

TOWNSHIP OF CLARK

Resolution 25-118

June 16, 2025

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
CLARK ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN  
ADOPTED BY THE CLARK PLANNING BOARD**

**WHEREAS**, the Township of Clark (hereinafter the “Township” or “Clark”) has a demonstrated history of voluntary compliance as evidenced by and the entry of a Judgment of Repose, dated January 9, 2018, approving the Township’s Housing Element and Fair Share Plan for Round 3; Third Round record; and

**WHEREAS**, for ease in reference, this resolution shall refer to the Fair Housing Act as amended as “FHA II”; and

**WHEREAS**, FHA II established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan (HEFSP”) and secure immunity while developing and seeking approval of a Plan; and

**WHEREAS**, that procedure contemplated that municipalities would adopt a resolution by January 31, 2025 committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution and then filing a HEFSP by June 30, 2025 with the Affordable Housing Dispute Resolution Program (the “Program”) within 48 hours of adoption of the Plan; and

**WHEREAS**, in accordance with this statutory procedure, the Township adopted a binding resolution by January 31, 2025 concerning its fair share and filed a declaratory relief action within 48 hours from adoption of the resolution; and

**WHEREAS**, the Township asked its affordable housing planning consultant, Paul N. Ricci, AICP, PP of Ricci Planning to prepare a HEFSP to address the Township’s affordable housing obligations under FHA II; and

**WHEREAS**, Paul N. Ricci, AICP, PP prepared a Housing Element and Fair Share Plan and the Clark Township Planning Board adopted the Plan, attached hereto; and

**WHEREAS**, in accordance with the procedure established by FHA II, the Township’s Affordable Housing Counsel filed the duly adopted HEFSP with the Program within 48 hours from adoption; and

**WHEREAS**, the Township of Clark now wishes to endorse the Housing Element and Fair Share Plan adopted by the Clark Township Planning Board and seek approval of the HEFSP by the Program and Court.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Clark, County of Union, State of New Jersey, as follows:

1. The Township Council hereby endorses the Fourth Round HEFSP previously adopted by the Clark Planning Board and attached hereto.

2. The Township Council hereby directs the Township's Affordable Housing Counsel to (a) file this resolution with the Program, along with any additional documents the professionals deem necessary or desirable; and (b) seek a Compliance Certification from the Program or Vicinage area judge as may be appropriate formally approving the Plan.
3. The Township reserves the right to further amend the HEFSP attached hereto, should that be necessary.

ATTEST:

APPROVED:

  
 EDITH L. MERKEL, RMC  
 Township Clerk

  
 WILLIAM F. SMITH  
 Council President

Res25/6-16 118EndorsingHEFSP(rd4)

			Motion	Second	Aye	Nay	Abstain	Absent
		Hoff			✓			
		Hund			✓			
✓	Adopted	Mazzarella	✓		✓			
	Adopted as Amended	Minniti						✓
	Defeated	O'Connor		✓	✓			
	Tabled	Toal			✓			
	Withdrawn	Smith			✓			
		Entire Council						
		TOTAL			6			1

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Council of Clark Township at a regular meeting held on the 16th day of June 2025.

  
 Edith L. Merkel, Municipal Clerk