

RESOLUTION NO. 209-25**ENDORSING THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN AS
ADOPTED BY THE MUNICIPAL LAND USE BOARD**

WHEREAS, the Borough of Roselle Park (hereinafter the “Borough” or “Roselle Park”) has a demonstrated history of voluntary compliance as evidenced by its Third-Round record; and,

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on June 12, 2015, the Borough of Roselle Park filed a Declaratory Judgment Complaint in 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 income 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, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and,

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and,

WHEREAS, the Borough adopted a “binding Resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 23, 2025, establishing its Fourth Round Present Need of 78 and Prospective Need of 75; and,

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding Resolution, on January 24, 2025; and,

WHEREAS, the filing of the DJ Complaint gave the Borough automatic immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and,

WHEREAS, the Borough did not receive any objections to its Present and Prospective Need Obligations by February 28, 2025, resulting in the statutory automatic acceptance of the Borough’s Fourth Round obligations on March 1, 2025; and,

WHEREAS, on March 27, 2025, the Court entered an order establishing the Borough’s Fourth Round Present Need of 78 and Prospective Need of 75; and,

WHEREAS, now that the Borough has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and,

WHEREAS, this Plan is supported with the understanding that the Borough keeps the right to ask for changes to its affordable housing numbers, such as land or infrastructure limits, as allowed by state law, and does not prevent the Borough from making future changes to zoning, redevelopment, or financial agreements if needed; and,

WHEREAS, in accordance with the Amended FHA, the Borough’s affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A; and,

WHEREAS, the Municipal Land Use Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 17, 2025 and adopted the Fourth Round Housing Element and Fair Share Plan via Resolution on that same night; and,


WHEREAS, the Mayor and Council wishes to endorse the Fourth Round Housing Element and Fair Share Plan as adopted by the Municipal Land Use Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey as follows:

1. Mayor and Council hereby endorses the Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A, which was adopted by the Borough's Planning Board on June 17, 2025.
2. The Borough Council hereby directs the Borough's Affordable Housing Counsel to seek Program and Court approval of the Fourth Round Housing Element and Fair Share Plan via a Compliance Certification, and to take whatever actions are necessary to maintain the Borough's immunity from all Mount Laurel exclusionary zoning lawsuits.
3. The Borough reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

ADOPTED: June 19, 2025

I hereby certify that the foregoing Resolution was acted upon by the governing body on June 19, 2025 with the below captioned results on a motion to adopt.



Andrew J. Casais, RMC
Borough Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
SIGNORELLO (Mayor)						
PETROSKY			✓			
JOHNSON			✓			
SIGNORELLO			✓			
ROBAINA		✓	✓			
LYONS	✓		✓			
PATEL				✓		
ON CONSENT AGENDA	YES		✓ NO			