

January 21, 2025

MEDFORD TOWNSHIP

RESOLUTION 32- 2025

**RESOLUTION COMMITTING MEDFORD TOWNSHIP TO DCA'S
CALCULATION OF THE TOWNSHIP'S FOURTH ROUND SHARE OF
THE REGION FIVE AFFORDABLE HOUSING PRESENT NEED AND
PROSPECTIVE NEED OBLIGATION**

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 within each affordable housing region based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.3, a municipality's average allocation factor is comprised of the equalized nonresidential factor, income capacity factor, and land capacity factor and shall be averaged to yield the municipality's average allocation factor, and

WHEREAS, the DCA Report calculates Medford Township's Round 4 (2025-2035) share of Region 5's affordable housing obligation as follows: a Present Need or Rehabilitation Obligation of 69 units and a Prospective Need or New Construction Obligation of 171 units; and

WHEREAS, the Medford Township Planner and Township Attorney have reviewed the DCA report and assessed the calculations contained therein and have recommended acceptance of the DCA calculations and the Township's share of the Region Five Present Need and Prospective Need affordable housing obligation, subject to the reservation of certain rights as set forth herein; and

WHEREAS, per P.L. 2024, c.2, in order for the Township to maintain immunity from exclusionary zoning litigation, it must determine its municipal present and prospective obligations in accordance with the formulas established in sections 6 and 7 of the law by binding resolution no later than January 31, 2025; and

WHEREAS, in light of the above, the Medford Township Council finds that it is in the best interest of the Township to commit to the Present Need and Prospective Need Fourth Round affordable housing fair share numbers set forth herein, subject to the reservations set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Medford, as follows:

1. All of the above WHEREAS Clauses are incorporated into the operative clauses of this Resolution.

2. Medford Township hereby commits to providing the DCA's calculation of its share of the Region Five Round Four affordable housing Present Need Obligation of 69 units and the Prospective Need Obligation of 171 units, subject to all reservations of rights set forth herein.

3. Medford Township reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

4. Medford 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

5. Medford Township also reserves the right to adjust the Present Need obligation of 69 units after independent review by an outside consultant to be retained by the Township to specifically review the existing Medford Township housing inventory and develop a robust rehabilitation program to address the Township's Present Need.

AND BE IT FURTHER RESOLVED THAT a copy of this Resolution shall be posted on the Township's official website and filed with the Affordable Housing Dispute Resolution Program within 48 hours of adoption.

This resolution shall take effect immediately, upon passage, according to law.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Council of the Township of Medford, at a meeting held on the 21st day of January 2025.



Tara Wicker, RMC, Township Clerk