

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY**

RESOLUTION 2025-1-51

**RESOLUTION COMMITTING MANSFIELD 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 Mansfield Township's Round 4 (2025-2035) share of Region 5's affordable housing obligation as follows: a Present Need or Rehabilitation Obligation of 0 units and a Prospective Need or New Construction Obligation of 82 units; and

WHEREAS, the Mansfield Township Planner and Township Attorney Committee 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 Mansfield Township Committee 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; and

WHEREAS, Mansfield Township has no central public sewer or public water utility and is therefore dependent on private utility companies and private developers to provide the utilities, infrastructure and developments to satisfy the Township's Round Four affordable housing obligations; and

WHEREAS, notwithstanding said lack of public sewer and water utilities, the Township has designated affordable housing sites to satisfy its Third Round affordable housing obligation, as reflected in the Township's current court approved Housing Element and Fair Share Plan; and

EXHIBIT 1

WHEREAS, the Township remains committed to designating sites, including sites already designated in the Third Round, to develop sufficient additional affordable housing units to satisfy the Township's share of the Region Five Prospective Need of 82 affordable housing units.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, as follows:

1. All of the above WHEREAS Clauses are incorporated into the operative clauses of this Resolution.
2. Mansfield Township hereby commits to providing the DCA's calculation of its share of the Region Five Round Four affordable housing Present Need Obligation of 0 units and the Prospective Need Obligation of 82 units, subject to all reservations of rights set forth herein.
3. Mansfield Township reserves the right to amend this Resolution to seek a durational adjustment of its Round Four obligation as a result of lack of sewer capacity, if the Township is unable to satisfy its Prospective Need Obligation of 82 affordable housing units, notwithstanding its best efforts to provide all or a portion of said 82 affordable housing units through the cooperation and assistance of private utility companies and private developers, as set forth above.
3. Mansfield Township reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and
4. Mansfield 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

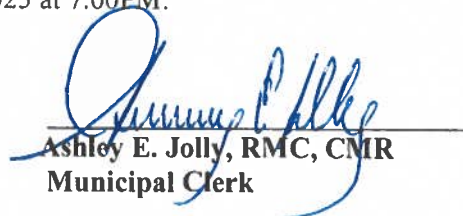
AND BE IT FURTHER RESOLVED THAT a copy of this Resolution shall be posted on the Township's official website and filed with the Affordable Housing Dispute Resolution Program within 48 hours of adoption.

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

MOTION: JENNINGS SECOND: BOYD
ROLL CALL VOTE
AYES: JENNINGS, BOYD, MOJENA, STOBIE, SISZ
NAYS: NONE ABSTAIN: NONE ABSENT: NONE

CERTIFICATION

I, **Ashley E. Jolly, RMC, CMR**, Municipal Clerk of the Township of Mansfield, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the Resolution adopted by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at their regular meeting held on January 22, 2025 at 7:00PM.



Ashley E. Jolly, RMC, CMR
Municipal Clerk