

VERNON TOWNSHIP

RESOLUTION #25-170

RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, *et al.*); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, "COAH"), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, "Director" and "AOC") to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the "Fourth Round" of affordable housing obligations ("Fourth Round"); and

WHEREAS, the Township Council of the Township of Vernon ("Township") adopted Resolution No. 25-49 on January 27, 2025, identifying its Present Need obligation as 33 units and Prospective Need obligation as 194 affordable units for the Fourth Round; and

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 ("Directive #14-24"), the Township filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Sussex County, entitled In the Matter of the Application of the Township of Vernon, County of Sussex, State of New Jersey, Docket No. SSX-L-67-25 on January 29, 2025 (the "DJ Action"), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

WHEREAS, the Township received an objection to its Present and Prospective Need numbers from the New Jersey Builders Association on or about February 27, 2025; and

WHEREAS, the Township ultimately secured a determination by Order dated May 6, 2025 that its Present Need obligation is 33 units and its Fourth Round Prospective Need obligation is 194 units; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and

proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

WHEREAS, the Township received a grace period to adopt and endorse the Housing Element & Fair Share Plan pursuant to N.J.S.A. 52:27D-313, due to the delayed decision on the Township's final prospective need after the timely negotiation period with challengers; and

WHEREAS, the Superior Court of New Jersey decision issued on June 4, 2025, allowed a grace period of 30 days until July 30, 2025 to adopt and endorse a HEFSP; and

WHEREAS, the Township of Vernon Land Use Board ("Board") adopted the HEFSP, entitled "Housing Element & Fair Share Plan" prepared by the Township's affordable housing planner, Jessica C. Caldwell, PP, AICP, LEED-GA of J Caldwell and Associates, LLC, dated July 9, 2025 (the "Fourth Round HEFSP"), as an amendment to the Township's Master Plan on July 9, 2025; and


WHEREAS, the Township Council desires to endorse the Fourth Round HEFSP adopted by the Board on July 9, 2025.

NOW THEREFORE, BE IT RESOLVED, on this 14th day of July, 2025 by the Council of Vernon Township, in the County of Sussex, and State of New Jersey, as follows:

1. Vernon Township does hereby endorse the Fourth Round HEFSP adopted by the Land Use Board on July 9, 2025.
2. Vernon Township does hereby authorize the filing of this Resolution endorsing the Fourth Round HEFSP adopted by the Land Use Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of Vernon Township, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on July 14, 2025 at 7:00 pm in the Vernon Municipal Center.


Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.		X	X			
DeBenedetto, J.			X			
Higgins, W.			X			
Sparta, B.	X		X			
Rizzuto, P.			X			

VERNON TOWNSHIP

RESOLUTION #25-200

RESOLUTION ADOPTING FOURTH ROUND SPENDING PLAN

WHEREAS, in accordance with the Mount Laurel Doctrine every municipality has a constitutional obligation to create a realistic opportunity for producing a fair share of the regional present and prospective need for housing low and moderate income families; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the New Jersey Fair Housing Act (the “FHA”) (N.J.S.A. 52:27D-301, et al.); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the “Fourth Round” of affordable housing obligations (“Fourth Round”); and

WHEREAS, the Township Council of the Township of Vernon (“Township”) adopted Resolution No. 25-49 on January 27, 2025, identifying its Present Need obligation as 33 units and Prospective Need obligation as 194 affordable units for the Fourth Round; and

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 (“Directive #14-24”), the Township filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Sussex County, entitled In the Matter of the Application of the Township of Vernon, County of Sussex, State of New Jersey, Docket No. SSX-L-67-25 on January 29, 2025 (the “DJ Action”), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan (“HEFSP”) as required by the FHA; and

WHEREAS, the Township of Vernon Land Use Board (“Board”) adopted the HEFSP, entitled “Housing Element & Fair Share Plan” prepared by the Township’s affordable housing planner, Jessica C. Caldwell, PP, AICP, LEED-GA of J Caldwell & Associates, LLC, dated July 9, 2025 (the “Fourth Round HEFSP”), as an amendment to the Township’s Master Plan on July 9, 2025; and

