

**BOROUGH OF RIVER EDGE
MUNICIPAL LAND USE BOARD**

**RESOLUTION ADOPTING
2026 AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN
FEBRUARY 25, 2026**

WHEREAS, the Municipal Land Use Board of the Borough of River Edge (the “Board”) is a duly constituted body as authorized by statute with responsibility to supervise and be concerned with the orderly development and planning of the Borough of River Edge (the “Borough”), as authorized by the statutes and ordinances made and provided; and

WHEREAS, the Borough began its participation in the affordable housing process starting with the First Round of affordable housing requirements, for which the Borough adopted its 1988 Housing Element and Fair Share Plan to address its First Round Obligation; and

WHEREAS, the Borough has subsequently adopted updates to its Master Plan, revised Housing Element and Fair Share Plan, and conducted periodic reexaminations incorporating plans related to its affordable housing obligations; and

WHEREAS, each of the Borough’s subsequent Reexamination Reports of the Master Plan dated 1990, 1997, 2003 and 2009 affirmed the validity of its 1988 Housing Plan, an element of the Borough Master Plan, and its compliance with the applicable COAH regulations. Those documents confirmed there were no changed circumstances that warranted reconsideration of the Borough’s Housing Plan; and

WHEREAS, the Borough’s June 24, 2019 Settlement Agreement with Fair Share Housing Center established the municipality’s Third Round Prospective Need Obligation and Present Need (Rehabilitation) Obligation. The Borough adopted its Third Round HE&FSP on February 6, 2020 that was later supplemented via an Amendment to the 2020 HE&FSP: Site Suitability Analysis, dated September 24, 2020, that detailed the manner in which the Borough addressed its First, Second and Third Round obligations; and

WHEREAS, the Borough received a Third Round Judgement of Compliance and Repose from the Hon. Gregg A. Padovano, J.S.C., on March 4, 2021, extending the Borough’s immunity from exclusionary zoning litigation through July 8, 2025; and

WHEREAS, the Housing Element and Fair Share Plans and related Master Plan reports and documents were adopted by the Board and endorsed by the Borough Council of the Borough

of River Edge (the “Borough Council”), in accordance with N.J.A.C. 5:97-2.1, N.J.A.C. 5:97-2.3, N.J.A.C. 5:97-3.1, N.J.A.C. 5:97-3.2; and

WHEREAS, Governor Murphy signed the A-40/S-50 Bill into law on March 20, 2024, this legislation (the “FHA-2”) amended the Fair Housing Act by abolishing COAH and created a new process to calculate and establish affordable housing obligations. The FHA-2 directed DCA to calculate the Present Need (also referred to as the Rehabilitation obligation) and the Prospective Need (also known as the new construction obligation) for Round Four. On October 18, 2024, DCA published its “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background” and issued the Borough a Fourth Round Prospective Need Obligation of 159 units and Present Need (Rehabilitation) Obligation of 32 units; and

WHEREAS, the Borough conducted an analysis to determine the extent to which DCA’s calculations could be modified and the Borough ultimately accepted its DCA assigned Fourth Round Obligations, subject to any applicable adjustments, by Resolution No. 25-73, dated January 23, 2025, that was fixed by Order of the Hon. Lina P. Corriston, J.S.C., dated May 13, 2025; and

WHEREAS, on June 25, 2025, after due notice and public hearing, the Board adopted the 2025 Housing Element and Fair Share Plan prepared by Burgis Associates, Inc., 25 Westwood Avenue, Westwood NJ 07675, to address its Fourth Round affordable housing obligation in accordance with the FHA-2; and

WHEREAS, following the Board’s adoption of the Borough’s June 2025 HE&FSP, Fair Share Housing Center (“FSHC”) submitted a challenge to the Borough’s plan to the Affordable Housing Dispute Resolution Program (the “Program”) by the August 31, 2025 statutory deadline; and

WHEREAS, through the Program, the Borough reached a mediation agreement with FSHC, executed on January 7, 2026, which describes the manner in which the Borough has amended its HE&FSP to address a portion of its 4th Round Unmet Need and indicates that the Borough’s 4th Round Vacant Land Analysis (“VLA”) and realistic development potential (“RDP”) of 0 units remain valid; and

WHEREAS, on February 25, 2026, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Board held a public hearing on the 2026 Amended Housing Element and Fair

Share Plan, prepared by Burgis Associates, Inc., 25 Westwood Avenue, Westwood NJ 07675, amended on February 12, 2026 (the “Amended HE&FSP”); and

WHEREAS, at the conclusion of the public hearing, the Board determined that the Amended HE&FSP is consistent with the goals and objectives of the Borough Master Plan and the requirements of the FHA-2, and that adoption and implementation of the Amended HE&FSP are designed to achieve the goal of access to affordable housing, are in the public interest, and will guide the development and use of land within the Borough in a manner that protects public health and safety and promotes the general welfare.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL LAND USE BOARD OF THE BOROUGH OF RIVER EDGE, that the 2026 Amended Housing Element and Fair Share Plan prepared by Burgis Associates, Inc., 25 Westwood Avenue, Westwood NJ 07675, is hereby adopted. The Board Secretary is hereby authorized and directed to provide a certified copy of this Resolution to the Borough Clerk and Borough Attorney and any other required entities.

Christopher Caslin, Chairman

CERTIFICATION

I, Ryan Gibbons, Secretary of the Board, do hereby certify that the above Resolution was adopted by the Board at its meeting held on February 25, 2026. This Resolution memorializes the Board’s approval of this matter at its meeting held on February 25, 2026.

Ryan Gibbons, Secretary
Borough of River Edge
Municipal Land Use Board

Vote on the Adoption

<u>MEMBER</u>	<u>M</u>	<u>2D</u>	<u>YES</u>	<u>NO</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mayor Thomas Papaleo							
Councilman Glass							
Chris Caslin							
Michael Krey							
Ryan Gibbons							
Eileen Boland							
Dario Chinigo							
Joseph Gautier							
Jorge Salva							
Tracy Levine [Alternate #1]							
Vacant [Alternate #2]							