

**RESOLUTION ENDORSING HOUSING ELEMENT  
AND FAIR SHARE PLAN**

WHEREAS, the BOROUGH OF WHARTON, County of Morris, State of New Jersey, filed a declaratory judgment action in the Superior Court of New Jersey seeking judicial approval of its affordable housing plan and immunity from builder's remedies suits; and

WHEREAS, the Borough Mayor and Council finds that it is prudent to submit to the Court the Borough of Wharton's April 12, 2016 draft Housing Element and Fair Share Plan for approval; and

WHEREAS, N.J.A.C. 5:94-4.1 requires the preparation of a Fair Share Plan in accordance with the Housing Element of the Master Plan and endorsement by the Governing Body; and

WHEREAS, the Mayor and Council of the Borough of Wharton, at a duly noticed meeting of the same on April 18, 2016 has reviewed the April 12, 2016 draft Housing Element and Fair Share Plan, prepared by Borough Planner Jessica Caldwell & Associates, LLC, and finds that the Plan is consistent with the goals and objectives of the Borough of Wharton's Master Plan in accordance with Municipal Land Use Law in the State of New Jersey and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare; and

WHEREAS, upon Court approval of the Borough's Housing Element and Fair Share Plan, the Mayor and Council will recommend that the Land Use Board shall hold a duly noticed public hearing to adopt such Plan.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Wharton, County of Morris, State of New Jersey, hereby recommends submission of the April 12, 2016 Housing Element and Fair Share Plan for approval by the Superior Court of New Jersey.

Adopted: April 18, 2016

BOROUGH OF WHARTON

ATTEST:

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WILLIAM J. CHEGWIDDEN,  
MAYOR

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Gabrielle Evangelista,  
Borough Clerk