



Borough of Manville
Resolution #2025-173

**RESOLUTION ENDORSING THE BOROUGH'S
FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, 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") *N.J.S.A. §52:27D-301, et seq.*, with respect to municipalities' affordable housing obligations and including the fourth round affordable housing obligations covering the period July 1, 2025 to June 30, 2035, and provided that, pursuant to the formulas and process established pursuant to *N.J.S.A. §52:27D-304.2* and *§52:27D-304.3*, as amended, a municipality is authorized to seek approval of its fair share affordable housing obligation, adopted pursuant to binding resolution and then filed with the Court, with the guidance of calculations published by the Department of Community Affairs; and

WHEREAS, the process so established is being implemented, in accordance with Administrative Directive #14-24 of the Administrative Director of the Courts, through the filing of an action in the form of a Declaratory Judgment Complaint and Civil Case Information Statement in the county in which the municipality is located; and

WHEREAS, on January 29, 2025, the Borough of Manville (the "Borough") by and through its Borough Attorney, timely filed a Declaratory Judgment litigation under Docket No. SOM-L-159-25 with the Superior Court of New Jersey, Law Division, Somerset County ("the DJ litigation") seeking to declare its Housing Element and Fair Share Plan ("HEFSP") as being

constitutionally compliant, and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period; and

WHEREAS, on the Township has a Fourth Round Prospective Need Obligation of 34 units/credits and a Present Need Obligation of 36 units/credits, as set forth by the recommendation of the Affordable Housing Dispute Resolution Program (“the Program”) and thereafter set forth via the Court Order entered in the DJ litigation by the Honorable Judge William G. Mennen, J.S.C., on May 26, 2025; and

WHEREAS, the Superior Court of New Jersey has ordered that municipalities that have filed Declaratory Judgment actions must file an updated Housing Element and Fair Share Plan that addresses the municipality’s affordable housing obligations as calculated by its municipal expert, by June 30, 2025; and

WHEREAS, the Township’s affordable housing planning consultant, James Kyle, PP, AICP, of Kyle McManus; and PP, AICP has prepared a Fourth Round Housing Element and Fair Share Plan that addresses the Borough’s affordable housing obligation (the “2025 Manville HEFSP”); and

WHEREAS, after conducting a public hearing on June 12, 2025, after giving public notice pursuant to *N.J.S.A. §40:55D-13* on the proposed amendment of the Master Plan of the Borough of Manville to include the proposed 2025 Manville HEFSP, the Borough Planning Board (Joint Land Use Board), after hearing testimony from the Borough Planning Consultant and the public, determined that the Fourth Round Housing Element and Fair Share Plan is consistent with the goals and objectives of the Borough'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; the Planning Board accordingly by Resolution on June 12, 2025 adopted the 2025 Manville HEFSP; and

WHEREAS, pursuant to *N.J.A.C. §5:97-2.1(a)* and/or otherwise, the Mayor and Council of the Borough of Manville have hereby determined to endorse the 2025 Manville HEFSP; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, State New Jersey, on this 23rd day of June 2025, that the Mayor and Council hereby endorse the 2025 Manville Housing Element and Fair Share Plan (HEFSP), as adopted by the Manville Borough Planning Board on June 12, 2025, as an amendment to the Master Plan of the Borough of Manville; and

BE IT FURTHER RESOLVED that this Resolution shall be filed with the Superior Court of New Jersey on or before June 30, 2025.

ATTEST:

Maureen Ruane

Maureen Ruane, RMC
Borough Clerk

Richard M. Onderko

Richard M. Onderko
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Manville, County of Somerset, State of New Jersey at a Regular Meeting held at 325 N. Main St., Manville, NJ 08835 on June 23, 2025.

Introduced	Seconded	Council Members	Yes	No	Abstain	Absent
	X	Councilwoman Camacho	X			
X		Councilman Devito	X			
		Councilman Lukac	X			
		Councilwoman Puia				X
		Councilman Skirkanish	X			
		Councilwoman Zamorski				X
		Onderko				

ATTEST:

Maureen Ruane

Maureen Ruane, RMC
Borough Clerk