

Mayor Sheinfield Opened the meeting by leading the Pledge of Allegiance and giving the Open Public Meeting Statement. This is a Special Meeting of the Hillsdale Borough Council on this 25th day of June, 2025. Notice of the time and place of this meeting has been provided to The Ridgewood News and The Bergen Record; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

Please silence all cell phones. Please wait to be recognized by the Mayor during the Public Hearing and the Public Comment part of the meeting. You will need to state your name and town of residence for the record.

Borough Clerk Kohan took roll call - Mayor Michael Sheinfield, Council President Osso, Councilmembers Colletti, Fox, Mazza-Chiong, Ruocco, Trochimiuk (Borough Administrator Mike Ghassali, Borough Clerk Denise Kohan, Borough Attorney Mark Madaio)

This meeting was held on the Zoom Platform:

Topic: Special Meeting

Time: Jun 25, 2025 12:00 PM Eastern Time (US and Canada)

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PUBLIC COMMENT

Mayor Sheinfield opened the Public Comment portion of the meeting, seeing no one wishing to address the Mayor and Council, he closed this portion of the meeting.

RESOLUTIONS:(Consent Agenda)

[25198](#) Resolution Endorsing the 2025 Housing Element and Fair Share Plan

WHEREAS, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Share Housing Act (hereinafter “Amended FHA” or “Act”); and

WHEREAS, the Act abolished the Council on Affordable Housing (herein, “COAH”), and replaced it with “the Program” and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively,

“Director” and “AOC”) to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to the Act, and to Directive #14-24 issued by the Director on December 13, 2024, a municipality desiring to participate in the Program was obligated to take the following actions by January 31, 2025: (1) adopt a “Binding Resolution” determining its present and perspective need Affordable Housing Obligations and (2) to file an action in the form of a Declaratory Judgment Complaint in the County in which the municipality is located within 48 hours after the municipality’s adoption of a Binding Resolution; and

WHEREAS, the Borough adopted the appropriate Binding Resolution on its present and prospective need affordable housing obligations and filed required Declaratory Judgment Action in a timely manner; and

WHEREAS, the Act also requires that a Housing Element and Fair Share Plan (hereinafter the “HEFSP”) be prepared and adopted by the Borough of Hillsdale Planning Board (hereinafter the “Planning Board”), and endorsed by the Borough of Hillsdale Governing Body (hereinafter the “Governing Body”), by June 30, 2025; and

WHEREAS, the Planning Board adopted the HEFSP entitled 2025 Housing Element & Fair Share Plan prepared by Darlene A. Green, PP, AICP, of Colliers Engineering & Design, dated June 12, 2025 (“2025 HEFSP”), as an amendment to the Borough’s Master Plan; and

WHEREAS, the Governing Body desires to endorse the 2025 HEFSP adopted by the Planning Board on June 24, 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hillsdale as follows:

1. The Governing Body does hereby endorse the 2025 HEFSP adopted by the Planning Board on June 24, 2025.
2. The Governing Body does hereby authorize the filing of this Resolution endorsing the 2025 adopted by the Planning Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Borough of Hillsdale, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.

NOW, NOW THEREFORE, BE IT FURTHER RESOLVED, the within Resolution shall be circulated to all necessary Borough Departments.

Motion Ruocco Second Trochimiuk

Darlene Green, Hillsdale’s Borough Planner, presented a comprehensive update on the municipality’s affordable housing obligations following major changes to New Jersey’s Fair Housing Act. These changes require municipalities to submit updated Housing Elements and Fair Share Plans by June 30, 2025 or risk losing legal immunity from “builder’s remedy” lawsuits—lawsuits that allow developers to bypass local zoning if a municipality fails to meet its affordable housing requirements and/or deadlines.

She outlined Hillsdale’s obligations under the various housing rounds:

- Rehabilitation Obligation – zero.
- Prior Round (Rounds 1 & 2): Hillsdale has a fixed obligation of 111 affordable units, which has been fully satisfied and the Borough has surplus credits available for application towards other obligations.

- Third Round: Initially had an obligation of 234 units, but after a vacant land adjustment due to limited developable land, this was reduced to a Realistic Development Potential (RDP) of 35 units, which must be fully satisfied. The remaining 199 units are classified as “unmet need,” which must be addressed, not satisfied in its entirety. The borough’s court-approved plan outlines how it will do this through mechanisms like group homes, redevelopment projects, and affordable housing set-asides.
- Fourth Round (July 1, 2025–2035): Hillsdale’s prospective need was reduced from 220 to 190 units after identifying errors in the state’s original calculation. Again, after a vacant land adjustment, the borough’s RDP was reduced to 4 units, with 186 units as unmet need. State law now also requires that towns identify redevelopment sites to address at least 25% of that RDP—in Hillsdale’s case, one unit.

She also detailed various existing and proposed mechanisms that contribute affordable housing credits, including Hillsdale House (a senior and disabled adult facility), several group homes, inclusionary housing developments, and a new partnership with Bergen County United Way. One proposed project at 101 West Street includes 18 townhomes with four affordable units.. Importantly, Hillsdale is also committed to extending the Tax Abatement Agreement (so long as the site continues to serve affordable households as a 100% affordable development) by one year (to 2046) to meet the required 60 years of controls for double credit eligibility.

In total, Hillsdale has:

- Fully satisfied its prior round obligation.
- Satisfied with existing credits the majority of the third round RDP and implemented all the Court-approved strategies allocated towards the third round unmet need.
- Proposed solutions to satisfy its fourth round RDP and its 1-unit redevelopment requirement, and partially address unmet need, with 71 credits proposed for that purpose.

The Council's role in the process is endorsement of the Housing Element & Fair Share Plan, not adoption. The Plan had already been adopted by the Planning Board, and the governing body's endorsement is required as the Housing Element & Fair Share Plan contemplates spending from the Borough’s affordable housing trust fund account. Furthermore, the Council’s endorsement allows final submission to the court, ensuring Hillsdale meets the June 30, 2025 deadline and maintains immunity. The Borough Planner affirmed that the plan is solid and meets all state and court requirements unless significant new land becomes available that would modify Hillsdale’s vacant land adjustment. The council confirmed for clarification that they still have control over the affordable housing trust funds to implement the Housing Element & Fair Share Plan.

Ayes: Councilmember Colletti, Fox, Mazza-Chiong, Council President Osso, Ruocco, Trochimiuk

Nays: none

ADJOURNMENT:

Motion to adjourn Ruocco Second Osso

All in favor: Councilmember Fox, Mazza-Chiong, Council President Osso, Ruocco, Trochimiuk, Colletti

Denise Kohan, Municipal Clerk

APPROVED AS PRESENTED

