



SUZANNE V. WALSH
TOWNSHIP CLERK
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TOWNSHIP OF MORRIS

50 WOODLAND AVENUE PO BOX 7603
CONVENT STATION, NJ 07961
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RESOLUTION 158-25 (PAGE 1 OF 2)

RESOLUTION ENDORSING THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Morris (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 in 2018 which precludes all Mount Laurel lawsuits including builder's remedy lawsuits, until July 1, 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 disputed the prospective need obligation proposed by the DCA formulation of 571 units and opined that its prospective need obligation was 308 units, and accepted the present need obligation as indicated by the DCA as 9 units; and

WHEREAS, the Township adopted a binding Resolution that its Fourth-Round obligation included a present need of 9 units and a prospective need of 308 units; 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 30, 2025; and

WHEREAS, the Fair Share Housing Center filed an Answer to the Declaratory Judgment as did the New Jersey Builders Association ("NJBA"), both objecting to the position taken by the Township; and

WHEREAS, pursuant to the Amended FHA and the Administrative Office of the Court's Directive #14-24, the Township and the Fair Share Housing Center entered into negotiations as part of the Program and NJBA notified the Program in writing that their counsel would not participate in the settlement negotiations and would not object to any settlement reached between the Township and the Fair Share Housing Center; and

WHEREAS, a settlement was entered into between the parties before the Honorable Thomas Miller, A.J.S.C. (ret.) of the Program indicating that the Township's Fair Share Housing obligation for present need is 9 units and the prospective need is 375 units; and

WHEREAS, an Order was entered by The Honorable Janine M. Allen of the Superior Court to that effect on May 2, 2025; and



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WHEREAS, the Township authorized the preparation of a Fourth Round Housing Element and Fair Share Plan to be prepared by the Township Planner, Paul Phillips of Phillips Preiss; 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 16, 2025; and

WHEREAS, the Planning Board determined after hearing testimony from its Planner and the public that the attached Fourth Round Housing Element and Fair Share Plan 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 16th 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 18th day of June 2025, that the Mayor and Township Committee of the Township of Morris, County of Morris, State of New Jersey, hereby endorse the Fourth Round Housing Element and Fair Share Plan as adopted by the Township of Morris Planning Board; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee of the Township of Morris, 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 authorize the filing of same with the Program.

This Resolution shall take effect immediately

I, Suzanne V. Walsh, RMC, Clerk of the Township of Morris, County of Morris, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Governing Body at a duly authorized meeting held on June 18, 2025.


Suzanne V. Walsh Township Clerk