

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #133-2024

**RESOLUTION AUTHORIZING THE BOROUGH OF MENDHAM TO PARTICIPATE IN LEGAL ACTION
PROPOSED TO ENSURE THAT AFFORDABLE HOUSING OBLIGATIONS ARE SHARED
FAIRLY AND PROPORTIONATELY BETWEEN ALL NEW JERSEY MUNICIPALITIES**

WHEREAS, the Borough of Mendham fully supports affordable housing, but has grave concerns about high-density market-rate development that would change the existing small-town, historical character of the Borough; and

WHEREAS, affordable housing legislation signed into law on March 20, 2024 as P.L.2024, c.2 includes certain inequities that could unfairly and negatively impact the Borough and its residents; and

WHEREAS, the Borough of Montvale is coordinating potential legal action between New Jersey towns to challenge these inequitable mandates; and

WHEREAS, The Borough has an opportunity to support and join this legal action, which would allow participants to share in any relief ordered by the court, while benefiting from economies of scale; and

WHEREAS, the Borough of Montvale has provided a preliminary cost estimate of \$10,000.00 per year to participate for 2024 and 2025,

WHEREAS, the CFO has certified that sufficient funds are available for this purpose; and

WHEREAS, the Mayor and Borough Council desire to join the legal action, subject to review and approval of any draft complaint by the Administration and Borough Attorney prior to filing.

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

1. The Borough of Mendham is hereby authorized to join as a party to the above-referenced legal action and is hereby authorized to contribute \$10,000.00 in 2024 and \$10,000.00 in 2025.
2. Such participation is conditioned upon review and approval of any draft complaint by the Administration and Borough Attorney prior to filing to ensure it is consistent with the goals and objectives of the Borough and addresses inequities contained in P.L.2024, c.2.

3. Appropriate Borough employees and professionals are hereby authorized to take whatever steps are necessary to effectuate the intent of this Resolution.
4. Participation in such legal action shall not be deemed a rejection of any current affordable housing obligation while such litigation is pending.

This Resolution shall take effective immediately.

Dated: September 11, 2024

ATTEST

BOROUGH OF MENDHAM

Lauren McBride, Acting Borough Clerk

Christine Serrano Glassner, Mayor