WHEREAS, the Fourth Round HEFSP includes a Fourth Round Spending Plan component, pursuant to the FHA and Directive #14-24, which project anticipated revenues to the Township's Affordable Housing Trust Fund, and describes estimated expenditures of funds to address its fair share obligations as set forth in the Fair Share plan and which specifically establishes that the expenditure of funds contemplated in the Fourth Round Spending Plan constitute a commitment for expenditure pursuant to N.J.S.A. 52:27D-329.2.d, with the four year time period beginning to run with the date of collection of the funds, as such time may be extended by virtue of the date of the Superior Court's approval of this Fourth Round Spending Plan; and


WHEREAS, the Township Council has reviewed the Fourth Round Affordable Housing Spending Plan appended to the Fourth Round HEFSP adopted by the Board on July 9, 2025, and wishes to adopt said plan.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of Vernon Township, in the County of Sussex, and State of New Jersey, hereby adopts the Affordable Housing Spending Plan prepared by Jessica C. Caldwell, PP, AICP, LEED-GA of J Caldwell & Associates, LLC; and,

BE IT FURTHER RESOLVED by the Township Council of Vernon Township, in the County of Sussex, and State of New Jersey, that this resolution shall take effect immediately.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on July 14, 2025 at 7:00 pm in the Vernon Municipal Center.


Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.	X		X			
DeBenedetto, J.		X	X			
Higgins, W.			X			
Sparta, B.			X			
Rizzuto, P.			X			

VERNON TOWNSHIP

RESOLUTION #25-199

**RESOLUTION OF INTENT TO BOND IN THE EVENT THAT THERE IS A
SHORTFALL IN FUNDING TO EFFECTUATE CERTAIN AFFORDABLE HOUSING
MECHANISMS IN ITS FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE
PLAN**

WHEREAS, the Township Council of the Township of Vernon (“Township”) desires to create a realistic opportunity for the creation of affordable housing within the Township; and

WHEREAS, the Township voluntarily brought a timely declaratory judgment action pursuant to the procedures set forth by Administrative Directive #14-24 seeking approval of a Housing Element and Fair Share Plan that satisfied the Township’s obligation to provide for its fair share of the regional need of low- and moderate-income housing; and

WHEREAS, the Township of Vernon Land Use Board has adopted a Fourth Round Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq., which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act; and

WHEREAS, the Fourth Round Housing Element and Fair Share Plan provides for expenditures to fund and support its affordable housing mechanisms; and

WHEREAS, the Township has adopted a Development Fee Ordinance in order to generate revenue for the Township’s Affordable Housing Trust Fund; and

WHEREAS, the Township of Vernon anticipates that monies collected and deposited in the Affordable Housing Trust Fund, along with other permitted funding sources, will be sufficient to effectuate the above-referenced mechanisms; and

WHEREAS, the Township of Vernon is committed to securing approval of its Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Township of Vernon acknowledges the affordable housing rules and regulations that provide that, although utilization of a mandatory development fee ordinance is an appropriate mechanism to raise money for the purpose of off-setting the expenses incurred in connection with the Housing Element and Fair Share Plan, there must be an alternative funding source in the event that insufficient monies are derived from the mandatory development fee ordinance or other resources, or the funds are not received in a timely fashion, for the purpose of effectuating the 100 percent (100%) affordable housing mechanism; and

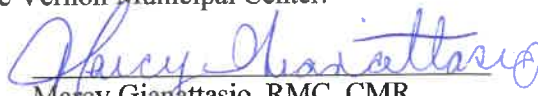
WHEREAS, the Township of Vernon wishes to express its commitment to cover such funding shortfalls and to fully implement the mechanisms set forth in its Fourth Round Housing

Element and Fair Share Plan through bonding or other lawful means.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Vernon Township, in the County of Sussex, and State of New Jersey, that it does hereby confirm its intent that in the event that the projected funding from the mandatory development fee ordinance the Township has adopted is insufficient to complete the aforementioned affordable housing mechanisms, it is the intention of the Township Council of Vernon Township to adopt appropriate bond ordinances in order to provide the requisite funding in an appropriate time frame.

CERTIFICATION

I certify that this is a true copy of the Resolution adopted by the Council of the Township of Vernon at their regular meeting held on July 14, 2025 at 7:00 pm in the Vernon Municipal Center.


Marcy Gianattasio, RMC, CMR
Municipal Clerk

VERNON TOWNSHIP COUNCIL

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Buccieri, N.	X		X			
DeBenedetto, J.			X			
Higgins, W.		X			X	
Sparta, B.			X			
Rizzuto, P.			X			