

**RESOLUTION 2025-39**

**RESOLUTION OF THE BOROUGH OF AUDUBON ADOPTING FOURTH ROUND FAIR SHARE AFFORDABLE HOUSING OBLIGATION AND OTHER ACTIONS**

**WHEREAS**, pursuant to the Fair Housing Act P.L. 2024, c.2, ("FHA") the State of New Jersey adopted legislation addressing the Fourth Round of affordable housing for the period 2025 to 2035; and

**WHEREAS**, pursuant to the FHA, the Department of Community Affairs ("DCA"), published Fourth Round preliminary obligations for each municipality in October of 2024; and

**WHEREAS**, the DCA calculated the Borough of Audubon as having a present need or rehabilitation share of 0 units and a prospective need share of 42 units for the Fourth Round; and

**WHEREAS**, pursuant to the FHA, every municipality in the State of New Jersey has an obligation to adopt a binding resolution establishing its fair share affordable housing obligation for the Fourth Round by January 31, 2025; and

**WHEREAS**, the Borough's affordable housing professionals have reviewed the present need and prospective share published by the DCA and have recommended that the Borough adopt these amounts as its Fourth Round Fair Share obligation; and

**WHEREAS**, the Borough Commissioners have reviewed this matter and agree to accept the recommendations of the Borough's affordable housing professionals and take other necessary actions in connection with the FHA.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Commissioners of the Borough of Audubon, County of Camden and State of New Jersey hereby establishes its Fourth Round Affordable Housing Fair Share obligation as a present need or rehabilitation share of 0 units and a prospective need share of 42 units; and

**BE IT FURTHER RESOLVED**, that the Borough of Audubon's Fourth Round Affordable Housing Fair Share obligation is subject to vacant land adjustments and other amendments as may be provided for by law and the Borough hereby reserves its right to adjust its Fourth Round Affordable Housing Fair Share obligation accordingly; and

**BE IT FURTHER RESOLVED**, that Borough of Audubon reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

**BE IT FURTHER RESOLVED**, that Borough of Audubon 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


**BE IT FURTHER RESOLVED**, that in the event that a third party challenges the calculations provided for in this Resolution, the Borough of Audubon 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

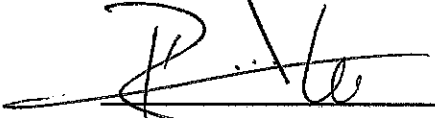
**BE IT FURTHER RESOLVED**, that the Borough's solicitor is hereby authorized to file an action in the form of a declaratory judgment complaint and civil case information statement within 48 hours after the adoption of this resolution; and


**BE IT FURTHER RESOLVED**, that the Borough's affordable housing professionals shall submit the Borough into the DCA affordable housing dispute program and take any other action necessary to comply with the FHA and implement its Fourth Round Affordable Housing Fair Share obligation including, but not limited to defending any challenges to the Borough's actions herein; and

**BE IT FURTHER RESOLVED**, the Borough also authorizes its affordable housing professionals to prepare the appropriate Housing Element and Fair Share Plan as a component of the Borough's Master Plan so that is filed with DCA on or before June 30, 2025; and

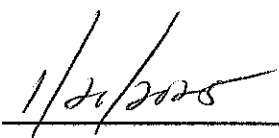
**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be submitted to the DCA and posted on the Borough website upon its adoption.

  
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Robert Jakubowski, Mayor

  
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Robert O. Lee, Commissioner

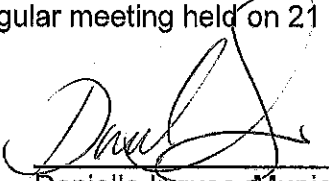
  
\_\_\_\_\_  
Jeffrey Whitman, Commissioner

ATTEST:   
\_\_\_\_\_  
Danielle Ingves, Municipal Clerk

DATE:   
\_\_\_\_\_

**CERTIFICATION:**

I hereby certify the above to be a true copy of a resolution adopted by the Board of Commissioners of the Borough of Audubon at a regular meeting held on 21 day of January 2025.

  
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Danielle Ingves, Municipal Clerk