

RESOLUTION NO. 2017-_____

RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, ENDORSING ITS HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, on or about February 6, 2017, the Borough of South Plainfield entered into a settlement agreement in an action captioned In the Matter of the Borough of South Plainfield for a Judgment of compliance of its Third Round Housing Element and Fair Share Plan, Docket No. MID-L-3994-15 (“Action”) with the Fair Share Housing Center, M&M Realty Partners at South Plainfield, LLC, and Colonial Oaks, LLC, (“Settlement Agreement”); and

WHEREAS, on July 25, 2017, the Planning Board of the Borough of South Plainfield, County of Middlesex, State of New Jersey, adopted a Housing Element and Fair Share Plan, which addresses the Borough’s Mount Laurel obligations as delineated in the court-approved Settlement Agreement; and

WHEREAS, the Borough of South Plainfield remains committed to comply with its constitutional Mount Laurel obligations by voluntarily providing its “fair share” of affordable housing.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Borough of South Plainfield Planning Board on July 25, 2017; and

BE IT FURTHER RESOLVED, that the Council of the Borough of South Plainfield, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. hereby authorizes its professionals to immediately file the adopted and endorsed amended Housing Element and Fair Share Plan and all other relevant documents with the Court; and

BE IT FURTHER RESOLVED, that the Council of the Borough of South Plainfield hereby authorizes its professionals to take any and all actions reasonable and necessary to secure approval of the Borough’s Housing Element and Fair Share Plan and to maintain the Borough’s immunity from any Mount Laurel lawsuits; and

BE IT FURTHER RESOLVED, that, upon seeking approval of its Housing Element and Fair Share Plan, all known interested parties shall receive notice of the Borough’s intent; and

BE IT FURTHER RESOLVED, that that notice of the Borough’s application for approval of its Housing Element and Fair Share Plan shall be published in a newspaper of regional circulation and the Borough shall otherwise provide all the notice Court deems appropriate as it determines whether the Housing Element and Fair Share Plan satisfies the Borough’s affordable housing responsibilities under applicable laws. Said notice shall give the public sufficient time to review the Borough’s Housing Element and Fair Share Plan and offer any comments that the individual or entity may deem appropriate.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga							
Councilman Dean							
Councilwoman Faustini							
Councilman Vesce							
Councilman Wolak							
Council President White							
		VOTE:					
Mayor Anesh – TIE ONLY							

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Mayor and Borough Council of South Plainfield Borough on September 5, 2017

Amy Antonides, RMC/CMC
Municipal Clerk – South Plainfield Borough