

CRANBURY TOWNSHIP RESOLUTION # R 06-25-093

TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX

RESOLUTION ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN AS ADOPTED BY THE CRANBURY TOWNSHIP PLANNING BOARD AND ADOPTING THE SPENDING PLAN ANNEXED THERETO AS THE TOWNSHIP'S FOURTH ROUND SPENDING PLAN

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, amending the Fair Housing Act of 1985, N.J.S.A. 52:27D-301, *et seq.*, to establish a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the Act (the "FHA"); and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b) of the FHA, each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the Fourth Round of Affordable Housing Obligations ("Fourth Round"); and

WHEREAS, the Township Committee of the Township of Cranbury ("Township") adopted Resolution No. 01-25-023 on January 27, 2025, identifying its present and prospective need fair share obligations for the Fourth Round as follows:

Present Need:	Zero (0) units
Prospective Need:	265 units (reduced from 314 units by virtue of the 20% cap)

WHEREAS, in accordance with the FHA and Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024 ("Administrative Directive #14-24"), the Township filed a Complaint for Declaratory Judgment entitled *In the Matter of the Application of the Township of Cranbury in Middlesex County*, Docket No. MID-L-000572-25 on January 28, 2025, identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

WHEREAS, on March 14, 2025, the Hon. Thomas Daniel McCloskey, J.S.C., issued an Order Fixing Municipal Obligations for "Present Need" and "Prospective Need" for the Fourth

Round Housing Cycle in accordance with the obligations as set forth above, and authorizing the Township to proceed with preparation and adoption of its proposed HEFSP; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a), each municipality must adopt a HEFSP and propose drafts of the appropriate zoning and other ordinances and resolutions to implement its present and prospective obligations no later than June 30, 2025; and

WHEREAS, pursuant to Administrative Directive #14-24, “[after] the entry of an order determining present and prospective fair share obligations, the municipality must file with the Program its adopted housing element and fair share plan... within 48 hours after adoption or by June 30, 2025, whichever is sooner”; and

WHEREAS, pursuant to N.J.S.A. 52:27D-329.2, each municipality is required to include in its HEFSP, “a spending plan for current funds in the municipal affordable housing trust fund and projected funds through the current round.”; and

WHEREAS, in accordance with N.J.S.A. 52:27D-329.2, the Township’s Fourth Round HEFSP includes a *Fourth Round Spending Plan of the Housing Element and Fair Share Plan* (“Spending Plan”) as Appendix “AA”;

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Cranbury Township Planning Board held a public hearing(s) on the Fourth Round HEFSP on June 24, 2025, and following the public hearing, adopted the HEFSP the same day; and

WHEREAS, the Township now seeks to endorse the Fourth Round HEFSP and adopt its Fourth Round Spending Plan in accordance with the requirements of the FHA.

NOW, THEREFORE, BE IT RESOLVED on this 26th day of June, 2025, by the Township Committee of the Township of Cranbury as follows:

1. The Township of Cranbury hereby endorses the Housing Element and Fair Share Plan - Fourth Round Plan as adopted by the Cranbury Township Planning Board on June 24, 2025.
2. The Township of Cranbury hereby adopts the Fourth Round Spending Plan of the Housing Element and Fair Share Plan (Appendix AA of the HEFSP) as the Township’s Fourth Round Spending Plan as required by N.J.S.A. 52:27D-329.2.
3. The Township hereby authorizes and directs its Special Counsel for Affordable Housing to take all actions required by the FHA and Administrative Directive #14-24, including but not limited to, filing of the following items with the Court as part of the Township’s Declaratory Judgment action, Docket No. MID-L-572-25:

- a. The Housing Element and Fair Share Plan – Fourth Round Plan of the Township of Cranbury, as adopted by the Cranbury Township Planning Board on June 24, 2025;
 - b. The Cranbury Township Planning Board Resolution adopting the Fourth Round HEFSP;
 - c. This Resolution, endorsing the Township’s Fourth Round HEFSP and adopting the Township’s Fourth Round Spending Plan; and
 - d. Proposed draft ordinances, resolutions and other compliance submissions, if any, as required by the FHA.
4. The Township Mayor, Administrator, Clerk, Attorneys, Planners, and other appropriate officers, employees and professionals, are hereby authorized and directed to prepare and execute any and all such other documents and undertake any and all such further acts as may be necessary or required to effectuate the actions set forth herein and comply with all Fourth Round affordable housing obligations as required by the FHA and Administrative Directive #14-24.
 5. The Township reserves the right to amend the HEFSP in the event that such amendment is necessary to comply with its Fourth Round affordable housing obligations, the FHA, and/or Administrative Directive #14-24.
 6. This Resolution shall take effect immediately.

CERTIFICATION:

I, Debra A. Rubin, RMC/CMR, Municipal Clerk of the Township of Cranbury, County of Middlesex, State of New Jersey, do hereby certify that the foregoing is a true copy of a resolution adopted by the Township Committee at a meeting held on June 26, 2025.



Debra A. Rubin, RMC/CMR
Municipal Clerk

