

1918th REGULAR MEETING OF JANUARY 15, 2025
BOROUGH OF WOOD-RIDGE

RESOLUTION NO.: 040-2025

**RESOLUTION OF THE BOROUGH OF WOOD-RIDGE, COUNTY OF
BERGEN, STATE OF NEW JERSEY ACCEPTING THE
DETERMINATION OF THE NJ DEPARTMENT OF COMMUNITY
AFFAIRS FOR THE BOROUGH'S ROUND FOUR FAIR SHARE
AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act"); and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to provide an estimate of the fair share affordable housing obligations of all municipalities on or before October 20, 2024 based upon the criteria on the Amended FHA; and

WHEREAS, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its determination of the fair share affordable housing obligation for all municipalities based upon its interpretation of the standards in the Act; and

WHEREAS, the DCA's determination establishes a fair share obligation on municipalities based upon the regional need calculation without consideration of the availability of vacant land within the municipality and the DCA defines the Borough's region as the Counties of Bergen, Hudson, Passaic and Sussex, respectively); and

WHEREAS, the DCA's Vacant Land Analysis identified two parcels within the Borough (Block 280, Lot 5 and Block 329, Lot 1) that it deems to be "developable", regardless of whether or not said parcels are available for development or of a size, location or condition capable of supporting development; and

WHEREAS, the DCA Report calculates Wood-Ridge's Round 4 (Years 2025-2035) fair share affordable obligations as follows: a Present Need Obligation of 17 and a Prospective Need Obligation of 130; and

WHEREAS, the Borough's analysis of the DCA's determination of its fair share obligation is that 128 of the 130 Prospective Need Obligation is attributable to the regional need calculation rather than the Borough's actual need or vacant land availability; and

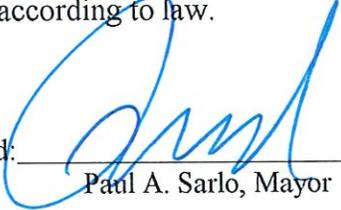
WHEREAS, the Amended FHA further provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing ("COAH") unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions" (N.J.S.A 52:27D-311 (m)); and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wood-Ridge, County of Bergen, State of New Jersey, as follows:

1. The Borough of Wood-Ridge hereby accepts the NJ Department of Community Affairs determination of the Round 4 Fair Share Obligation of 17 Present Need and 130 Prospective Need, subject to all reservations of all rights, which specifically include, without limitation, the following:
 - a. The right to adjust its fair share obligation in the event that DCA issues any future adjustments or changes to either the fair share obligations that it reported on October 18, 2024 or the regulations thereof;
 - b. The right to adjust its fair share obligation in the event of any future legislation that adjusts the fair share obligations that the DCA reported on October 18, 2024;
 - c. The right to adjust its fair share obligations based upon any ruling by a court of competent jurisdiction; and
 - d. The right to adjust its fair share obligations in the event of a third-party challenge to the fair share obligations and the Borough of Wood-Ridge's response thereto.
2. The Borough also hereby authorizes the Borough Clerk to file this resolution with the DCA or any other such entity as may be determined to be appropriate.
3. This resolution shall take effect immediately, according to law.

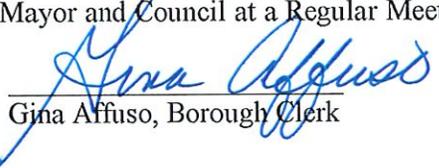
Dated: January 15, 2025

Approved: _____


Paul A. Sarlo, Mayor

CERTIFICATION

I, Gina Affuso, Borough Clerk for the Borough of Wood-Ridge, Bergen County, New Jersey do hereby certify that the foregoing resolution was adopted by the Mayor and Council at a Regular Meeting held on January 15, 2025.


Gina Affuso, Borough Clerk

Certification of Funds:

Availability of Funds:	\$
Account No.	#
Purchase Order No.	#
Admin/CFO Signature:	