

December 16, 2025

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

RESOLUTION 2025-356

**RESOLUTION OPPOSING S-4736 AND ADVOCATING FOR
HOME RULE AND LOCAL CONTROL OF PLANNING/ZONING DECISIONS**

Mayor Gubitosi offered the following Resolution and moved its adoption:

WHEREAS, municipalities are required to establish a Municipal Master Plan with a combination of mandatory and optional elements including Goals and Objectives, Land Use, Circulation, Housing, Community Facilities, Downtown Economic Development, Historic Preservation, and Sustainability; and

WHEREAS, municipalities are also required to reexamine the Municipal Master Plan every ten years to ensure that the master plan meets the community needs and is relevant as communities, evolve, grow, and change; and

WHEREAS, small municipalities such as the Borough of Bradley Beach (the “Borough”) undertake these efforts at great cost with community input to ensure their community has a roadmap for growth; and

WHEREAS, the Borough is best suited to plan for and understand its own community’s needs, the existing infrastructure to address its public safety, health, traffic, and character and the ability to expand such infrastructure for desired growth; and

WHEREAS, there are many mechanisms for exceptions and variances to the local planning process; and

WHEREAS, the Borough has been diligently working to comply with the changes outlined in the passage of A-4/S-50 in 2024 that made substantial changes to the 4th Round of Affordable Housing obligations; and

WHEREAS, a recent legislative proposal, S-4736, preempts the planning process by enhancing the ability of religious and nonprofit organizations to convert certain property to inclusionary developments with affordable housing, and undermines the careful planning process outlined in the Municipal Land Use Law; and

WHEREAS, this proposal, S-4736, is particularly problematic because the required percentage of affordable housing units is only 20% with the remaining 80% at market rate, making it more challenging for municipalities to meet 4th Round Affordable Housing obligations; and

WHEREAS, this legislation bypasses local planning for increased density and height, regardless of a municipality’s ability to ensure safety; and

WHEREAS, a worthy project could, and should participate in the local planning and zoning process to engage with the public; and

WHEREAS, S-4736 permits the bypassing of the local planning process which infringes upon municipal autonomy, home rule, and local decision making;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey urge the legislature to defeat S-4736 and similar legislation that denies local autonomy in land use planning and ignores the well thought out master plan; and

BE IT FURTHER RESOLVED, that a copy of this resolution is forwarded to the Senator Vin Gopal Assemblymember Margie Donlon, Assemblymember Luanne Peterpaul, Governor Phil Murphy, Governor-Elect Mikie Sherrill, and the New Jersey State League of Municipalities.

Seconded by Councilperson _____ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. DeNoble				
Ms. Greenblatt				
Mr. Nowicki				
Mr. Weber				
Mayor Gubitosi				

CERTIFICATION

I, Erica Kostyz, Municipal Clerk of the Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the December 16, 2025 Council Business Meeting.

Erica Kostyz, RMC, CMR
Municipal Clerk