

Agenda No. R-7

On the motion: Council Member Carroll
Seconded by Council Member Perez

MUNICIPAL COUNCIL OF CITY OF BAYONNE

RESOLUTION NO.: 25-01-22-062

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE,
COUNTY OF HUDSON, NEW JERSEY AUTHORIZING PARTICIPATION IN THE
STATE AFFORDABLE HOUSING DISPUTE RESOLUTION PROGRAM AND
DECLARING THE CITY OF BAYONNE'S FOURTH ROUND AFFORDABLE HOUSING
OBLIGATION**

WHEREAS, in furtherance of the Mt. Laurel doctrine, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., was amended and supplemented by the New Jersey Legislature (the "Legislature") on March 20, 2024 under P.L. 2024, c. 2 (the "Act"), to establish new State-wide affordable housing compliance guidelines for the compliance period of 2025-2035 (the "Fourth Round"); and

WHEREAS, pursuant to the Act, the Legislature abolished the Council on Affordable Housing ("COAH") and imposed new duties upon the Department of Community Affairs (the "DCA") to administer and implement the Fourth Round, while also creating the Affordable Housing Dispute Resolution Program (the "Program") to adjudicate disputes concerning a municipality's compliance with the Mt. Laurel doctrine; and

WHEREAS, pursuant to the Act, the DCA was required to submit a report to the Governor by December 1, 2024 providing non-binding calculations of "regional need and municipal present and prospective obligations" for each municipality in the State; and

WHEREAS, the City of Bayonne (the "City") is a qualifying urban aid municipality, pursuant to N.J.S.A. 52:27D-178 et seq., with no prospective need obligation; and

WHEREAS, in or about October 2024, the DCA, as stated prior, issued calculations finding that the City has a prospective need of 0 affordable housing units based on the City's status as an urban aid municipality under N.J.S.A. 52:27D-178 et seq., and a present need (i.e. rehabilitation obligation) of 749 affordable housing units in the Fourth Round; and

WHEREAS, pursuant to the Act, a municipality, after considering, but not being bound by, the DCA's calculations, must determine its prospective and present fair share obligations for the Fourth Round and declare same via binding resolution no later than January 31, 2025; and

WHEREAS, pursuant to the Act and Directive #14-24 of the Administrative Director of the Courts, a municipality must, by the sooner of 48 hours following adoption of a binding resolution declaring its Fourth Round obligations or February 3, 2025, file a “declaratory judgment complaint and Civil Case Information Statement” with the Superior Court of New Jersey in the county in which the municipality is located to effectuate its participation in the Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY, AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. In accordance with the Act, and consistent with the DCA’s calculations, the Municipal Council of the City of Bayonne hereby declares the City’s Fourth Round prospective need as 0 affordable housing units, based on the City’s status as a qualifying urban aid municipality under N.J.S.A. 52:27D-178 et seq., and its present need (i.e. rehabilitation obligation) as 749 affordable housing units, as may be reduced through windshield surveys and/or other permissible techniques.

Section 3. In accordance with the Act, the Municipal Council of the City of Bayonne hereby authorizes the law firm Inglesino Taylor, as affordable housing counsel to the City, to file a declaratory judgment action and Civil Case Information Statement within 48 hours of adoption of this Resolution, or within such other times frames as permitted by law, in the Superior Court of New Jersey, County of Hudson, declaring the City’s present and prospective need obligations for the Fourth Round, and any such other steps as required in accordance with law.

Section 4. In accordance with the Act, this Resolution shall be published on the City’s municipal website within 48 hours of its adoption.

Section 5. A copy of this Resolution shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Resolution shall take effect immediately.

Council Member	Aye	Nay	Abstain	Absent
Booker	X			
Carroll	X			
Perez	X			
Weimmer	X			
LaPelusa	X			

A TRUE COPY

Madelene C. Medina
CITY CLERK

I, MADELENE C. MEDINA, City Clerk of the City of Bayonne, in the County of Hudson and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the Municipal Council of the City of Bayonne at a meeting held January 22, 2025 as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City of Bayonne, this 23rd day of January, 2025



Madelene C. Medina
City Clerk