

**TOWNSHIP OF FRANKLIN**

**R-260-23**

**A RESOLUTION ENDORSING THE TOWNSHIP'S THIRD ROUND  
HOUSING PLAN ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, in furtherance of the Supreme Court's March 10, 2015, decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Supreme Court Decision"), the Township filed a complaint for declaratory and injunctive relief seeking a judgment of compliance and repose on July 2, 2015 In the Matter of the Township of Franklin, Gloucester County Docket No. GLO-L-901-15 (hereinafter the "Litigation"); and

**WHEREAS**, in order to settle the Litigation, the Township entered into a Settlement Agreement with Fair Share Housing Center on May 26, 2022, intended to establish the Township's affordable housing obligations and identify the mechanisms through which the Township will provide for its regional fair share of housing for very-low, low-, and moderate-income households; and

**WHEREAS**, the Settlement Agreement was approved by the Superior Court of New Jersey, Gloucester County Law Division after a Fairness Hearing and issuance of an Order dated November 2, 2022 (the "Order"); and

**WHEREAS**, on August 15, 2023, at its regular public meeting, the Franklin Township Planning Board held a duly noticed public hearing and then adopted an Amended Third Round Housing Plan Element and Fair Share Plan ("Amended HEFSP") as an element of the municipal Master Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, *et seq.* and the New Jersey Fair Housing Act of 1985; and

**WHEREAS**, the Amended HEFSP addresses the Township's present need (rehabilitation), prior rounds, and third round fair share obligations in accordance with the terms and conditions of the Court approved Settlement Agreement; and

**WHEREAS**, Franklin Township remains committed to complying with its constitutional Mount Laurel obligations by voluntarily providing its fair share of affordable housing; and

**WHEREAS**, the Township Committee has reviewed the Amended HEFSP as adopted by the Planning Board, which is attached hereto; and

**WHEREAS**, the Township Committee wishes to endorse the Amended HEFSP and seeks approval of the Amended HEFSP from the Court

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Franklin, the governing body thereof, as follows:

1. The Township Committee hereby endorses the Housing Plan Element and Fair Share Plan as adopted by the Planning Board on August 15, 2023, 2023, attached hereto.
2. The Township Committee authorizes and directs its professionals to file with the Court (i) the Amended Housing Element and Fair Share Plan, (ii) the resolutions of the Planning Board adopting and the Township Committee endorsing the Housing Element and Fair Share Plan, and (iii) any additional documents the professionals deem necessary or desirable.
3. The Township Committee authorizes its professionals to seek Court approval of the Housing Element and Fair Share Plan at a properly noticed Compliance Hearing.
4. The Township Committee reserves the right to amend the Housing Element and Fair Share Plan, should that be necessary.
5. Notice of this endorsement and a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Township clerk's office during the regular business hours for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.
6. This Resolution shall take effect immediately.

Adopted: December 26, 2023

COMMITTEE MEMBER	MOTION	2 <sup>nd</sup>	YES	ABSTAIN	NO	ABSENT
<b>T. Doyle</b>						
<b>H. Flaim</b>						
<b>J. Keen</b>						
<b>M. Marsh</b>						
<b>J. Bruno</b>						

Attest:

Township of Franklin

\_\_\_\_\_  
Barbara Freijomil, Clerk

\_\_\_\_\_  
John Bruno, Mayor

**CERTIFICATION**

I, Barbara Freijomil, Clerk of the Township of Franklin, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting held on December 26, 2023.

\_\_\_\_\_  
Barbara Freijomil, Clerk