

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 112-25

TITLE: RESOLUTION ENDORSING THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Borough of Peapack and Gladstone (hereinafter the “Borough”) 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 Borough 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 on June 16, 2022, entered by The Honorable Robert A. Ballard Jr., which precludes all Mount Laurel lawsuits including builder’s remedy lawsuits, until July 1, 2025; and,

WHEREAS, the Borough 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”); and,

WHEREAS, in accordance with the Amended FHA in the Administrative Office of the Courts Directive #14-24, the Borough filed a timely Fourth Round Declaratory Judgment

Complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (the “Program”) on January 22, 2025; and,

WHEREAS, the Borough disputed the prospective need proposed by the DCA formulation of 75 and opined that its prospective need was 57 and the present need as indicated as the DCA as 10; and,

WHEREAS, the Fair Share Housing Center filed an Answer to the Declaratory Judgment as did the New Jersey Builders and Homeowners Association objecting to the position taken by the Borough; and,

WHEREAS, pursuant to the Amended FHA and the Administrative Office of the Court’s Directive #14-24, the Borough and the Fair Share Housing Center entered into negotiations as part of the Affordable Housing Dispute Resolution Program (the “Program”) and the New Jersey Builders and Homeowners Association 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 municipality and the Fair Share Housing Center; and,

WHEREAS, a settlement was entered indicating that the Borough’s Fair Share Housing obligation for present need is 10 and the prospective need is 62 units; and,

WHEREAS, an Order was entered by The Honorable William G. Mennen to that affect on April 28, 2025; and,

WHEREAS, the Borough adopted a binding Resolution that its Fourth Round Obligation included a present need of 10 units and a prospective of 62 units; and,

WHEREAS, the Borough authorized the preparation of a Fourth Round Housing Element and Fair Share Plan to be prepared by the Board Planner, John Szabo of Burgis & Associates; and,

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13 that the Land Use Board of the Borough held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 4, 2025; and,

WHEREAS, the Land Use 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 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;

WHEREAS, on the 4th day of June 2025, the Land Use Board adopted the Fourth Round Housing Element and Fair Share Plan and recommended it to the Mayor and Council for endorsement.

NOW THEREFORE BE IT RESOLVED, on this 17th day of June 2025, that the Mayor and Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey, hereby endorses the Fourth Round Housing Element and Fair Share Plan as adopted by the Borough of Peapack and Gladstone Land Use Board; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Peapack and Gladstone, 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 to the Department of Community Affairs for review and certification.

(continued)

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Jamie Murphy	X			
X		Eric L. Quartello	X			
		Sergio Silva	X			
		Julie M. Sueta	X			
X		John Sweeney	X			
		Jill Weible	X			

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JUNE 17, 2025.


 NANCY A. BRETZGER
 BOROUGH CLERK


 MARK A. CORIGLIANO
 MAYOR