

MINUTES OF THE SPECIAL MEETING June 27, 2025

Topic: Municipal Clerk's Zoom Meeting

Time: June 27, 2025 09:00 AM Eastern Time (US and Canada)

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1. CALL TO ORDER

Mayor DeGiralamo opened the meeting at 9:09 am.

2. FLAG SALUTE

3. “Sunshine Law” Statement – Adequate notice of this special public meeting has been published in the Hunterdon Review and Courier News, posted on the municipal bulletin board and the Township website in accordance with the Open Public Meeting Act, Chapter 231, P.L. 1975. This notice has also been filed in the Municipal Clerk’s office.

4. ROLL CALL

| | Present | Absent |
|-----------|---------|--------|
| Mr. Scott | x | |

| | | |
|----------------|---|--|
| Mrs. Cherney | x | |
| Mr. Wunder | x | |
| Mr. Stiger | x | |
| Dr. DeGiralamo | x | |

Other present: Attorney Susan Sharpe, Planner Beth McManus, Attorney John Testa and Acting Deputy Clerk Grace Brennan

- 5. PUBLIC COMMENTS - none**
- 6. NEW BUSINESS**

RESOLUTION #2025-80

**RESOLUTION OF THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON,
ENDORING THE TOWNSHIP’S HOUSING ELEMENT AND FAIR SHARE PLAN
ADOPTED BY THE TOWNSHIP OF UNION’S PLANNING BOARD ON JUNE 26, 2025**

WHEREAS, in 2024 the New Jersey Legislature amended the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. through the adoption of P.L. 2024, c.2 (“FHA”); and

WHEREAS, amongst other things, P.L. 2024, c. 2 abolished the Council on Affordable Housing (COAH), created the Affordable Housing Dispute Resolution Program (Program) and established new procedures and deadlines for municipalities to come into compliance with the FHA and the *Mount Laurel* doctrine for each future ten-year affordable housing round beginning with the Fourth Round, which starts on July 1, 2025 and ends on June 30, 2035; and

WHEREAS, in December 2024 the Administrative Office of the Courts issued Directive #14-24, which sets forth additional procedures all municipalities must follow to be in compliance with the FHA in order to maintain immunity from exclusionary zoning and builder’s remedy litigation through the Program process set forth in P.L. 2024, c.2; and

WHEREAS, amongst other things, Directive #14-24 and P.L. 2024, c. 2, require each municipality to adopt a binding resolution setting forth its Fourth-Round present and prospective need obligations and file a declaratory judgment action with the Program through the New Jersey e-courts system by no later than February 3, 2025, and thereafter each municipality must adopt a Fourth Round Housing Element and Fair Share Plan and file same with the Program on or before June 30, 2025; and

WHEREAS, in compliance with P.L. 2024, c. 2 and Directive #14-24, the Township of Union timely adopted a resolution setting forth the Township’s pre-credited/unadjusted Fourth Round affordable housing obligations on January 22, 2025 and on January 23, 2025 the Township uploaded same to the Program and filed a declaratory judgment action with the Program, which is entitled: In re Township of Union, Docket No.: HNT-L-00047-25 (Township’s “2025 Action”); and

WHEREAS, on April 22, 2025, 2025 Hunterdon County Mount Laurel Judge, the Honorable William G. Mennen, J.S.C., issued an Order in the Township’s 2025 Action fixing the Township’s Fourth Round pre-credited/unadjusted Present Need Obligation of zero (0) and a gross Prospective Need Obligation of seventy (70) and which Order directs the Township to adopt its Fourth Round Housing Element and Fair Share Plan and upload same to the Program on or before June 30, 2025; and

WHEREAS, in accordance with the requirements of Directive #14-24 and P.L. 2024, c.2, and the Order issued by Judge Mennen in the 2025 Action, the Township's Special Planner has since prepared the Township's 2025 Housing Element and Fair Share Plan; and

WHEREAS, on timely prior notice to the public on June 26, 2025, the Township of Union's Planning Board adopted the Township's 2025 Housing Element and Fair Share Plan following a public hearing thereon, all in accordance with the requirements of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., N.J.S.A. 40:49-2.1 of the Home Rule Act and the applicable provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and

WHEREAS, the Township Council of the Township of Union has since reviewed the 2025 Housing Element and Fair Share Plan, and now desires to endorse the 2025 Housing Element and Fair Share Plan, in the form and substance, as previously adopted by the Township of Union Planning Board on June 26, 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, in the County of Hunterdon, and State of New Jersey, as follows:

1. The Township does hereby endorse the 2025 Housing Element and Fair Share Plan adopted by the Township of Union Planning Board on June 26, 2025.
2. The Township Attorney is hereby directed to file the Township's 2025 Fourth Round Housing Element and Fair Share Plan, this Resolution and all relevant supporting documentation, appendices and exhibits with the Program in the Township's 2025 Action in accordance with the requirements of Directive #14-24 and P.L. 2024, c. 2.
3. Due to the Township's status as a Highlands planning and preservation area-approved municipality, the Township Attorney and Special Planner are further directed to submit the Township's 2025 Fourth Round Housing Element and Fair Share Plan, this resolution and all relevant supporting documentation, appendices and exhibits, including proposed ordinances, to the New Jersey Highlands Council for the purposes of consistency review and obtaining a determination from the Highlands Council that the Township's 2025 Housing Element and Fair Share Plan and proposed ordinances are consistent with the Highlands Act, N.J.S.A. 13:20-1 et seq., the administrative regulations promulgated thereto, and the goals and objectives of the Highlands Regional Master Plan, as amended by the "Highlands Affordable Housing Regional Master Plan Amendment (2024)."
4. Should any challenge to the Township's 2025 Fourth Round Housing Element and Fair Share Plan be filed, the Township Attorney and Special Planner are hereby directed to defend the Township against such challenge(s) and take all necessary steps in furtherance thereof.
5. The Township Attorney, Special Planner and all other appropriate officials, employees and other professionals of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution such that the Township maintains its immunity from exclusionary zoning and builder's remedy.
6. A certified copy of this resolution and the Township's 2025 Housing Element and Fair Share Plan shall remain on file with the Township for the purpose of public inspection, and the Township Clerk is direct to upload this Resolution and the Township 2025 Housing Element and Fair Share Plan to the Township's website in accordance with the requirements of the FHA and Directive #14-24.
7. This Resolution shall take effect immediately

THESE MINUTES HAVE NOT BEEN APPROVED

UNION TOWNSHIP

TOWNSHIP COMMITTEE

MINUTES OF THE SPECIAL MEETING November 25, 2024

| Roll Call Vote | Moved | Seconded | Ayes | Nays | Abstain | Absent |
|----------------|-------|----------|------|------|---------|--------|
| Mr. Scott | | x | x | | | |
| Mrs. Cherney | | | x | | | |
| Mr. Wunder | | | x | | | |
| Mr. Stiger | | | x | | | |
| Dr. DeGiralamo | x | | x | | | |

Motion Carried

7. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Stiger made a motion to adjourn the meeting at 9:11 a.m. Mrs. Cherney seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Ella M. Ruta, Municipal Clerk

David DeGiralamo, Mayor