Beach Planning Board (“Board”) adopted the HEFSP, entitled “Housing Element & Fair Share Plan” prepared by the Borough’s affordable housing planner Jennifer C. Beahm, PP, AICP, of Leon S. Avakian Inc (the “Fourth Round HEFSP”), as an amendment to the Borough’s Master Plan on May 29, 2025; and

**WHEREAS**, the Governing Body desires to endorse the Fourth Round HEFSP adopted by the Planning Board on May 29, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Bradley Beach, Monmouth County as follows:

1. The Governing Body does hereby endorse the Fourth Round HEFSP adopted by the Borough of Bradley Beach Planning Board on May 29, 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 Bradley Beach, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

Seconded by Councilperson Weber and adopted by the following vote:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Ms. DeNoble	X			
Ms. Greenblatt	X			
Mr. Nowicki	X			
Mr. Weber	X			
Mayor Gubitosi	X			

#### **CERTIFICATION**

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the June 18, 2025 Council Business Meeting.

  
 Erica Kostyz, RMC, CMR  
 Municipal Clerk