

**BOROUGH OF FOLSOM
RESOLUTION #2025-80**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
FOLSOM ENDORSING A FOURTH ROUND HOUSING ELEMENT AND
FAIR SHARE PLAN**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, the Borough adopted a “binding resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 21, 2025, establishing its Fourth Round Present Need of 0 and Prospective Need of 26; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 14, 2025; and

WHEREAS, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

WHEREAS, the Borough did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the Borough’s Fourth Round obligations on March 27, 2025; and

WHEREAS, on March 27, 2025, the Court entered an order establishing the Borough’s Fourth Round Present Need of 0 and Prospective Need of 11; and

WHEREAS, now that the Borough has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Borough’s affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Planning/Zoning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 18, 2025, and adopted the Fourth Round Housing Element and Fair Share Plan via a resolution on that same night; and

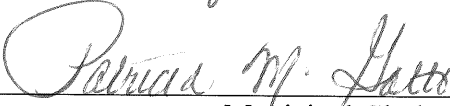
WHEREAS, the Borough Council wishes to endorse the Fourth Round Housing Element and Fair Share Plan that was adopted by the Planning/Zoning Board.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Folsom, County of Atlantic, State of New Jersey, as follows:

1. The Borough Council hereby endorses the Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A, which was adopted by the Borough's Planning/Zoning Board on June 18, 2025.
2. The Borough Council hereby directs the Borough's Affordable Housing Counsel to seek Program and Court approval of the Fourth Round Housing Element and Fair Share Plan via a Compliance Certification, and to take whatever actions are necessary to maintain the Borough's immunity from all Mount Laurel exclusionary zoning lawsuits.
3. The Borough reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Council of the Borough of Folsom at a regular meeting held on the 24th day of June 2025.



Municipal Clerk