

**RESOLUTION ACCEPTING THE DEPARTMENT OF COMMUNITY AFFAIRS
ESTIMATES FOR THE FOURTH ROUND OF AFFORDABLE HOUSING
OBLIGATIONS FOR 2025-2035 FOR THE BOROUGH OF HIGHTSTOWN**

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, amending the Fair Housing Act (hereinafter “Amended FHA”) and establishing a new framework for determining and enforcing municipalities’ affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine; and

WHEREAS, the Amended FHA requires that the New Jersey Department of Community Affairs (“DCA”) perform a calculation of regional need, and municipal present and prospective affordable housing needs, in accordance with the formulas established in the law; and

WHEREAS, on October 18, 2024, the DCA released its “Affordable Housing Obligations For 2025-2035 (Fourth Round)” report (“DCA Report”), establishing the Fourth Round (2025-2035) fair share methodology and providing estimates of the low- and moderate-income housing obligations for New Jersey’s 564 municipalities; and

WHEREAS, the final calculation and obligations for each municipality are presented in an Appendix at the end of the report; and

WHEREAS, per *P.L. 2024, c.2*, in order for the Borough of Hightstown 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, the Borough of Hightstown may take into consideration the calculations in the DCA report to determine its obligations; and

WHEREAS, the DCA report estimated the present and prospective fair share obligations of the Borough of Hightstown to be as follows:

- Present Need: 47 units
- Prospective Need: 35 units

WHEREAS, the Borough of Hightstown accepts the present need number and Round 4 prospective need number in the DCA Report; and

WHEREAS, the Borough of Hightstown’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

WHEREAS, within 48 hours of adoption of this resolution, the Clerk of the Borough of Hightstown shall file this resolution on its official website and with the Affordable Housing Dispute Resolution Program; and

WHEREAS, in addition to the above, the Acting Administrative Director of the Courts issued Directive #14-24, dated December 13, 2024; and

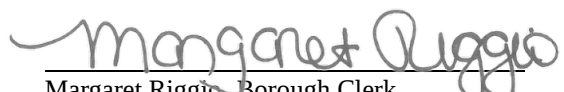
WHEREAS, pursuant to the Directive #14-24, a municipality seeking a certification in compliance with the FHA shall file an action in the form of a declaratory judgment complaint in the county in which the municipality is located within 48 hours after the adoption of the municipal resolution of the fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, the Borough of Hightstown seeks a certification of compliance with the FHA and, therefore, directs its affordable housing Counsel to file a declaratory relief action within 48 hours of the adoption of this resolution in Mercer County.

NOW, THEREFORE, BE IT RESOLVED on this 20 day of January, 2025, by the Council of the Borough of Hightstown in the County of Mercer, and the State of New Jersey that, pursuant to *P.L.2024, c.2*:

1. All of the Whereas Clauses set forth above are incorporated into the operative clauses of this resolution.
2. The Council of the Borough of Hightstown hereby formally accepts a Present Need obligation of 47 units and a Prospective Need obligation of 35 units for the Fourth Round of municipal affordable housing compliance for the Borough of Hightstown. These findings are to be documented in the Borough of Hightstown's housing element and fair share plan.
3. The Borough Council of the Borough of Hightstown hereby directs its Affordable Housing Counsel to file a declaratory judgment attaching this resolution in Mercer County within 48 hours after adopting this resolution.
4. The Borough of Hightstown reserves its right to adjust its Fourth Round Affordable Housing obligation subject to any vacant land adjustments and other amendments as may be provided for by law.
5. This resolution shall be posted on the Borough's official website and with the Affordable Housing Dispute Resolution Program within 48 hours of adoption.
6. This resolution shall take effect immediately, according to law.

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on January 21, 2025.


Margaret Riggio, Borough Clerk