

RESOLUTION: 2025-311

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE LINDEN PLANNING BOARD

WHEREAS, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2 into law, which amended the 1985 New Jersey Fair Housing Act; 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 City adopted a resolution committing to a fair share and filed a declaratory relief action within 48 hours from adoption of the binding resolution; and

WHEREAS, in accordance with this statutory procedure, the City and the New Jersey Builder's Association entered into a mediation agreement setting the City's Round 4 prospective need at 756, subject to applicable adjustments; and

WHEREAS, the City asked its affordable housing planning consultant, Paul Ricci, PP/AICP of Ricci Planning to prepare a HEFSP to address the City's affordable housing obligations under FHA II; and

WHEREAS, Paul Ricci, PP/AICP prepared a HEFSP and, on June 10, 2025, the Linden City Planning Board adopted the HEFSP, which is attached hereto as Exhibit A; and

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

WHEREAS, the City Council now wishes to endorse the HEFSP adopted by the Linden Planning Board and seek approval of the HEFSP by the Program and Court.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Linden, County of Union, State of New Jersey, as follows:

1. The City Council hereby endorses the Fourth Round HEFSP previously adopted by the Linden Planning Board and attached hereto.
2. The City Council hereby directs the City'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 City reserves the right to further amend the HEFSP attached hereto, should that be necessary.

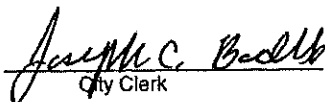
PASSED: June 17, 2025

APPROVED: June 18, 2025


Council President


Mayor

ATTEST:


City Clerk

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Council of Linden City at a regular meeting held on the 12 day of JUNE 2025.


Municipal Clerk