

**RESOLUTION NO. 106-2026**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, ENDORSING THE BOROUGH'S FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN AND AFFIRMING THE BOROUGH'S INTENT TO IMPLEMENT SAME**

WHEREAS, the Borough of Madison is obligated to provide a realistic opportunity for the creation of housing affordable to low- and moderate-income households pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., and the constitutional principles set forth in the Mount Laurel decisions; and

WHEREAS, P.L. 2024, c.2 established the framework governing municipal affordable housing responsibilities for the Fourth Round and requires municipalities to adopt a Housing Element and Fair Share Plan in order to maintain immunity; and

WHEREAS, the Borough previously adopted Resolution No. 54-2025 accepting the Borough's Fourth Round affordable housing obligations, consisting of a Present Need (Rehabilitation) obligation of zero (0) units and a Prospective Need obligation of two hundred six (206) credits; and

WHEREAS, the Borough Planning Board, after review of the applicable statutory requirements, background data, affordable housing obligations, vacant land adjustment analysis, and proposed compliance mechanisms, adopted the Borough of Madison Round 4 Housing Element and Fair Share Plan as part of the Borough Master Plan on March 3, 2026; and

WHEREAS, the adopted Housing Element and Fair Share Plan provides the basis for the Borough's Fourth Round affordable housing compliance strategy for the 2025-2035 period, including, among other things, identification of compliance mechanisms, affordable housing sites, implementing ordinances and resolutions, and related administrative actions; and

WHEREAS, the adopted Housing Element and Fair Share Plan concludes that, due to limited available and suitable vacant land, the Borough is entitled to a vacant land adjustment, resulting in a Realistic Development Potential of one hundred one (101) units, and further identifies parcels likely to redevelop during the Fourth Round to address the required portion of the adjusted unmet need; and

WHEREAS, the Mayor and Council have reviewed the adopted Housing Element and Fair Share Plan and find that it advances the Borough's obligation to provide a realistic opportunity for affordable housing in a manner consistent with applicable law, sound planning, and the public interest; and

WHEREAS, the Mayor and Council desire to formally endorse the Housing Element and Fair Share Plan and affirm the Borough's commitment to take the legislative, administrative, and other actions necessary to implement the Plan, subject to any required review, approval, or modification by the Affordable Housing Dispute Resolution Program, the Superior Court, or other governmental authority with jurisdiction.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Madison, County of Morris, State of New Jersey, as follows:

**1. Endorsement of Plan.**

The Mayor and Council hereby endorse and support the Borough of Madison Round 4 Housing Element and Fair Share Plan adopted by the Planning Board on March 3, 2026.

**2. Acceptance of Plan as Borough Policy Basis.**

The Mayor and Council hereby accept the adopted Housing Element and Fair Share Plan as

the Borough's policy basis and planning framework for addressing its Fourth Round affordable housing obligations.

**3. Commitment to Implementation.**

The Borough hereby affirms that it shall work in good faith to implement the Housing Element and Fair Share Plan through such actions as may be necessary and appropriate, including, but not limited to:

- 1. a. adoption of implementing ordinances and resolutions;
- b. adoption of zoning amendments, redevelopment plans, and related land use regulations;
- c. maintenance of administrative mechanisms necessary to oversee affordable housing compliance;
- d. execution of agreements and undertaking of other governmental actions necessary to advance the compliance mechanisms identified in the Plan; and
- e. submission of required materials to the Affordable Housing Dispute Resolution Program, the Superior Court, the Department of Community Affairs, or any other agency with jurisdiction.

**4. Authorized Officials.**

The Borough Administrator, Borough Clerk, Borough Attorney, Borough Planner, Municipal Housing Liaison, and such other Borough officials and professionals as may be appropriate are hereby authorized to take all actions necessary to assist in the implementation of the Housing Element and Fair Share Plan and to prepare, submit, revise, and execute any documents required in connection therewith.

**5. Consistency with Applicable Law.**

All implementation actions undertaken pursuant to this Resolution shall be consistent with the Fair Housing Act, applicable regulations and administrative directives, the Borough's adopted Housing Element and Fair Share Plan, and any approvals, directives, or orders issued by the Affordable Housing Dispute Resolution Program or a court of competent jurisdiction.

**6. No Limitation on Required Revisions.**

Nothing herein shall preclude the Borough from making such amendments or revisions to the Housing Element and Fair Share Plan, or to implementing ordinances or resolutions, as may be required or appropriate to secure compliance certification or otherwise comply with applicable law.

**7. Effective Date.**

This Resolution shall take effect immediately upon adoption.

ADOPTED AND APPROVED  
March 12, 2026



ROBERT H. CONLEY, Mayor

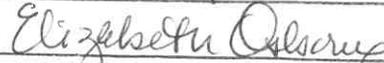
Attest:



ELIZABETH OSBORNE, Borough Clerk

I, Elizabeth Osborne, Clerk of the Borough of Madison, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Council at a duly convened meeting

held March 12, 2026



Elizabeth Osborne, Borough Clerk