**RESOLUTION NO. 2025-6.\_\_**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, ENDORSING THE 2025 FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE BOROUGH OF BLOOMINGDALE PLANNING BOARD ON JUNE 4, 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**, amongst other things, 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 Bloomingdale timely adopted a resolution setting forth the Borough’s pre-credited/unadjusted Fourth Round affordable housing obligations on January 21, 2025 and on January 23, 2025 the Borough uploaded same to the Program and filed a declaratory judgment action with the Program, which is entitled In re Borough of Bloomingdale, Docket No.: PAS-L- 000283-25 (Borough’s “2025 Action”); and

**WHEREAS**, on May 1, 2025 Passaic County Mount Laurel Judge, the Honorable Darren J. Del Sardo, P.J.Civ., issued an Order in the Borough’s 2025 Action fixing the Borough’s Fourth Round pre-credited/unadjusted Present Need Obligation at “0” and gross Prospective Need Obligation at “310” and which Order directs the Borough to adopt is 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 Del Sardo, the Borough’s Municipal Planner has since prepared the Borough’s 2025 Fourth Round Housing Element and Fair Share Plan; and

**WHEREAS**, on timely prior notice to the public on June 4, 2025, the Borough of Bloomingdale Planning Board adopted the Borough’s 2025 Fourth Round 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 Borough Council of the Borough of Bloomingdale has since reviewed the 2025 Fourth Round Housing Element and Fair Share Plan, and now desires to endorse the 2025 Fourth Round Housing Element and Fair Share Plan previously adopted by the Borough of Bloomingdale Planning Board on June 4, 2025.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey, as follows:

1. The Borough does hereby endorse the 2025 Fourth Round Housing Element and Fair Share Plan adopted by the Borough of Bloomingdale Planning Board on June 4, 2025.
2. The Borough Municipal Attorney is hereby directed to file the Borough’s 2025 Fourth Round 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 Municipal Attorney and Municipal Planner are hereby directed to defend the Borough against such challenge(s) and take all necessary steps in furtherance thereof.
4. The Borough Municipal Attorney, Municipal 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.
5. 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.
6. Notice of this action shall be published in the official newspapers for the Borough of Bloomingdale.
7. This Resolution shall take effect immediately

Adopted: June 17, 2025

Breeanna Smith, RMC John D’Amato, Mayor

Municipal Clerk, Borough of Bloomingdale

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at and Official Meeting held on June 17, 2025.

Breanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale