

WHEREAS, the Borough of Ringwood sought declaratory relief pursuant to the decision of the New Jersey Supreme Court in *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the Council on Affordable Housing*, 221 N.J. 1 (2015), by way of verified Complaint filed in the Superior Court of New Jersey on June 25, 2015 (the "Affordable Housing Case"); and

WHEREAS, the Borough of Ringwood entered into a written settlement agreement in the Affordable Housing Case with the Fair Share Housing Center, dated April 27, 2021 to address its affordable housing obligations (the "Settlement"); and

WHEREAS, the Borough Council adopted Resolution 2021-128 at its regularly scheduled meeting held on May 27, 2021; and

WHEREAS, the Settlement required, among other things, the Borough to pursue a designation from the New Jersey Highlands Council that the Fieldstone Plaza and Ringwood Plaza shopping centers should be designated as a Highlands Redevelopment Area upon which inclusionary housing could be developed, subject to the physical, fiscal and regulatory feasibility of creating sanitary sewer capacity to service such developments; and

WHEREAS, the Borough has begun exploring the physical, fiscal and regulatory feasibility of creating sanitary sewer capacity to service inclusionary housing at the Fieldstone Plaza and Ringwood Plaza shopping centers and it has concluded that same is not feasible under the current framework imposed in the Affordable Housing Case; and

WHEREAS, the Borough seeks to address its affordable housing obligation in a different manner on properties located elsewhere in the Borough so as to create a realistic opportunity to provide for its fair share of the regional need for low and moderate cost housing.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Counsel of the Borough of Ringwood, in the County of Passaic, New Jersey, as follows:

1. The aforementioned recitals are incorporated by reference as if set forth at length.
2. Richard J. Clemack, Borough Attorney, and Beattie Padovano, LLC, special counsel to the Borough, are hereby authorized to negotiate an amendment/revision to the Settlement with the Fair Share Housing Center that provides a compliance mechanism to address the Borough of Ringwood's affordable housing obligation on sites other than the Ringwood Plaza and Fieldstone Plaza shopping centers, to the extent permitted by law.
3. This Resolution shall take effect immediately.

SEAN T. NOONAN, MAYOR

I hereby certify that the above Resolution was adopted by the Municipal Council of the Borough of Ringwood at its Business Meeting of May 16, 2023.

NICOLE LANGENMAYR, RMC
MUNICIPAL CLERK

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Forest						X
Kerr		X	X			
Schaefer	X		X			
Speer			X			