

Resolution of the Demarest Governing Body

Resolution No. 115-25

June 5, 2025

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang			✓			✓
Fox		✓	✓			
Marks			✓			
Slowikowski	✓		✓			
Reiss			✓			
Collins			✓			

**TITLE: RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT
AND FAIR SHARE PLAN**

=====

WHEREAS, the Borough of Demarest, County of Bergen, State of New Jersey, (hereinafter, "Borough") 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, the Borough adopted a resolution on January 27, 2025 committing to a present need obligation of 0 and Round 4 prospective need obligation of 94 and thereafter filing a declaratory judgment action within 48 hours of the adoption of the Resolution; and

WHEREAS, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 29, 2025; and

WHEREAS, the Borough received an objection to its Present and Prospective Need numbers from the New Jersey Builders Association on or about February 25, 2025; and

WHEREAS, the Borough ultimately secured a determination by Order dated May 5, 2025 that its Present Need obligation is 0 and its Round 4 Prospective Need is 100; and

WHEREAS, pursuant the Amended Fair Housing Act, a HEFSP addressing the period beginning July 1, 2025 and ending June 30, 2035, must be adopted by the Planning Board and filed with the Program by June 30, 2025; and

WHEREAS, the Planning Board adopted the HEFSP entitled Housing Element and Fair Share Plan prepared by Darlene A. Green, P.P., AICP of Colliers Engineering & Design, dated May 16, 2025 (“2025 HEFSP”), as an amendment to Borough’s Master Plan on June 5, 2025; and

WHEREAS, the Governing Body desires to endorse 2025 HEFSP adopted by the Planning Board on June 5, 2025.

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

1. The Governing Body does hereby endorse the 2025 HEFSP adopted by the Planning Board on June 5, 2025.
2. The Governing Body does hereby authorize the filing of this Resolution endorsing the 2025 HEFSP adopted by the Planning Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Borough of Demarest, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

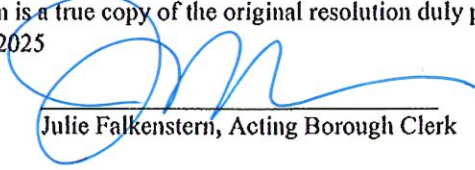
APPROVED:



Mayor Brian Bernstein

CERTIFICATION

I, Julie Falkenstern, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on June 5, 2025



Julie Falkenstern, Acting Borough Clerk