

BOROUGH OF RIVER EDGE
RESOLUTION #26-99

**RESOLUTION ENDORSING THE AMENDED HOUSING ELEMENT
AND FAIR SHARE PLAN**

WHEREAS, the Borough of River Edge, County of Bergen, State of New Jersey, (hereinafter, “River Edge”) has a demonstrated history of voluntary compliance with its constitutional affordable housing obligations; and

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, among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to the Act and to Directive #14-24 issued by the Director on December 13, 2024, a municipality desiring to participate in the Program was obligated to take the following actions by January 31, 2025: (1) adopt a “binding resolution” determining its present and prospective need affordable housing obligations and (2) to file an action in the form of a declaratory judgment complaint in the County in which the municipality is located within 48 hours after the municipality’s adoption of a binding resolution; and

WHEREAS, River Edge adopted a binding resolution on its present and prospective need affordable housing obligations and filed the required declaratory judgment action in a timely manner; and

WHEREAS, the Act also required that a Housing Element and Fair Share Plan (hereinafter, “HEFSP”) be prepared and adopted by the Borough of River Edge Municipal Land Use Board, and endorsed by the Borough of River Edge Governing Body (hereinafter, “Governing Body”), by June 30, 2025; and

WHEREAS, on June 25, 2025, the Borough of River Edge Municipal Land Use Board adopted the “Housing Element and Fair Share Plan, Borough of River Edge, Bergen County, New Jersey”, prepared by Burgis Associates, Inc., dated June 12, 2025 (“2025 HEFSP”), to address the Borough’s Fourth Round affordable housing obligations; and

WHEREAS, the Governing Body endorsed 2025 HEFSP adopted by the Borough of River Edge Municipal Land Use Board on June 26, 2025; and

WHEREAS, the Borough filed its 2025 HEFSP on June 27, 2025 on eCourts; and

WHEREAS, Fair Share Housing Center (“FSHC”) filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough’s 2025 HEFSP on August 29, 2025; and

WHEREAS, representatives of the Borough and FSHC entered into a Mediation Agreement dated February 2, 2026 that resolved the issues raised in the challenge subject to, among other requirements, the adoption of an Amended Housing Element and Fair Share Plan consistent with the Mediation Agreement; and

WHEREAS, Burgis Associates, Inc. prepared an “2026 Amended Housing Element and Fair Share Plan, Borough of River Edge, Bergen County, New Jersey”, dated February 12, 2026 (“Amended HEFSP”), which is consistent with the Mediation Agreement; and

WHEREAS, the Borough of River Edge Municipal Land Use Board adopted the Amended HEFSP as an amendment to River Edge’s Master Plan on February 25, 2026; and

WHEREAS, the Governing Body desires to endorse Amended HEFSP adopted by the Borough of River Edge Municipal Land Use Board on February 25, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Borough of River Edge, County of Bergen, State of New Jersey as follows:

1. The Governing Body does hereby endorse the Amended HEFSP adopted by the Borough of River Edge Municipal Land Use Board on February 25, 2026.

2. The Governing Body does hereby authorize the filing of this Resolution endorsing the Amended HEFSP adopted by the Borough of River Edge Municipal Land Use Board on eCourts for review by the Court.

3. The Mayor and Clerk, together with other appropriate officers and employees of River Edge, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.

4. This Resolution shall take effect immediately.

March 12, 2026

	Motion	Second	Yes	No	Abstain	Absent
Montisano-Koen						
Kinsella						
Malellari						
Glass						
Dhariwal						
Feffer						
Mayor Papaleo						

I hereby certify that this resolution, consisting of 3 page(s), was adopted at a meeting of the Mayor and Council of the Borough of River Edge, held on this 12th day of March, 2026

Anne Dodd, Borough Clerk