Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 06/23/25 07:00 PM

2025 RESOLUTION APPROVAL   R25 286

RESOLUTION OF THE TOWNSHIP OF BLOOMFIELD ENDORSING THE TOWNSHIP'S FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the New Jersey Supreme Court declared that the discriminatory use of zoning powers was illegal and provided, as a matter of constitutional law, that each developing municipality "must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there, of course including those of low and moderate income," In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1, 6 (2015) ("**Mount Laurel IV**"), citing S. Burlington County. NAACP v. Township of Mount Laurel ("**Mount Laurel I**"), 67 N.J. 151, 179, 187, appeal dismissed and cert. denied, 423 U.S. 808, 96 S. Ct. 18, 46 L. Ed. 2d 28 (1975), and that this constitutional obligation requires that towns must provide "a realistic opportunity for the construction of [their] fair share of the present and prospective regional need for low and moderate income housing," Id., citing S. Burlington County NAACP v. Township of Mount Laurel ("**Mount Laurel II**"), 92 N.J. 158, 205 (1983), (together with Mount Laurel I, the "**Mount Laurel Doctrine**"); and

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. ("**A4**") into law, amending the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 (the "**Act**") and establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the Mount Laurel Doctrine for the years 2025 - 2035 (the "**Fourth Round**"); and

WHEREAS, A4 required the New Jersey Department of Community Affairs (the "**DCA**") to produce non-binding estimates of need for present and prospective need for very low-, low- and moderate- income housing in each municipality for the Fourth Round on or before October 20, 2024; and

WHEREAS, on October 18, 2024, in furtherance of such requirement, the DCA issued a report entitled "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" (the "**DCA Report**") which report established the final calculation and obligations for each municipality in New Jersey, including the Township of Bloomfield (the "**Township**"); and

WHEREAS, the DCA Report calculated the Township's Fourth Round obligation as follows: a Present Need or Rehabilitation Obligation of 329 and a Prospective Need or New Construction Obligation of 0; and

WHEREAS, on January 27, 2025, the Township Council adopted Resolution No. 12686 (the "**Binding Resolution**"), accepting the obligation as set forth in the DCA Report; and

WHEREAS, pursuant to the Administrative Directive #14-24, dated December 13, 2024 (the "**Directive**"), implementing the Affordable Housing Dispute Resolution Program (the "**Program**") on January 28, 2025, the Township filed a declaratory judgment action in the Superior Court of Essex County, bearing Docket No. ESX-L-748-25 (the "**Declaratory Judgment Action**"); and

WHEREAS, the filing of the Declaratory Judgment Action, in accordance with the Act and the Directive, gave the Township continued immunity from Builder's Remedy lawsuits, which continues to be in full force and effect; and

WHEREAS, no interested party filed a challenge to the Declaratory Judgment Action; and

WHEREAS, the Township engaged Paul Grygiel, AICP, PP of Phillips Preiss Grygiel Leheny Keller LLC (the "**Township Planner**") to prepare a Housing Element and Fair Share Plan for the Fourth Round (the "**Fourth Round HEFSP**") consistent with the obligation set forth in the Binding Resolution; and

WHEREAS, on March 24, 2025, the Honorable Aldo Russo, J.S.C., the designated Mount Laurel Judge for the Essex Vicinage, entered an order setting the Township's Present Need Obligation as 329 and the Prospective Need Obligation as 0, as set forth in the Binding Resolution; and

WHEREAS, in accordance with the Act and the Binding Resolution, the Township Planner has prepared the Fourth Round HEFSP, dated June, 2025, attached hereto, which addresses the Township's Present Need Obligations for the Fourth Round; and

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Planning Board is charged with the preparation and adoption of the Township's Master Plan, which includes the housing element and fair share plan; and

WHEREAS, on May 27, 2025, after providing notice in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-13, the Planning Board held a public hearing to review the Fourth Round HEFSP prepared by the Township Planner; and

WHEREAS, after review and consideration of the Fourth Round HEFSP and presentation by the Township Planner, the Planning Board determined it was consistent with the goals and objectives of the Township's current Master Plan, and, on June 17, 2025 adopted the same; and

WHEREAS, pursuant to the Directive, a resolution of the governing body must be adopted endorsing the Fourth Round HEFSP, no later than June 30, 2025, in order to seek a Final Judgment of Compliance and Repose; and

WHEREAS, after review and consideration of the Fourth Round HEFSP, the Township Council finds it is in the best interest of the Township to endorse the Fourth Round HEFSP, as adopted by the Township's Planning Board.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Bloomfield, in the County of Essex, New Jersey, as follows:

**Section 1.**   The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2.   The Township Council endorses the Fourth Round HEFSP as prepared by the Township Planner and adopted by the Planning Board.

Section 3.   The Township authorizes its professionals to file a copy of this Resolution, as well as a copy of the endorsed Fourth Round HEFSP with the Program.

Section 4.   This resolution shall take effect immediately.

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Approved as to form and procedure on basis of facts set forth.
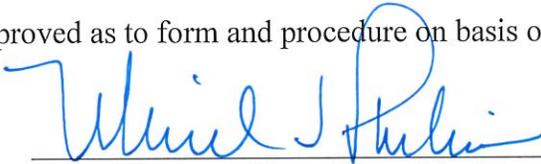
_____
Director of Law-Township Attorney

I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.
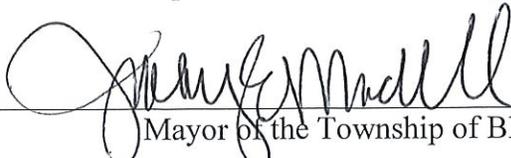
_____
Acting Chief Financial Officer

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on June 23, 2025.

_____
Municipal Clerk of the Township of Bloomfield

_____
Mayor of the Township of Bloomfield

✓ Vote Record -- Resolution

☐ Adopt ☐ Deny ☐ Withdrawn ☐ Table ☐ Not Discussed ☐ First Reading ☐ Table with no Vote ☐ Approve ☐ Veto by Mayor ☐ Discussion ☐ Defeated ☐ Discussion No Vote		Yes/Aye	No/Nay	Abstain	Absent
	Rosalee Gonzalez	☑	☐	☐	☐
	Nicholas Joanow	☑	☐	☐	☐
	Sarah Cruz	☑	☐	☐	☐
	Monica Charris Tabares	☑	☐	☐	☐
	Wartyna Davis	☑	☐	☐	☐
	Widney Polynice	☑	☐	☐	☐
	Jenny Mundell	☑	☐	☐	☐