



BOROUGH COUNCIL
Borough of Florham Park
Thursday, December 31, 2025

Special Meeting Minutes

CALL TO ORDER & PLEDGE OF ALLEGIANCE

The meeting was held via Zoom at the following link:

<https://us04web.zoom.us/j/2876496886?pwd=OGjPbaoltT4cnSSE9cn8obKKMBeYXg.1&omn=79724542135>

Meeting ID: 287 649 6886

Passcode: 8ZxjPr

Mayor Taylor called the Special Meeting of the Borough Council to order at 11:32 a.m. and lead the Pledge of Allegiance.

COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The Borough Clerk stated that all requirements of the Open Public Meetings Act have been met.

ROLL CALL

Mayor Taylor asked Borough Clerk Danielle Lewis to call the roll of the governing body:

Governing Body	Present	Absent
Cicarelli	✓	
Carpenter	✓	
Malone	✓	
Santoro	✓	
Marchal	✓	
Johnstone	✓	
Mayor Taylor	✓	

Additional Borough Officials present were Borough Administrator Shelby Snow, Borough Clerk Danielle Lewis, Borough Attorney Joseph Bell and Affordable Housing Counsel Jonathan Testa.

RESOLUTION

Councilwoman Santoro made a motion to approve the following Resolution, which was seconded by Councilman Marchal:

#25-273 A RESOLUTION OF THE BOROUGH OF FLORHAM PARK, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT IN CONNECTION WITH THE BOROUGH'S FOURTH ROUND AFFORDABLE HOUSING LITIGATION, ENTITLED IN RE BOROUGH OF FLORHAM PARK, DOCKET NO.: MRS-L-157-25

Roll Call:

Council Member	Yes	No	Abstain	Absent
Cicarelli	X			
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Johnstone	X			
Total	6			

ADJOURNMENT

It was regularly moved by Councilman Carpenter, seconded by Councilwoman Santoro, and unanimously approved that the meeting be adjourned at approximately 11:36 a.m.



Danielle M. Lewis, RMC, CMC
Borough Clerk
December 31, 2025



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #25-273**

A RESOLUTION OF THE BOROUGH OF FLORHAM PARK, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT IN CONNECTION WITH THE BOROUGH'S FOURTH ROUND AFFORDABLE HOUSING LITIGATION, ENTITLED IN RE BOROUGH OF FLORHAM PARK, DOCKET NO.: MRS-L-157-25

WHEREAS, P.L. 2024, c. 2 ("FHA-2"), signed by Governor Murphy in March 2024, placed enormous demands on municipalities regarding their Fourth Round Affordable Housing Plans, including setting forth an unreasonable timeframe for municipalities to conclude the Fourth Round affordable housing compliance process before the Affordable Housing Dispute Resolution Program ("Program") and secure a Compliance Certification by December 31, 2025; and

WHEREAS, the Legislature was asked repeatedly for additional time so that municipalities could effectively plan and resolve affordable housing disputes, which have a crucial impact on municipal services and the taxpayers of each community; and

WHEREAS, notwithstanding these concerns, the Legislature has not amended the deadline of December 31, 2025. By way of comparison, the Third Round took over 20 years to come to a resolve. The Fourth Round, by way of the amendments under P.L. 2024, c.2, allows only 18 months to conclude this extremely intensive and important planning process; and

WHEREAS, under P.L. 2024, c.2, the deadline for compliance has been set for December 31, 2025 and there has been no evidence that the courts or our Legislature will provide any additional time for communities. This means the failure to have a Housing Element and Fair Share Plan, either as proposed or proposed to be modified, approved by the Program by December 31, 2025 could result in significant remunerative measures to municipalities, which could include the loss of immunity and result in builder's remedy suits whereby municipalities could lose all local zoning rights. Additionally, developers and courts can in fact seek and approve projects for development notwithstanding local zoning; and

WHEREAS, the Borough has been working diligently and has been compliant through this entire process and has met all deadlines imposed by P.L. 2024, c. 2; and

WHEREAS, during the pendency of the Borough's Fourth Round affordable housing litigation, the Borough received many challenges to its Fourth Round Housing Element and Fair Share Plan, which the Borough adopted in June 2025; and

WHEREAS, since then primary challenger Fair Share Housing Center, Inc., (FSHC), has been in active negotiations with the Borough to resolve FSHC's challenge which has since culminated in a proposed "Negotiated Mediation Agreement," which the Borough's Special Counsel and Borough Planner have fully vetted; and



WHEREAS, in order to maintain compliance with the Fair Housing Act and Mount Laurel doctrine, the Borough is required to resolve any legitimate issues pertaining to the Borough's Fourth Round Housing Element and Fair Share Plan between now and December 31, 2025 in order to protect the interests of the Borough and maintain compliance with P.L. 2024, c.2; and

WHEREAS, the Borough Special Counsel and Borough Planner have reviewed and thoroughly vetted the terms of a proposed Negotiated Mediation Agreement with Fair Share Housing Center, Inc. (FSHC) and recommend execution of the proposed Negotiated Mediation Agreement, otherwise hereinafter referred to as a "Settlement Agreement".

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Florham Park, in the County of Morris, and State of New Jersey as follows:

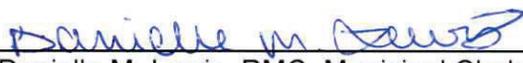
1. The Mayor and Borough Administrator are hereby authorized to enter into a Settlement Agreement with Fair Share Housing Center, Inc. to resolve FSHC's challenge in the Borough's affordable housing litigation entitled In the Matter of the Borough of Florham Park, Docket No.: MRS-L-157-25 in order to protect the interest of the Borough and to maintain compliance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., and the Fourth Round Affordable Housing rules and regulations; and
2. The Borough's Special Counsel and Borough Planner are hereby authorized to take such necessary administrative action for the purposes of implementing the terms and conditions of the with Settlement Agreement and any and all directions from the Affordable Housing Dispute Resolution Program and Morris County Mount Laurel Judge; and
3. This Resolution shall take effect immediately.

Council Approval: December 31, 2025



Mark Taylor, Mayor

Attest:

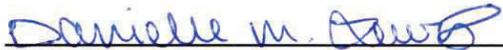


Danielle M. Lewis, RMC, Municipal Clerk



****CERTIFICATION****

I, Danielle M. Lewis, RMC, Municipal Clerk of the Borough of Florham Park in the County of Morris and State of New Jersey, do hereby certify the foregoing to be a true and correct Resolution adopted by the Mayor and Borough Council of the Borough of Florham Park on the 31st day of December 2025, at a Special Meeting, duly convened on timely public notice, of said Body.



Danielle M. Lewis, RMC, Municipal Clerk