

**Independence Township Committee  
Special Meeting Agenda  
June 19, 2025  
10:00 am**

**Call to Order, Flag Salute, Open Public Meetings Act**

**Roll Call: Mrs. Gesumaria, Mr. Stuber, Mrs. Kelsey, Mayor Giordano**

**Resolution:**

**INDEPENDENCE TOWNSHIP, WARREN COUNTY, NEW JERSEY  
RESOLUTION 25-49  
RESOLUTION ENDORSING THE  
2025 FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

**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 (the “FHA”) (N.J.S.A. 52:27D-301 et al.); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), 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 [Fair Housing 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**, the Independence Township Committee (the “Committee”) adopted Resolution No. 25-15 on January 25, 2025 identifying its present and prospective fair share obligation for the Fourth Round: as follows:

Present Need: 6

Prospective Need: 35; and

**WHEREAS**, the Township of Independence (the “Township”) filed a Complaint for Declaratory Judgement, captioned *IMO Independence Township*, Docket No. WRN-L-48-25 on January 27, 2025 identifying its present and prospective fair share obligation for the Fourth Round as set forth above and committing to adopting and submitting a fourth round housing element and fair share plan as required by the FHA (the “Declaratory Judgment Action”); and

**WHEREAS**, the New Jersey Builder’s Association (“NJBA”) filed a challenge to the Declaratory Judgment Action; and

**WHEREAS**, the Affordable Housing Dispute Resolution Program held a settlement conference on March 26, 2025 presided over by the Honorable Thomas C. Miller, A.J.S.C. (ret.); and

**WHEREAS**, Elizabeth McManus, P.P. served as the Special Adjudicator at the Settlement Conference; and

**WHEREAS**, NJBA did not participate in the settlement conference or otherwise make an appearance during the proceedings; and

**WHEREAS**, the Court entered an Order on April 23, 2025 setting the Township’s Fourth Round Affordable Housing Obligations as follows:

Present Need: 6

Prospective Need: 44

**WHEREAS**, the FHA now requires, among other actions, that municipalities submit an adopted housing element in fair share plan on or before June 30, 2025; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Independence Township Land Use (the “Board”) held a public hearing on the 2025 Fourth Round Housing Element and Fair Share Plan (“HEFSP”) on June 16, 2025 and adopted the HEFSP; and

**WHEREAS**, a true copy of the HEFSP and the resolution of the Board adopting the HEFSP is attached hereto as Exhibit A; and

**WHEREAS**, the Township Committee wishes to endorse the HEFSP and seek approval of the HEFSP from the Court; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Independence Township Committee as follows:

1. That it hereby endorses the Housing Element and Fair Share Plan, as adopted by the Township Land Use Board on June 16, 2025 via the resolution, attached hereto as part of Exhibit A.
2. That it authorizes and directs its professionals to file with the Court (i) the Housing Element and Fair Share Plan, (ii) the resolutions of the Board adopting and the Township Committee endorsing the Housing Element and Fair Share Plan, (iii) the settlement agreement, and (iv) any additional documents the professionals deem necessary or desirable.
3. That it reserves the right to amend the Housing Element and Fair Share Plan, should that be necessary.
4. This Resolution shall take effect immediately.

**Mrs. Gesumaria made a motion to approve the passage of Resolution 25-49, which was seconded by Mr. Stuber.**

Ayes: Mrs. Gesumaria, Mr. Stuber, Mrs. Kelsey, Mayor Giordano

Nays: None

Absent: Mr. Pennington

Abstain: None

Mrs. Kelsey made a motion to adjourn at 10:10 am, which was seconded by Mr. Stuber which was carried by all.