

BOROUGH OF HOPEWELL
88 East Broad Street
Hopewell, NJ 08525

NO. 2025-32

ADOPTED: January 23, 2025

**RESOLUTION ADOPTING FAIR SHARE AFFORDABLE HOUSING OBLIGATIONS FOR
THE FOURTH ROUND**

WHEREAS, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP v. Mount Laurel, 67 N.J. 151 (1975) and Southern Burlington County NAACP 14 v. Mount Laurel, 92 N.J. 158 (1983), has determined that every municipality in New Jersey has a constitutional obligation to provide through its land use regulations a realistic opportunity for its fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

WHEREAS, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2 into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.); and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1f.(1)(b), each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

WHEREAS, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1d., the New Jersey Department of Community Affairs issued "a report on the calculations of regional need and municipal obligations for each region of the State" on or about October 18, 2024 (the "DCA Report"); and

WHEREAS, the DCA Report set the municipal obligation for the Borough of Hopewell as follows:

Present Need: 0
Prospective Need: 39

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hopewell, Mercer County, New Jersey, as follows:

1. The Borough of Hopewell hereby determines, based on the DCA Report and advice of the Municipal Planner, to adopt the obligations set forth in the DCA Report as its binding Fourth Round Affordable Housing Obligations subject to adjustments made to account for decisions of a court of competent jurisdiction, lack of availability of public water or sewer infrastructure or capacity (i.e. a durational adjustment), or lack of vacant land. Any such adjustments will be adopted as part of the municipality's Fourth Round Housing Element and Fair Share Plan.

2. The Municipal Clerk and Municipal Attorney are authorized to take all actions required by N.J.S.A. 52:27D-304.1f.(1)(b), including:
3.
 - a. Filing a declaratory judgement action with the Superior Court and filing a copy of this Resolution with the Department of Community Affairs within forty-eight hours following adoption of this Resolution.
 - b. Publishing this Resolution on the Borough's website.
4. The Municipal Attorney, Municipal Planner, and such other municipal officials as may be necessary or required are authorized to take all actions to draft documents necessary to comply with all Fourth Round affordable housing obligations, including drafting a Housing Element and Fair Share Plan, an Affordable Housing Trust Spending Plan, and effectuating ordinances and resolutions.
5. This Resolution shall take effect immediately.

ATTEST:



Regina M. Toth
Borough Clerk



Ryan P. Kennedy
Mayor