

**Explanation:** Resolution committing Bedminster Township to DCA's Fourth Round Affordable Housing present need and prospective need numbers.

**TOWNSHIP OF BEDMINSTER  
RESOLUTION No. 2025-029**

**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 the Township's Round Four (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 6 and a Prospective Need or New Construction Obligation for of 72; 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 Four 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-311m.; and

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

**WHEREAS**, based on the foregoing, Bedminster Township (the "Township") accepts the DCA calculations of the Township's fair share obligations and commits to its fair share of 6 units present need and 72 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**, the Township reserves the right to comply with any additional amendments to the Amended FHA that the Legislature may enact; and

**WHEREAS**, the 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, the Township reserves the right to take such position as it deems appropriate in response thereto, including that its Round Four Present or Prospective Need Obligations should be lower than described herein; and

**WHEREAS**, in light of the above, the Mayor and Township Committee find that it is in the best interest of the 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 Amended 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**, the Township seeks a certification of compliance with the Amended FHA and, therefore, directs its Township Attorney, John Belardo, to file a declaratory relief action within 48 hours of the adoption of this resolution in Somerset County.

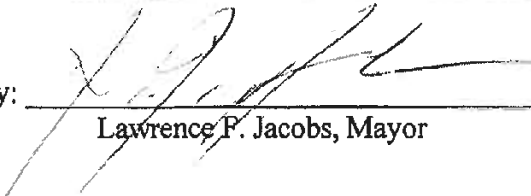
**NOW, THEREFORE, BE IT RESOLVED** on this 27th day of January, 2025 by the Township as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.
2. The Township hereby commits to the DCA Round Four Present Need Obligation of 6 units and the Round Four Prospective Need Obligation of 72 units described in this resolution subject to all reservations of rights set forth above.
3. The Township hereby directs its Township Attorney, John Belardo, to file a declaratory judgment complaint in Somerset County within 48 hours after adoption this resolution attaching this resolution.
4. The Township authorizes its Township Attorney, John Belardo, to attach this Resolution No. 2025-029 as an exhibit to the declaratory judgment action that is filed and to submit and 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.

**ATTEST:**

**BEDMINSTER TOWNSHIP COMMITTEE:**

By:   
 Robin A. Ray, Municipal Clerk

By:   
 Lawrence F. Jacobs, Mayor

**CERTIFICATION**

I, Robin A. Ray, Municipal Clerk of the Township of Bedminster, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Township Committee at a Regular Meeting held on January 27, 2025.

  
 Robin A. Ray, Municipal Clerk

Introduced	Seconded	Township Committee	Aye	Nay	Abstain	Absent
		Lawrence F. Jacobs, Mayor	✓			
✓		Douglas A. Stevinson	✓			
	✓	R. Colin Hickey	✓			
		Renee M. Mareski	✓			
		Gina Lisa-Fernandez	✓			