



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #25-43**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FLORHAM PARK
IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING PARTICIPATION IN
THE STATE AFFORDABLE HOUSING DISPUTE RESOLUTION PROGRAM AND
DECLARING THE BOROUGH OF FLORHAM PARK'S FOURTH ROUND AFFORDABLE
HOUSING OBLIGATION**

WHEREAS, in furtherance of the Mt. Laurel doctrine, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., was amended and supplemented by the New Jersey Legislature (the "Legislature") on March 20, 2024 under P.L. 2024, c. 2 (the "Act"), to establish new State-wide affordable housing compliance guidelines for the compliance period of 2025-2035 (the "Fourth Round");

WHEREAS, pursuant to the Act, the Legislature abolished the Council on Affordable Housing ("COAH") and imposed new duties upon the Department of Community Affairs (the "DCA") to administer and implement the Fourth Round, while also creating the Affordable Housing Dispute Resolution Program (the "Program") to adjudicate disputes concerning a municipality's compliance with the Mt. Laurel doctrine;

WHEREAS, pursuant to the Act, the DCA was required to submit a report to the Governor by October 20, 2024 providing non-binding calculations of "regional need and municipal present and prospective obligations" for each municipality in the State;

WHEREAS, in or about October 2024, the DCA, as stated prior, issued calculations finding that the Borough of Florham Park (the "Borough") has a present need of 66 affordable housing units and a prospective need of 344 affordable housing units in the Fourth Round;

WHEREAS, pursuant to the Act, a municipality, after considering, but not being bound by, the DCA's calculations in the Fourth Round Report, must determine its present and prospective fair share obligations for the Fourth Round and declare same via binding resolution no later than January 31, 2025;

WHEREAS, on or about January 9, 2025, the Borough's planner, Katherine Sarmad, PP/AICP, of Sarmad Planning Group, issued a report (the "Sarmad Report") challenging the DCA's non-binding calculation of the Borough's prospective need obligation and finding that, in accordance with the formulas established under the Act, the Borough's prospective need obligation is 271 affordable housing units; and

WHEREAS, pursuant to the Act and Directive #14-24 of the Administrative Director of the Courts, a municipality must, by the sooner of 48 hours following adoption of a binding resolution declaring its Fourth Round obligations or February 3, 2025, file a "declaratory judgment complaint and Civil Case Information Statement" with the Superior Court of New Jersey in the county in which the municipality is located to effectuate its participation in the Program;



NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Florham Park that, in accordance with the Act, the Governing Body hereby declares the Borough's Fourth Round present need (i.e. rehabilitation obligation) as 66 affordable housing units, as may be reduced through windshield surveys and/or other permissible techniques, and its prospective need as 271 affordable housing units, pursuant to the Sarmad Report, which is attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Florham Park that, in accordance with the Act, the Governing Body hereby authorizes the law firm Inglesino Taylor, as affordable housing counsel to the Borough, to file a declaratory judgment action and Civil Case Information Statement within 48 hours of adoption of this Resolution, in the Superior Court of New Jersey, County of Morris, declaring the Borough's present and prospective need obligations for the Fourth Round, and any such other steps as required in accordance with law; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Florham Park that this Resolution shall be published on the Borough's municipal website within 48 hours of its adoption.

Council Approval: January 16, 2025



Mark Taylor, Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on January 16, 2025.



Danielle M. Lewis, RMC, Municipal Clerk