



BOROUGH OF RIVERDALE NEW JERSEY



Resolution No: 49-2025
Date of Adoption: January 22, 2025

TITLE:

RESOLUTION ADOPTING THE BOROUGH'S FAIR SHARE AFFORDABLE HOUSING OBLIGATION
FOR THE FOURTH ROUND

WHEREAS, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP v. Mount Laurel, 67 13 N.J. 151 (1975) and Southern Burlington County NAACP 14 v. Mount Laurel, 92 N.J. 158 (1983), determined that every municipality in New Jersey has a constitutional obligation to provide through its land use regulations a realistic opportunity for its fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et al.); and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), (the "Amended Act") each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

WHEREAS, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Amended Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(d), the New Jersey Department of Community Affairs issued "a report on the calculations of regional need and municipal obligations for each region of the State" on or about October 18, 2024 (the "DCA Report") providing its estimate of the obligation of all municipalities based on its interpretation of the Amended Act; and

WHEREAS, the DCA Report set the municipal obligation for Riverdale Borough as follows:

Present Need: 44
Prospective Need: 110

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

1. Riverdale Borough hereby determines, based on the DCA Report to adopt the obligations set forth in the DCA Report as its binding Fourth Round Affordable Housing Obligations as follows: Present Need: 44; Prospective Need: 110



**BOROUGH OF RIVERDALE
NEW JERSEY**



2. The Borough's Fourth Round Affordable Housing Obligation herein established shall be subject to adjustments made to account for future decisions of a court of competent jurisdiction on any challenges to the Amended Act or DCA methodology, any legislative changes adjusting obligations, adjustments in response to any third party challenge to the obligations herein established, and any durational adjustment or vacant land adjustments which will be adopted as part of the municipality's Fourth Round Housing Element and Fair Share Plan.

3. The Municipal Clerk and Municipal Attorney are authorized to take all actions required by N.J.S.A. 52:27D-304.1(f)(1)(b), including:
 - a. Filing a declaratory judgement action with the Superior Court and filing a copy of this Resolution with the Department of Community Affairs within forty-eight hours following adoption of this Resolution.
 - b. Publishing this Resolution on the Borough's website.
 - c.


4. This Resolution shall take effect immediately.


RECORD OF COUNCIL VOTE

Motion - by Councilman: Purcell Second - by Councilman: Kneyfets

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Pellegrini	✓				Oswald			✓	
Revis	✓				Purcell	✓			
Desai			✓		Kneyfets	✓			


A.J. Jalloh, Borough Clerk


Paul M. Carelli, Mayor

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available.