



**2025  
BOROUGH OF DUMONT  
RESOLUTION**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
APONTE	✓			
KELLY	✓			
KOURELAKOS	✓			
LaBARBERA	✓			
MORRELL	✓			
PETRY	✓			
MAYOR RUSSELL				
TOTALS	6			

Resolution No. 66  
 Date: January 7, 2025  
 Page: 1 of 2  
 Subject: Fourth Round Present & Prospective Need Obligations  
 Purpose: Adoption of NJ DCA Affordable Housing Calculations  
 Dollar Amount: \_\_\_\_\_  
 Prepared By: Jeanine E. Siek, RMC

Offered by: Petry  
 Seconded by: Aponte

Certified as a true copy of a Resolution adopted by the Borough of Dumont on above date at a Regular Meeting by:

*Jeanine E. Siek*

**Jeanine E. Siek, RMC, Municipal Clerk/Borough Administrator  
 Borough of Dumont, Bergen County, New Jersey**

**RESOLUTION ADOPTING THE NEW JERSEY DEPARTMENT OF  
 COMMUNITY AFFAIRS' CALCULATION OF THE BOROUGH OF  
 DUMONT'S FOURTH ROUND PRESENT AND PROSPECTIVE  
 NEED AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the Borough of Dumont, County of Bergen (the "Borough") is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c. 2 (the "Act"), which established a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's *Mount Laurel* doctrine and the State of New Jersey's Fair Housing Act; and

**WHEREAS**, *N.J.S.A. 52:27D-304.1(c)* of the Act provides that prior to the beginning of each new 10-year round of affordable housing obligations beginning with the Fourth Round on July 1, 2025, the State of New Jersey's Department of Community Affairs (the "DCA") is tasked with determining municipal present and prospective need in accordance with the formulas established at *N.J.S.A. 52:27D-304.2* and *N.J.S.A. 52:27D-304.3*; and

**WHEREAS**, *N.J.S.A. 52:27D-304.1(d)* further provides that the DCA is required to prepare and submit a report to the Governor and Legislature on the calculations of such municipal obligations by October 20, 2024; and

**WHEREAS**, in accordance with the requirements of the Act, on October 18, 2024, the DCA provided a report setting forth its non-binding calculations of municipalities' present and prospective need for affordable housing for the Fourth Round using the formulas set forth at *N.J.S.A. 52:27D-304.2* and *N.J.S.A. 52:27D-304.3* (the "Report"); and

**WHEREAS**, the Report determined the Borough's present need obligation to be 16 units and its prospective need obligation to be 128 units; and

**WHEREAS**, *N.J.S.A. 52:27D-304.1(f)* provides that the Borough is required to determine its present and prospective fair share obligation for affordable housing in accordance with the formulas established at *N.J.S.A. 52:27D-304.2* and *N.J.S.A. 52:27D-304.3* and adopt a housing element and fair share plan based on this determination (as may be adjusted by the Affordable Housing Dispute Resolution Program (the "Program") in accordance with the Act); and

**WHEREAS**, for the Fourth Round of affordable housing obligations, this determination of present and prospective fair share obligation is required to be made by binding resolution no later than January 31, 2025; and

**WHEREAS**, the Borough has determined that its present and prospective need obligations of 16 units and 128 units, respectively, as calculated in the Report are accurate and wishes to adopt these calculations as the determination of its Fourth Round affordable housing obligation; and

**WHEREAS**, notwithstanding the foregoing, the Act's future is uncertain at this stage due to ongoing litigation, and accordingly, the Borough also desires to reserve its right to review and revise its Fourth Round affordable housing obligation calculations in the event the Act should be overturned.

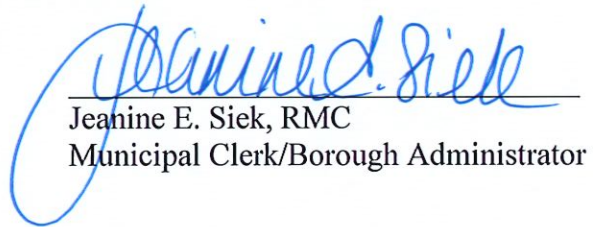
**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Council of the Borough of Dumont, County of Bergen, State of New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough has determined that its present and prospective need obligations of 16 units and 128 units, respectively, as calculated in the Report are accurate and adopts these calculations as the determination of its Fourth Round affordable housing obligation.

3. The Borough reserves its right to review and revise its Fourth Round affordable housing obligation calculations in the event the Act should be overturned.
4. The Borough shall file a declaratory judgment action with the Program no later than 48 hours following adoption of this Resolution, in accordance with the requirements of the Act. A certified copy of this Resolution shall be included with such filing.
5. A copy of this Resolution shall be posted on Borough's website.
6. This Resolution will take effect immediately.

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By my signature below, I, Jeanine E. Siek, RMC, do hereby certify that this is a true copy of a Resolution adopted by the Borough of Dumont Borough Council at a regular meeting of the Mayor and Council conducted on the 7<sup>th</sup> day of January 2025.

  
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Jeanine E. Siek, RMC  
Municipal Clerk/Borough Administrator