

**RESOLUTION #25-49  
BOROUGH OF ORADELL  
BERGEN COUNTY**

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
KELLY				

**RESOLUTION SUPPORTING AMENDMENT OF THE FAIR HOUSING ACT (FHA)  
AS PROPOSED BY THE NEW JERSEY INSTITUTE OF LOCAL GOVERNMENT  
ATTORNEYS (NJILGA)**

**WHEREAS**, the current standards embodied in the New Jersey Fair Housing Act ("FHA") impose unrealistic burdens on municipalities as demonstrated by the fact that the FHA calls for the imposition of a statewide affordable housing obligation of 84,698 just for Round 4 on municipalities that issued only 99,956 Certificates of Occupancy for all housing units in the 2010-2020 period that was used to establish prospective need obligations for Round 4; and

**WHEREAS**, the imposition of unrealistic obligations does not advance the realistic opportunity for the construction of more affordable housing, but instead encourages opposition and litigation; and

**WHEREAS**, the imposition of excessive obligations disincentivizes municipalities to voluntarily comply – an overarching goal of all three branches of government; forces municipalities to overdevelop, thereby turning our Garden State into the garden apartment state; and spikes the obligations on taxpayers as municipal governments are left no choice but to commit to expensive compliance techniques in order to try to ameliorate the concerns of their communities with overdevelopment; and

**WHEREAS**, even-handed justice requires that the obligations imposed by our laws must be realistic in order to justify imposing an obligation of constitutional dimension on municipalities to create a realistic opportunity for affordable housing; and

**WHEREAS**, the unrealistic obligations imposed by the current laws can be easily addressed by redefining the manner in which the regional need is calculated to be faithful to a principle embodied in the FHA despite its many changes over almost forty years; and

**WHEREAS**, more specifically, the FHA has consistently defined the prospective need to include "a projection of housing needs based on development and growth which is *reasonably likely to occur* in a region or a municipality, as the case may be, as a result of actual determination of public and private entities" N.J.S.A. 52:27D-304 (j); and

**WHEREAS**, a determination of the number of new residential housing units, adjusted to remove tear down/rebuilds, represents a far more solid foundation to project "development and growth which is *reasonably likely to occur*" than any other standard; and

**WHEREAS**, establishing prospective need for affordable units based on 20 percent of residential housing units *actually constructed* over a prior ten-year period accords with New Jersey's long-standing policies of empowering municipalities to cure the abuse of exclusionary zoning with traditional inclusionary zoning; and

**WHEREAS**, the demand for market-rate housing is a reasonable basis for determining whether and to what extent a realistic opportunity for the creation of affordable housing may exist, and the issuance of certificates of occupancy for new residential units is a reliable indicator of such demand; and

**WHEREAS**, a standard that ensures that as our state grows it grows with a commensurate number of affordable housing units will put the doctrine on a trajectory that will avoid the doctrine from crumbling under its own weight by forcing municipalities to try to address overwhelming obligations; and

**WHEREAS**, the New Jersey Institute of Local Government Attorneys ("NJILGA") has expressed its support for an amendment to the FHA by which "development and growth which is *reasonably likely to occur*" would be based upon the net number of new housing units constructed over each ten-year period for which the state's affordable housing rounds are established; and

**WHEREAS**, for the above reasons, the Mayor and Council of the Borough of Oradell has determined that its prospective need, and the prospective need for all New Jersey municipalities for the fourth round and all future rounds of affordable housing obligations, should be calculated using NJILGA's proposed net housing unit based on certificates of occupancy as a methodology rather than the current FHA methodology based on "household change;"

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Oradell, in the County of Bergen, and State of New Jersey, that the New Jersey Legislature is hereby requested to enact the amendment to the Fair Housing Act that has been recommended by the New Jersey Institute of Local Government Attorneys; and

**AND BE IT FURTHER RESOLVED**, that the clerk of the Borough of Oradell is also hereby directed to send a copy of this signed, dated Resolution within five (5) days after its adoption, by mail and email to the following additional listed persons and entities:

New Jersey Institute for Local Government Attorneys  
P.O. Box 5389  
Clinton, New Jersey 08809  
Attention: J. Peter Jost, Esq.  
Executive Director  
[jpeter@jpjlegal.com](mailto:jpeter@jpjlegal.com)

Senator Joseph A. Lagana [SenLagana@njleg.org](mailto:SenLagana@njleg.org)  
Assemblywoman Lisa Swain [AswSwain@njleg.org](mailto:AswSwain@njleg.org)  
Assemblyman Chris Tully [AsmTully@njleg.org](mailto:AsmTully@njleg.org)  
205 Robin Road, Suite 122  
Paramus, New Jersey 07652

---

JAMES G. KOTH III, MAYOR

Passed on a roll call vote at the  
Meeting of the Mayor and  
Council of the Borough of Oradell  
held on January 14, 2025.

