

RESOLUTION NO. 2026-81

TOWN OF SECAUCUS
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION ENDORSING THE AMENDED FOURTH
ROUND HOUSING ELEMENT AND FAIR SHARE PLAN
ADOPTED BY THE PLANNING BOARD OF THE TOWN OF
SECAUCUS

WHEREAS, the Fair Housing Act of 1985 was amended on March 20, 2024 and established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan; and

WHEREAS, the procedure contemplated that municipalities would adopt a resolution by January 31, 2025 with respect to their present and prospective affordable housing obligations; and

WHEREAS, the Mayor and Council of the Town of Secaucus (“Town”) adopted a binding resolution on January 28, 2025, with respect to its present and prospective affordable housing obligations; and

WHEREAS, the Town filed a lawsuit entitled In the Matter of the Application of the Town of Secaucus, New Jersey in the Superior Court of New Jersey, Law Division, Hudson County, under Docket No. HUD-L-000377-25, on January 30, 2025, within 48 hours of the adoption of the January 28, 2025 resolution with respect to its present and prospective affordable housing obligations; and

WHEREAS, the Court having entered an Order on April 23, 2025 setting the Town’s Fourth Round fair share obligations as a Present Need of 25 and a Prospective Need of 1,000 and having ordered the Town to file a Fourth Round Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

WHEREAS, the Planning Board of Town of Secaucus, Hudson County, New Jersey, last adopted a HEFSP, pursuant to N.J.S.A. 40:55D-28, on June 17, 2025; and

WHEREAS, the Town having endorsed the HEFSP by Resolution adopted on June 24, 2025 and having filed the HEFSP with the Superior Court; and

WHEREAS, Fair Share Housing Center (“FSHC”) having filed a challenge pursuant to N.J.S.A. 52:27D-304.1f.(2)(b) regarding the HEFSP on August 27, 2025; and

WHEREAS, the Town and FSHC have agreed to amicably resolve the issues set forth in the challenge filed by FSHC through a Mediation Agreement which included, the preparation and approval of an Amended Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, a true copy of the Resolution of the Planning Board adopting the Amended Fourth Round Housing Element and Fair Share Plan is attached hereto as Exhibit A; and

WHEREAS, in accordance with the procedure established under the Fair Housing Act, the Amended Fourth Round Housing Element and Fair Share Plan was filed within 48 hours of its adoption by the Planning Board; and

WHEREAS, the Town now desires to endorse the Amended Fourth Round Housing Element and Fair Share Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, hereby endorse the Amended Fourth Round Housing Element and Fair Share Plan, as adopted by the Town of Secaucus Planning Board, and directs its affordable housing counsel to file this resolution and to seek a compliance certification from the Affordable Housing Dispute Resolution Program and/or the Superior Court, formally approving the Plan.

| Motion | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| OT | | | | |
| Second MD | | | | |
| Councilman Gerbasio | ✓ | | | |
| Councilwoman Tringali | ✓ | | | |
| Councilman Costantino | ✓ | | | |
| Councilman McKeever | ✓ | | | |
| Councilman Clancy | ✓ | | | |
| Councilman Dehnert | ✓ | | | |
| Mayor Gonnelli | ✓ | | | |

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on February 24, 2026

Michael Marra

Town Clerk

[Signature]

Mayor

EXHIBIT A

RESOLUTION

PLANNING BOARD OF TOWN OF SECAUCUS

In the Matter of Adoption of the Amended Fourth Round Housing Element and Fair Share Plan and Ordinance Amending Certain Articles of Chapter 19 Entitled "Land Use Procedures" of the Town of Secaucus to Implement the Fourth Round of Affordable Housing in Accordance with the Fair Housing Act of 1985

Introduced by: Carl Leppin

Seconded by: Joseph Pagano

Dated: February 17, 2026

WHEREAS, the Mayor and Council of the Town of Secaucus ("Town" or "governing body") adopted a binding resolution on January 28, 2025, with respect to its present and prospective affordable housing obligations; and

