

**BOROUGH OF GLEN ROCK
BERGEN COUNTY, NEW JERSEY**

Resolution No: 38-26

Offered by Council Member: Martin

Seconded by Council Member: Rozanski

**RESOLUTION OF THE BOROUGH OF GLEN ROCK
APPROVING A SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING
CENTER REGARDING THE BOROUGH'S FOURTH ROUND HOUSING ELEMENT
AND FAIR SHARE PLAN**

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. (hereinafter “A4”) into law, amending the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 (the “Act”) and establishing a new framework for determining and enforcing municipalities’ affordable housing obligations under the Mount Laurel doctrine for the years 2025 – 2035 (the “Fourth Round”); and

WHEREAS, A4 required the New Jersey Department of Community Affairs (the “DCA”) to produce non-binding estimates of present and prospective need for low- and moderate-income housing in each municipality for the Fourth Round on or before October 20, 2024; and

WHEREAS, on October 18, 2024, in furtherance of such requirement, the DCA issued a report entitled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background” (the “DCA Report”) which report established the final calculation and obligations for each municipality in New Jersey, including the Borough; and

WHEREAS, the DCA Report calculated the Borough’s Fourth Round obligation as follows: a Present Need or Rehabilitation (“**Present Need**”) Obligation of 0 and a Prospective Need or New Construction Obligation (“**Prospective Need**”) of 222; and

WHEREAS, on January 22, 2025, the Borough Council adopted Resolution No. 57-25 (the “**Binding Resolution**”), accepting the “present need” but seeking a downward deviation from “prospective need” obligation as set forth in the DCA Report to a “prospective need” of 201 units based on the recommendation of Edward Snieckus, Jr., PP, LLA, ASLA of Burgis Associates, Inc. (the “**Borough Planner**”); and

WHEREAS, pursuant to the Administrative Directive #14-24, dated December 13, 2024 (the “**Directive**”), implementing the Affordable Housing Dispute Resolution Program (the “**Program**”) on January 23, 2025, the Borough filed a declaratory judgment action in the Superior Court of Bergen County, bearing Docket No. BER-L-561-25 (the “**Declaratory Judgment Action**”); and

WHEREAS, the filing of the Declaratory Judgment Action, in accordance with the Act and the Directive, gave the Borough continued immunity from Builder’s Remedy lawsuits, which continues to be in full force and effect; and

WHEREAS, on June 4, 2025, the Honorable Gregg A. Padovano, J.S.C., the designated Mount Laurel Judge for the Bergen Vicinage, entered an order (the “**Order**”) setting the Borough’s Present Need Obligation as 0 and the Prospective Need Obligation as 201, as set forth in the Binding Resolution; and

WHEREAS, the Borough Planner prepared a Housing Element and Fair Share Plan for the Fourth Round, dated June 5, 2025 (the “**Fourth Round HEFSP**”), consistent with the obligation set forth in the Binding Resolution and as upheld by the Order, which addresses the Borough’s Present Need and Prospective Need Obligations for the Fourth Round; and

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Borough of Glen Rock Planning Board (the “**Planning Board**”) is charged with the preparation and adoption of the Borough’s Master Plan, which includes the Fourth Round HEFSP; and

WHEREAS, on June 18, 2025, after providing notice in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-13, the Planning Board held a public hearing to review the Fourth Round HEFSP; and

WHEREAS, pursuant to the Directive, on June 25, 2025, the Borough Council adopted Resolution No. 181-25, endorsing the Fourth Round HEFSP in accordance with the Act; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b), Fair Share Housing Center (“**FSHC**”) filed a challenge to the Fourth Round HEFSP on September 2, 2025; and

WHEREAS, after several mediation sessions before the Program, the Borough and FSHC have agreed to amicably resolve the issues set forth in the challenge through a settlement agreement in the form on file with the Borough Clerk (the “**Settlement Agreement**”); and

WHEREAS, after review and consideration of the Settlement Agreement, the Borough finds it is in the best interest of the Borough to execute the Settlement Agreement, as settlement of this matter will materially advance and support the Court’s issuance of a judgment of compliance with respect to the Borough’s Fourth Round Housing Element and Fair Share Plan,

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Glen Rock, in the County of Bergen, New Jersey, as follows:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Borough Council approves of the Settlement Agreement with FSHC.

Section 3. The Borough Council hereby authorizes and directs the Mayor to execute the Settlement Agreement on file with the Borough Clerk, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Borough Attorney,

Borough planner and other Borough professionals. The Mayor, Borough Clerk, Borough Administrator, Borough Attorney, and such other Borough employees, officials, and/or professionals, as may be appropriate, are hereby authorized to take any and all actions necessary or desirable to effectuate this Resolution.

Section 4. This Resolution shall take effect immediately.

ROLL CALL:

Council Member Martin -yes
Council Member Orlich - yes
Council Member Rozanski – yes

Council Member Coll - yes
Council Member Rosenstein - yes
Council Member Hendl - abstain

I, Jacqueline Scalia, the Borough Clerk of the Borough of Glen Rock, hereby certify that this is a true copy of a Resolution passed by the Council of the Borough of Glen Rock at a regular meeting held this 7th day of January, 2026.

Jacqueline Scalia, Borough Clerk