

**RESOLUTION NUMBER 2025-40****BOROUGH OF PINE HILL  
COUNTY OF CAMDEN****RESOLUTION COMMITTING TO DCA'S FOURTH  
ROUND AFFORDABLE HOUSING PRESENT NEED AND  
PROSPECTIVE NEED NUMBERS**

**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 based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates Pine Hill Borough's Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 53 and a Prospective Need or New Construction Obligation of 79; and

**WHEREAS**, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

**WHEREAS**, the Amended FHA further provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or biding court decisions" (N.J.S.A. 52:27D-311(m)); and

**WHEREAS**, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

**WHEREAS**, based on the foregoing, Pine Hill Borough accepts the DCA calculations of Pine Hill Borough's fair share obligations and commits to its fair share of 53 units present need and 79 units prospective need subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

**WHEREAS**, Pine Hill Borough reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

**WHEREAS**, Pine Hill Borough 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

**WHEREAS**, in the event that a third party challenges the calculations provided for in this Resolution, Pine Hill Borough reserves the right to take such position as it deems appropriate in response thereto, including that its Round 4 Present or Prospective Need Obligations should be lower than described herein; and

**WHEREAS**, in light of the above, the Mayor and Borough Council of the Borough of Pine Hill finds that it is in the best interest of Pine Hill Borough to declare its commitment to the obligations reported by the DCA on October 18, 2024 subject to the reservations set forth herein; and

**WHEREAS**, in addition to the above, the Acting Administrative Director issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

**WHEREAS**, pursuant to Directive #14-24, a municipality seeking a certification of 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 adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner"; and

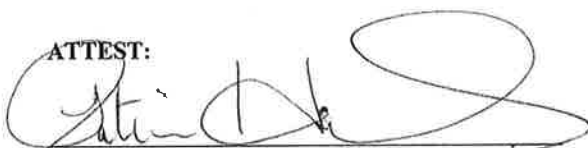
**WHEREAS**, Pine Hill Borough seeks a certification of compliance with the FHA and, therefore, directs David C. Patterson, Esq. to file a declaratory relief action within 48 hours of the adoption of this resolution in Camden County.

**NOW, THEREFORE, BE IT RESOLVED** on this 27<sup>th</sup> day of January, 2025 by the Mayor and Borough Council of the Borough of Pine Hill as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.
2. Pine Hill Borough hereby commits to the DCA Round 4 Present Need Obligation of 53 units and the Round 4 Prospective Need Obligation of 79 units described in this resolution, subject to all reservations of rights set forth above.
3. Pine Hill Borough hereby directs David C. Patterson, Esq. to file a declaratory judgment complaint in Camden County within 48 hours after adoption this resolution, attaching this resolution.
4. Pine Hill Borough authorizes David C. Patterson, Esq. to attach this resolution as an exhibit to the declaratory judgment action that is filed and to submit and/or file this resolution with the Program or any other such entity as may be determined to be appropriate.
5. This resolution shall take effect immediately, according to law.

**BOROUGH OF PINE HILL**

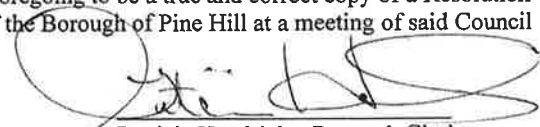
BY:   
CHRISTOPHER GREEN, MAYOR

ATTEST:  
  
PATRICIA HENDRICKS, BOROUGH CLERK

	WARRINGTON	ROBB	BURKE	CORRY-GAFT	WAKELEY	MORRIS
YES	✓	✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT						

**CERTIFICATION**

I, Patricia Hendricks certify the foregoing to be a true and correct copy of a Resolution duly adopted by the Borough Council of the Borough of Pine Hill at a meeting of said Council held on the 27<sup>th</sup> day of January 2025.

  
 Patricia Hendricks, Borough Clerk