



BOROUGH COUNCIL
Borough of Florham Park
Thursday, June 25, 2025

Special Meeting Minutes

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Taylor called the Regular Meeting of the Borough Council to order at 6:37 p.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		X
Carpenter	✓	
Malone	✓	
Santoro	✓	
Marchal	✓ via phone	
Johnstone	✓	
Mayor Taylor	✓	

Additional Borough Officials present were Administrator William Huyler, Borough Clerk Danielle Lewis, Planning Board Attorney/Affordable Housing Counsel Derek Orth, and Assistant Borough Attorney Joseph Bell IV.

OVERVIEW & RESOLUTION

Derek Orth, Esq. presented the Borough's fourth round affordable housing plan, which is a Planning Board document. The Housing Element and Fair Share Plan ("the Plan") are part of the Planning Board's Master Plan.

The State of New Jersey passed legislature that requires all municipalities, with the exception of approximately sixty-two (62) which are considered qualified urban aid municipalities (such as Hoboken and Jersey City), to provide a plan to comply with a fourth round of affordable housing mandates by June 30, 2025. Municipalities were also required to adopt a Resolution by January of 2025 declaring what their affordable housing obligation would be. The Borough of Florham Park adopted a Resolution and it was submitted to the State.

The Borough's affordable housing obligation determination was challenged by the New Jersey Builders Association as well as the Fair Share Housing Center. An agreement was reached to establish Florham Park's fourth round obligation number at 305 units.

The Plan includes mechanisms to allow the Borough to satisfy their obligation, including but not limited to a Vacant Land Adjustment. The Borough's second round obligation was 326 units, which was satisfied. The third round obligation was 626 units, which the Borough agreed to through the rezoning of four (4) or five (5) sites. Those obligations have been met. Most projects have been constructed or are in the approval process.

He discussed rezoning proposals for two (2) sites in town, a redevelopment plan, deed restrictions and extension of controls. The Borough intends to extend controls for approximately 155 units, which is something that municipalities are incentivized to do and is strongly encouraged by the Fair Share Housing Center.

The plan is to introduce an Ordinance and a Resolution at a future Borough Council meeting, likely in July and August, to extend controls.

Mr. Orth explained that the Governing Body is required to endorse the Planning Board's Housing Element and Fair Share Plan via Resolution and the adopted Resolution will be submitted to the State.

Councilman Carpenter made a motion to approve Resolution #25-155:

#25-155 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FLORHAM PARK, COUNTY OF MORRIS, NEW JERSEY, ENDORSING THE 2025 ROUND FOUR HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE BOROUGH OF FLORHAM PARK PLANNING BOARD ON JUNE 23, 2025

Councilwoman Santoro seconded the motion.

Roll Call:

Council Member	Yes	No	Abstain	Absent
Cicarelli				X
Carpenter	X			
Malone	X			
Santoro	X			
Marchal (via phone)	X			
Johnstone	X			
Total	5			1

PUBLIC COMMENT

John Winters:

Mr. Winters asked how the obligation would be accomplished by the Borough.

Mr. Orth stated that the Borough will utilize the Vacant Land Adjustment as part of the fourth round process, which will reduce the Borough's obligation.

Mr. Winters asked about the controls, and Mr. Orth said the Borough intends to extend controls on existing affordable communities.

Discussion ensued on what has or has not been built from the third round of obligations.

ADJOURNMENT

It was regularly moved by Councilman Carpenter, seconded by Councilman Johnstone and unanimously approved that the meeting be adjourned at approximately 6:54 p.m.



Danielle M. Lewis, RMC, CMC
Borough Clerk
June 25, 2025



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #25-155**

**A RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
FLORHAM PARK, STATE OF NEW JERSEY ENDORSING THE 2025 ROUND FOUR
HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE BOROUGH OF FLORHAM
PARK PLANNING BOARD ON JUNE 23, 2025**

WHEREAS, in 2024, the New Jersey Legislature amended the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. through the adoption of P.L. 2024, c.2 ("FHA"); and