WHEREAS, the Town filed a lawsuit entitled In the Matter of the Application of the Town of Secaucus, New Jersey in the Superior Court of New Jersey, Law Division, Hudson County, under Docket No. HUD-L-000377-25, on January 30, 2025 to secure the jurisdiction of the Affordable Housing Alternative Dispute Resolution Program ("Program") and the Court, pursuant to Directive # 14-24, seeking approval by the Program and the Court of the Town's present and prospective affordable housing obligations; and

WHEREAS, the Court having entered an Order on April 23, 2025 setting the Town's Fourth Round fair share obligations as a Present Need of 25 and a Prospective Need of 1,000 and having ordered the Town to file a Fourth Round Housing Element and Fair Share Plan ("HEFSP") by June 30, 2025; and

WHEREAS, the Planning Board of Town of Secaucus, Hudson County, New Jersey, last adopted a HEFSP, pursuant to N.J.S.A. 40:55D-28, on June 17, 2025; and

WHEREAS, the Town having filed its HEFSP on June 19, 2025; and

WHEREAS, Fair Share Housing Center ("FSHC") having filed a challenge pursuant to N.J.S.A. 52:27D-304.1f.(2)(b) regarding the HEFSP on August 27, 2025; and

WHEREAS, the Town and FSHC have agreed to amicably resolve the issues set forth in the challenge filed by FSHC through a Mediation Agreement which included, the preparation and approval of an Amended Fourth Round Housing Element and Fair Share Plan and an Ordinance Amending Certain Articles of Chapter 19 Entitled "Land Use Procedures" of the Town of Secaucus to Implement the Fourth Round of Affordable Housing in Accordance with the Fair Housing Act of 1985 ("Affordable Housing Ordinance"); and

WHEREAS, N.J.A.C. 5:94-2.2(a) requires the adoption of the Housing Element by the Planning Board and endorsement by the Governing Body; and

WHEREAS, N.J.A.C. 5:94-4.1(a) requires the preparation of a Fair Share Plan in accordance with Housing Element and the Master Plan; and

WHEREAS, N.J.A.C. 5:94-4.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Governing Body; and

WHEREAS, the Affordable Housing Ordinance was presented to the Governing Body on first reading on February 10, 2026 and referred to the Planning Board in accordance with N.J.S.A. 40:55d-26a and -62a; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of Town of Secaucus held a public hearing on the Amended Fourth Round Housing Element and Fair Share Plan and Affordable Housing Ordinance on February 17, 2026; and

WHEREAS, the Planning Board has determined that the Amended Fourth Round

Housing Element and Fair Share Plan are consistent with the goals and objectives of the Town of Secaucus Master Plan and adoption and implementation of the Amended Fourth Round Housing Element and Fair Share Plan is in the public interest and protects public health and safety and promotes the general welfare; and

WHEREAS, the Planning Board has determined that the Affordable Housing Ordinance is consistent with the Master Plan and the Amended Fourth Round Housing Element and Fair Share Plan.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Town of Secaucus, New Jersey hereby adopts the Amended Fourth Round Housing Element and Fair Share Plan and further requests that the Governing Body adopt the Affordable Housing Ordinance on second reading, based on its consistency with the Master Plan and Amended Fourth Round Housing Element and Fair Share Plan.



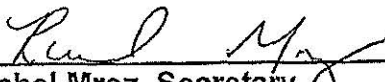
 Thomas Flanagan, Chair

| Roll Call: | AYES | NAYS | ABSTENTIONS |
|---------------------------|------|------|-------------|
| Chair Thomas Flanagan | AYE | | |
| Vice Chair Richard Santos | AYE | | |
| Hon. Michael Gonnelli | - | | |
| Hon. John Gerbasio | AYE | | |
| Carl Leppin III | AYE | | |
| Joseph Pagano | AYE | | |
| Doug DePice | AYE | | |

Alexandra Landolfo

Patricia Gercich

The undersigned, Secretary to the Town of Secaucus Planning Board, hereby certifies that the above is a true copy of the Resolution adopted by said Board on the 17th day of February 2026.



Rachel Mroz, Secretary