

**STATE OF NEW JERSEY  
COUNTY OF ATLANTIC  
TOWNSHIP OF MULLICA**

**RESOLUTION 60-2025**

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF  
MULLICA COMMITTING TO DCA'S FOURTH ROUND AFFORDABLE HOUSING  
PRESENT NEED AND PROSPECTIVE NEED NUMBERS**

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*) (hereinafter "Amended FHA"); and

**WHEREAS**, the Amended FHA requires the Department of Community Affairs ("DCA") to produce non-binding estimates of fair share obligations on or before October 20, 2024; and

**WHEREAS**, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates Mullica Township's Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 0 and a Prospective Need or New Construction Obligation of 13; and

**WHEREAS**, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

**WHEREAS**, the Amended FHA further provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or biding court decisions" (N.J.S.A. 52:27D-311(m)); and

**WHEREAS**, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

**WHEREAS**, based on the foregoing, Mullica Township accepts the DCA calculations of Mullica Township's fair share obligations and commits to its fair share of 0 units present need and 13 units prospective need subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

**WHEREAS**, Mullica Township reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

**WHEREAS**, Mullica Township also reserves the right to adjust its position in the event of any rulings in the *Montvale* case (MER-L-1778-24) or any other such action that alters the deadlines and/or requirements of the Amended FHA; and

**WHEREAS**, in the event that a third party challenges the calculations provided for in this Resolution, Mullica Township reserves the right to take such position as it deems appropriate in response thereto, including that its Round 4 Present or Prospective Need Obligations should be lower than described herein; and

**WHEREAS**, in light of the above, the Mayor and Township Committee of the Township of Mullica finds that it is in the best interest of Mullica Township to declare its commitment to the obligations reported by the DCA on October 18, 2024, subject to the reservations set forth herein; and

**WHEREAS**, in addition to the above, the Acting Administrative Director issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

**WHEREAS**, pursuant to Directive #14-24, a municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint in the county in which the municipality is located within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner"; and

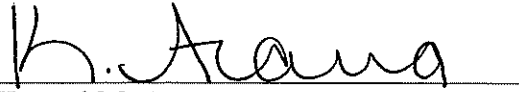
**WHEREAS**, Mullica Township seeks a certification of compliance with the FHA and, therefore, directs David C. Patterson, Esq. to file a declaratory relief action within 48 hours of the adoption of this resolution in Atlantic County.

**NOW, THEREFORE, BE IT RESOLVED** on this 28<sup>th</sup> day of January 2025 by the Mayor and Township Committee of the Township of Mullica as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.
2. Mullica Township hereby commits to the DCA Round 4 Present Need Obligation of 0 units and the Round 4 Prospective Need Obligation of 13 units described in this resolution, subject to all reservations of rights set forth above.
3. Mullica Township hereby directs David C. Patterson, Esq. to file a declaratory judgment complaint in Atlantic County within 48 hours after adoption this resolution, attaching this resolution.
4. Mullica Township authorizes David C. Patterson, Esq. to attach this resolution as an exhibit to the declaratory judgment action that is filed and to submit and/or file this resolution with the Program or any other such entity as may be determined to be appropriate.
5. This resolution shall take effect immediately, according to law.

ADOPTED: January 28, 2025

  
DeAnne DeMarco  
Mayor



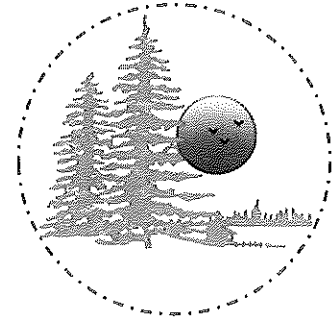
Krystel M. Arana  
Municipal Clerk

**CERTIFICATION**

I, Krystel M. Arana, do hereby certify, by way of signing and affixing the Official Seal of the municipality, that the foregoing Resolution 60-2025, is a true and exact copy adopted at a Regular Meeting held on Tuesday, January 28, 2025, by the Mayor and Committee of the Township of Mullica, County of Atlantic, State of New Jersey.

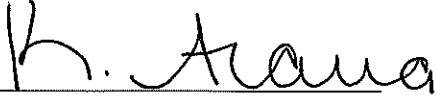


Krystel M. Arana  
Municipal Clerk



**CERTIFICATION OF POSTING:**

On Wednesday, January 29, 2025, the Municipal Clerk of the Township of Mullica posted on the Official Website of the municipality adopted Resolution 60-2025 titled "Committing to DCA's Fourth Round Affordable Housing Present Need and Prospective Need Numbers."

A handwritten signature in black ink, appearing to read "K. Arana". The signature is written in a cursive style with a horizontal line underneath.

Krystal M. Arana, RMC  
Township Clerk