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April 9, 2026

VIA ECOURTS

Honorable Janine M. Allen, J.S.C.

43-47 High Street, 3rd Floor
Sussex County Judicial Center
Newton, NJ 07860

**RE: In the Matter of the Application of the Township of East Hanover,
County of Morris
Docket No.: MRS-L-251-25**

Dear Judge Allen,

As Your Honor is aware, this firm represents the Township of East Hanover in the above-referenced matter (the "Township"). Consistent with the Township's correspondence dated March 20, 2026, enclosed please find the duly adopted Binding Resolution. We believe the case is substantively settled with all parties, but the parties need to iron out details for access on the Mondelez pursuant to the Program's recommendation and Court's Order.

I thank Your Honor for your time and consideration in this matter.

Respectfully Submitted,

William E. Olson

William E. Olson

WEO/ln

Enclosure

cc: All counsel of record (via eCourts)

ADD ON

RESOLUTION NO. 102-2026

BINDING RESOLUTION OF THE TOWNSHIP OF EAST HANOVER, COUNTY OF MORRIS AUTHORIZING COMMITMENT PURSUANT TO N.J.S.A. 52:27D-304.1(f)(2)(b)

WHEREAS, the Township of East Hanover (“Township”) has a longstanding and well-documented history of voluntary compliance with the Mount Laurel doctrine and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and

WHEREAS, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., as amended by P.L. 2024, c.2 (the “Amended Fair Housing Act”), establishes procedures for municipalities to obtain judicial review and compliance certification of their affordable housing obligations; and

WHEREAS, the Township timely filed a Resolution of Participation in the Affordable Housing Dispute Resolution Program and a Fourth Round Declaratory Judgment action in the Superior Court of New Jersey, Law Division, seeking a determination of its Fourth Round affordable housing obligations and continued protection from exclusionary zoning litigation; and

WHEREAS, notwithstanding the Township’s good-faith efforts to develop a realistic and responsible plan, certain property owners and the Fair Share Housing Center (“FSHC”) have filed challenges to the Township’s plan; and

WHEREAS, the Township engaged in mediation with Fair Share Housing Center and other objectors before the Affordable Housing Dispute Resolution Program, which resulted in Mediation Agreements and agreements in principal intended to resolve challenges to the Township’s Fourth Round HEFSP and establish a path toward compliance certification; and

WHEREAS, the Township has adopted nearly all of the required implementing documents pursuant to the Fair Housing Act, as amended; and

WHEREAS, the Township currently has an agreement in principle with Mondelez Global, LLC, however an issue of site access remains; and

WHEREAS, the Affordable Housing Dispute Resolution Program (“Program”) reviewed the Township’s submissions and determined that the Township and Mondelez should work together on the access issue; and

ADD ON

WHEREAS, in furtherance of the Program's recommendation and Court's Order, the Township and Mondelez remain in dialogue regarding the access issue; and

WHEREAS, the Fair Housing Act expressly contemplates circumstances where a municipality may demonstrate compliance with statutory deadlines through the adoption of a binding municipal commitment pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b); and

WHEREAS, this Resolution is intended to memorialize that binding commitment and to confirm that the Township remains fully committed to achieving constitutional compliance through voluntary municipal action rather than through unnecessary litigation; and

WHEREAS, those continuing negotiations demonstrate the Township's ongoing willingness to revise and refine zoning mechanisms and development opportunities where appropriate in order to facilitate realistic affordable housing opportunities; and

WHEREAS, the Township remains fully committed to continuing its long tradition of voluntary compliance with the Mount Laurel doctrine and the Fair Housing Act.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Hanover, County of Morris, State of New Jersey, as follows:

1. Pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b), the Township hereby makes a binding commitment timely adopting the requisite documents upon the conclusion of the outstanding challenge.
2. The Township shall continue to participate in the compliance proceedings before the Superior Court and/or the Affordable Housing Dispute Resolution Program, including any evidentiary hearings or mediation necessary to resolve outstanding issues concerning the Township's plan.
3. The Township shall continue to act in good faith to implement the compliance mechanisms contained within its Housing Element and Fair Share Plan and to pursue realistic affordable housing opportunities consistent with sound land-use planning principles.


ADD ON

4. This Resolution is adopted in order to satisfy the statutory mechanism contemplated by N.J.S.A. 52:27D-304.1(f)(2)(b) and to confirm the Township's continued determination to voluntarily comply with its affordable housing obligations.

5. The Township Attorney, Affordable Housing Attorney, Planner, and other municipal professionals are hereby authorized to take all actions necessary to implement the intent of this Resolution and to continue advancing the Township's compliance efforts.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be transmitted to the Superior Court of New Jersey, the Affordable Housing Dispute Resolution Program, and all interested parties as appropriate.

I, Felicia McDonald, Deputy Township Clerk of the Township of East Hanover, County of Morris, hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a duly convened meeting held on April 6, 2026.


 Felicia A. McDonald, RMC, CMR
 Deputy Township Clerk

	YES	NO	ABSTAIN	ABSENT
Councilman Brokaw	✓			
Councilwomen Jandoli	✓			
Councilman DeMaio	✓			
Council President Martorelli	✓			
Mayor Pannullo	✓			