---

Laura J. Lyons, CPM, RMC, RPPO  
Municipal Clerk

The undersigned Borough of Oradell hereby certifies the above as a true copy of a resolution  
adopted by the Mayor and Council of the Borough of Oradell dated January 14, 2025.

*Attest:*

---

Laura Lyons,  
Clerk of the Borough of Oradell

**RESOLUTION #25-50  
BOROUGH OF ORADELL  
BERGEN COUNTY**

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
KELLY				

BE IT RESOLVED, by the Mayor and Council of the Borough of Oradell that Mayor James G. Koth III is hereby authorized to execute a Shared Service Agreement (Exhibit as Attachment "A") between the Borough of Oradell and Bergen County Utility Authority for the purpose of preparing the annual recycling tonnage report.

\_\_\_\_\_  
JAMES G. KOTH III, MAYOR

Passed on roll call vote at the  
Regular Meeting of the Mayor  
And Council of the Borough of Oradell  
Held on Tuesday, January 14, 2025

ATTEST:

\_\_\_\_\_  
Laura J. Lyons, CPM, RMC, RPPO  
Municipal Clerk

**RESOLUTION 25-51  
BOROUGH OF ORADELL  
COUNTY OF BERGEN**

Offered by

Seconded by

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
KELLY				

**BE IT RESOLVED**, the Borough hereby accepts the resignation of Steven Minkler effective January 10, 2025.

\_\_\_\_\_  
JAMES G. KOTH III, MAYOR

Passed on roll call vote at the Meeting of  
the Mayor and Council of the Borough of Oradell  
held on January 14, 2025.

ATTEST:

\_\_\_\_\_  
LAURA J. LYONS, CPM, RMC, RPPO  
MUNICIPAL CLERK

**RESOLUTION 25-52  
BOROUGH OF ORADELL  
COUNTY OF BERGEN**

Offered by

Seconded by

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
KELLY				

**BE IT RESOLVED**, the Borough hereby authorizes the Qualified Purchasing Agent to prepare and issue a Request for Qualifications for:

Architectural services as needed basis

\_\_\_\_\_  
JAMES G. KOTH III, MAYOR

Passed on roll call vote at the Meeting of  
the Mayor and Council of the Borough of Oradell  
held on January 14, 2025.

ATTEST:

\_\_\_\_\_  
LAURA J. LYONS, CPM, RMC, RPPO  
MUNICIPAL CLERK

BOROUGH OF ORADELL  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION 25-53**

Offered by

Seconded by

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
KELLY				

**WHEREAS**, the Borough of Oradell as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of Bergen County Co-op 24-43 Program. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of purchasing.

**WHEREAS**, the Borough of Oradell has the need on a timely basis to purchase goods or services utilizing Bergen County Cooperative Pricing Programs; and

**WHEREAS**, the Borough of Oradell intends to enter into contracts with the attached Referenced Bergen County Cooperative Pricing Programs through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the contracts.

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Oradell authorizes the Purchasing Agent to purchase certain goods or services from those approved Bergen County Cooperative Pricing Programs on the attached list, pursuant to all conditions of the individual contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of the Borough of Oradell pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds in the amount of \$55,757.50, shall either certify the full maximum amount against the following account number C-04-24-009-009 at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

---

JAMES G. KOTH III, MAYOR

Passed on a roll call vote at the Public Meeting of the Mayor  
and Council of the Borough of Oradell held on January 14, 2025

(SEAL)

---

Laura J. Lyons, CPM, RMC, RPPO  
Municipal Clerk

**Commodity/Service**

2024 Ford F-250 (x2B) XL 4WD Supercab

**NJ STATE CONTRACT #**

#23 Fleet 34922

**Vendor**

Nielson Ford  
170 Ridgedale Road  
Morristown NJ 07960