WHEREAS, P.L. 2024, c. 2 abolished the Council on Affordable Housing (COAH), created the Affordable Housing Dispute Resolution Program (Program) and established new procedures and deadlines for municipalities to come into compliance with the FHA and the Mount Laurel doctrine for each future ten-year affordable housing round beginning with the Fourth Round, which starts on July 1, 2025 and ends on June 30, 2035; and

WHEREAS, in December 2024, the Administrative Office of the Courts issued Directive #14-24, which sets forth additional procedures all municipalities must follow to be in compliance with the FHA in order to maintain immunity from exclusionary zoning and builder's remedy litigation through the Program process set forth in P.L. 2024, c.2; and

WHEREAS, amongst other things, Directive #14-24 and P.L. 2024, c. 2, require each municipality to adopt a binding resolution setting forth its Fourth-Round present and prospective need obligations and file a declaratory judgment action with the Program through the New Jersey e-courts system by no later than February 3, 2025, and thereafter each municipality must adopt a Fourth Round Housing Element and Fair Share Plan and file same with the Program on or before June 30, 2025; and



WHEREAS, in compliance with P.L. 2024, c. 2 and Directive #14-24, the Borough of Florham Park timely adopted a resolution setting forth the Borough's pre-credited/unadjusted Fourth Round affordable housing obligations on January 16, 2025 and on January 21, 2025 the Borough uploaded same to the Program and filed a declaratory judgment action with the Program, which is entitled In The Matter Of The Application Of The Borough Of Florham Park, For A Determination of Mount Laurel Compliance, Docket No.: MRS-L-000157-25 (Borough's "2025 Action"); and

WHEREAS, on April 29, 2025, Morris/Sussex County Mount Laurel Judge, the Honorable Janine M. Allen, J.S.C., issued an Order in the Borough's 2025 Action fixing the Borough's Fourth Round pre-credited/unadjusted Present Need Obligation at "66" and gross Prospective Need Obligation at "305" and which Order directs the Borough to adopt its Fourth Round Housing Element and Fair Share Plan and upload same to the Program on or before June 30, 2025; and

WHEREAS, in accordance with the requirements of Directive #14-24 and P.L. 2024, c.2, and the Order issued by Judge Allen, the Borough's Planner has since prepared the Borough's 2025 Round Four Housing Element and Fair Share Plan; and

WHEREAS, on June 23, 2025, on timely notice to the public, the Borough of Florham Park Planning Board adopted the Borough's 2025 Round Four Housing Element and Fair Share Plan following a public hearing thereon, all in accordance with the requirements of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., N.J.S.A. 40:49-2.1 of the Home Rule Act, and the applicable provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and



WHEREAS, the Mayor and Council of the Borough of Florham Park has since reviewed the 2025 Round Four Housing Element and Fair Share Plan, and now desires to endorse same.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FLORHAM PARK, NEW JERSEY AS FOLLOWS:

1. The Borough does hereby endorse the 2025 Round Four Housing Element and Fair Share Plan adopted by the Borough of Florham Park Planning Board on June 23, 2025.
2. The Borough's Affordable Housing Attorney is hereby directed to file this Resolution as a supplement to the Round Four Housing Element and Fair Share Plan, this resolution and all relevant supporting documentation and exhibits with the Program in the Borough's 2025 Action in accordance with the requirements of Directive #14-24 and P.L. 2024, c. 2.
3. Should any challenge to the Borough's 2025 Fourth Round Housing Element and Fair Share Plan be filed, the Borough's Affordable Housing Attorney and Borough Planner are hereby directed to defend the Borough against such challenge(s) and take all necessary steps in furtherance thereof.
5. The Borough's Affordable Housing Attorney, Borough Planner and all other appropriate officials, employees and other professionals of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution such that the Borough maintains its immunity from exclusionary zoning and builder's remedy.



6. A certified copy of this resolution and the Borough's 2025 Fourth Round Housing Element and Fair Share Plan shall remain on file with the Borough for the purpose of public inspection and shall be uploaded to the Borough's website in accordance with the requirements of the FHA and Directive #14-24.

7. This Resolution shall take effect immediately.

Council Approval: June 25, 2025



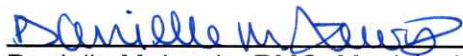
Mark Taylor, Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on June 25, 2025



Danielle M. Lewis, RMC, Municipal Clerk