

RESOLUTION 2025: 61

RESOLUTION OF THE BOROUGH OF MAGNOLIA 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 Magnolia as having a present need or rehabilitation share of 0 units and a prospective need share of 22 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 Council of the Borough of Magnolia, 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 22 units; and

BE IT FURTHER RESOLVED, that the Borough of Magnolia'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 Magnolia 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 Magnolia 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 Magnolia 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

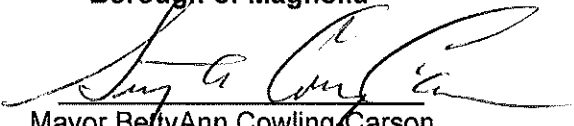
BE IT FURTHER RESOLVED, that the Borough's affordable housing professionals shall submit the Borough into the DCA affordable housing dispute program and take any other action necessary to comply with the FHA and implement its Fourth Round Affordable Housing Fair Share obligation including, but not limited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

Dated: 2/20/25

Borough of Magnolia

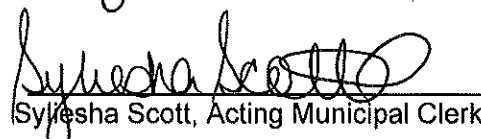

Mayor BettyAnn Cowling Carson

ATTEST:


Syretha Scott, Acting Municipal Clerk

CERTIFICATION:

I hereby certify the above to be a true copy of a resolution adopted by the Board of Council of the Borough of Magnolia at a regular meeting held on 20 day of February 2025.


Syretha Scott, Acting Municipal Clerk