

RESOLUTION
Of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2026-

Council Meeting Date: 07-14-2026

Date Adopted:

TITLE: RESOLUTION AUTHORIZING EXECUTION OF AN AMENDED
MEDIATION AGREEMENT RESOLVING CHALLENGES TO THE
BOROUGH'S HOUSING ELEMENT AND FAIRSHARE PLAN

Councilperson _____ submitted the following resolution, which was duly seconded
by Councilperson _____.

WHEREAS, an Order was entered by the Superior Court on April 14, 2025 setting
the Borough's Fourth Round Fair Share obligations; and

WHEREAS, the Borough filed a Housing Element and Fair Share Plan on June
19, 2025; and

WHEREAS, VW Murray Hill, LLC filed a challenge to the Borough's plan on August
28, 2025; New Providence Mountain Developers, LLC filed a challenge on August 29,
2025; and Fair Share Housing Corporation (FSHC), 2100 New Providence LLC, and Toll
NJ I, LLC filed challenges to the Borough's plan on August 31, 2025; and

WHEREAS, the Borough participated in the Affordable Housing Dispute
Resolution Program established by the State; and

WHEREAS, the Borough, FSHC and VW Murray Hill, LLC agreed to amicably
resolve the issues set forth in the challenge and set forth the terms of such in a Mediation
Agreement which if approved by the Court, would result in a compliance certification for
the Borough for the Fourth Round; and

WHEREAS, the agreement was recommended by the Program and approved by
the Mount Laurel Judge on February 19, 2026 and was executed by the parties thereafter;
and

WHEREAS, changed circumstances necessitated an amendment to the Mediation
Agreement and the Borough and FSHC have agreed to certain revisions which are
incorporated in the attached Amended Mediation Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough
of New Providence, County of Union, State of New Jersey that they do hereby approve
the Amended Mediation Agreement resolving the challenge of FSHC and VW Murray Hill,
LLC to the Borough's Housing Element and Fair Share Plan in the form attached hereto
and authorize the Mayor to execute same on behalf of the Borough of New Providence.