

SPECIAL MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, JUNE 11, 2025

The Council met at 6:30 P.M.

The Council President LaPelusa announced: “I would like to advise all those present that notice of this Special meeting of the Municipal Council of the City of Bayonne of June 11, 2025 has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting was posted and filed with the City Clerk and was forwarded to the Bergen Record and the Star Ledger by on June 9, 2025 .”

The Special Meeting of the Municipal Council of the City of Bayonne is now in session.

The Clerk called the roll.

Present were: Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

The Council President led the Pledge of Allegiance.

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01. Council President LaPelusa moved the following communication be received and filed, which motion was adopted.

June 9, 2025

Madelene C. Medina
City Clerk
630 Avenue C
Bayonne, NJ 07002

Re: Special Meeting – June 11, 2025

Dear Ms. Medina:

Please be advised that it is necessary to call a special meeting of the Municipal Council on Wednesday, June 11, 2025 at 6:00 A.M, in the Dorothy E. Harrington Municipal Council Chambers.

The purpose of this special meeting is as follows:

- 1 From the Honorable JAMES M. DAVIS, Mayor calling a Special Meeting of the Municipal Council for Wednesday, June 11, 2025 at 6:00 P.M. immediately following by the Council Caucus.
- 2 Resolution endorsing the City of Bayonne’s Fourth Round Housing Element and Fair Share Plan and Approving the Spending Plan and Rehabilitation Manual, in accordance with the New Jersey Fair Housing Act (“FHA”) at N.J.S.A. 52:27D-310 as amended by P.L. 2024 c.2, Administrative Directive #14-24, and the rules of the New Jersey Council on Affordable Housing (“COAH”) contained at N.J.A.C. 5:93 et seq.

Very truly yours,
James M. Davis
Mayor
(signed)

Yeas- Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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02. The Council as a whole moved the following resolution, which was read by the read by the Clerk and adopted.

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF
BAYONNE, COUNTY OF HUDSON, NEW JERSEY, ENDORSING THE
2025 ROUND FOUR HOUSING ELEMENT AND FAIR SHARE PLAN
ADOPTED BY THE CITY OF BAYONNE PLANNING BOARD ON JUNE 10,
2025

WHEREAS, in 2024 the New Jersey Legislature amended the New Jersey Fair Housing Act, N.J.S.A. 52:27D301 et seq. through the adoption of P.L. 2024, c.2 (“FHA”); and

WHEREAS, 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 City of Bayonne timely adopted a resolution setting forth the City’s pre-credited/unadjusted Fourth Round affordable housing obligations on January 22, 2025 and on January 24, 2025, the City uploaded same to the Program and filed a declaratory judgment action with the Program, which is entitled, In the Matter of the Application of the City of Bayonne for a Determination of Mount Laurel Compliance, Docket No.: HUD-L-305-25 (City’s “2025 Action”); and

WHEREAS, on April 14, 2025, the Hudson County Mount Laurel Judge, the Honorable Joseph A. Turula, P.J.Cv., issued an Order in the City’s 2025 Action fixing the City’s Fourth Round pre-credited/unadjusted Present Need Obligation at “749” and gross Prospective Need Obligation at “0” and which Order directs the City 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 Turula, the City’s Municipal Planner has since prepared the City’s 2025 Round Four Housing Element and Fair Share Plan; and

WHEREAS, on timely prior notice to the public on May 30, 2025, the City of Bayonne Planning Board adopted the City’s 2025 Round Four Housing Element and Fair Share Plan following a public hearing thereon on June 10, 2025, 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, on June 11, 2025, the City’s Affordable Housing Attorney was required to and did upload to the Program the 2025 Round Four Housing Element and Fair Share Plan as approved by the City Planning Board on June 10, 2025 within 48-hours of adoption thereof in accordance with Directive #14-24 prior to the Municipal Council having the ability to formally endorse same; and

WHEREAS, the Municipal Council of the City of Bayonne has since reviewed the 2025 Round Four Housing Element and Fair Share Plan, and now desires to endorse same without change in the form previously adopted by the City of Bayonne Planning Board on June 10, 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne, in the County of Hudson, and State of New Jersey as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The City does hereby endorse the 2025 Round Four Housing Element and Fair Share Plan adopted by the City of Bayonne Planning Board on June 10, 2025.

Section 3. The City Affordable Housing Attorney is hereby directed to file this Resolution as a supplement to the Round Four Housing Element and Fair Share Plan, this resolution and all relevant supporting documentation and exhibits with the Program in the City's 2025 Action in accordance with the requirements of Directive #14-24 and P.L. 2024, c. 2.

Section 4. Should any challenge to the Town's 2025 Fourth Round Housing Element and Fair Share Plan be filed, the City Affordable Housing Attorney and Municipal Planner are hereby directed to defend the City against such challenge(s) and take all necessary steps in furtherance thereof.

Section 5. The City Affordable Housing Attorney, Municipal Planner and all other appropriate officials, employees and other professionals of the City are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution such that the City maintains its immunity from exclusionary zoning and builder's remedy.

Section 6. A certified copy of this resolution and the City's 2025 Fourth Round Housing Element and Fair Share Plan shall remain on file with the City for the purpose of public inspection and shall be uploaded to the City's website in accordance with the requirements of the FHA and Directive #14-24.

Section 7. Notice of this action shall be published in the official newspapers for the City of Bayonne.

Section 8. This Resolution shall take effect immediately.

Yeas- Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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At 7:05 P.M. Council President LaPelusa motion to adjourn, seconded by Council Member Booker, which motion was adopted.

Yeas- Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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President – Gary LaPelusa

City Clerk – Madelene C. Medina