

FRANKLIN TOWNSHIP, GLOUCESTER COUNTY, NEW JERSEY

R-99-25

**RESOLUTION ENDORSING THE
2025 FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301 et al.); and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

WHEREAS, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

WHEREAS, the Franklin Township Mayor and Committee (the "Committee") adopted Resolution No. 37-25 on January 14, 2025 identifying its present and prospective fair share obligation for the Fourth Round: as follows:

Present Need: 48

Prospective Need: 215; and

WHEREAS, Franklin Township (the "Township") filed a Complaint for Declaratory Judgement, captioned *IMO Franklin Township*, Docket No. GLO-L-68-25 on January 16, 2025 identifying its present and prospective fair share obligation for the Fourth Round as set forth above and committing to adopting and submitting a fourth round housing element and fair share plan as required by the FHA; and

WHEREAS, the New Jersey Builder's Association ("NJBA") filed a challenge to the Declaratory Judgment Action; and

WHEREAS, the Affordable Housing Dispute Resolution Program held a settlement conference on March 25, 2025 presided over by the Honorable Robert Malestein, P.J.Ch; and

WHEREAS, Mary Beth Lonergan, P.P. served as the Special Adjudicator at the Settlement Conference; and

WHEREAS, NJBA and the Township reached a settlement agreement during the Settlement Conference, which was placed on the record and endorsed by Judge Miller and Special Adjudicator Burgis setting the Township's Fourth Round Affordable Housing Obligations as follows:

Present Need: 48

Prospective Need: 243; and

WHEREAS, during the Settlement Conference, counsel for the NJBA represented that it would provide a draft settlement agreement for review and approval by the Township Committee; however, such has not been provided; and

WHEREAS, on May 5, 2025, the Hon. Robert Malestein, P.J.Ch. issued an order confirming the Township's identified affordable housing obligations and authorizing the Township to proceed with preparation and adoption of a fourth round housing plan by June 30, 2025; and

WHEREAS, the FHA now requires, among other actions, that municipalities submit an adopted housing element in fair share plan on or before June 30, 2025; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Franklin Township Planning Board (the "Board") held a public hearing on the 2025 Fourth Round Housing Element and Fair Share Plan ("HEFSP") on June 17, 2025 and adopted the HEFSP; and

WHEREAS, a true copy of the HEFSP and the resolution of the Board adopting the HEFSP is attached hereto as Exhibit A; and

WHEREAS, the Township Committee wishes to endorse the HEFSP and seek approval of the HEFSP from the Court; and

NOW, THEREFORE, BE IT RESOLVED, by the Franklin Township Committee as follows:

1. That it hereby endorses the Housing Element and Fair Share Plan, as adopted by the Franklin Township Planning Board on June 17, 2025 via the resolution, attached hereto as part of Exhibit A.
2. The Township Attorney is authorized to take all actions to execute the settlement agreement with FSHC in substantially the same form as attached hereto as Exhibit B.
3. That it authorizes and directs its professionals to file with the Court (i) the Housing Element and Fair Share Plan, (ii) the resolutions of the Planning Board adopting and the Committee endorsing the Housing Element and Fair Share Plan, (iii) the settlement agreement, and (iv) any additional documents the professionals deem necessary or desirable.
4. That it reserves the right to amend the Housing Element and Fair Share Plan, should that be necessary.
5. This Resolution shall take effect immediately.

Adopted: July 8, 2025.

COMMITTEE MEMBER	MOTION	2 nd	YES	ABSTAIN	NO	ABSENT
J. Bruno						
T. Doyle						
M. Fiorella						
J. Keen						
M. Marsh						

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 July 8, 2025.

Barbara Freijomil, Clerk