

**RESOLUTION 173-2025
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**RESOLUTION ENDORSING THE FOURTH ROUND HOUSING ELEMENT AND THE FAIR SHARE
PLAN AS APPROVED BY THE PLANNING BOARD ON JUNE 2, 2025**

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 established a new framework and regulations for affordable housing obligations in New Jersey; and

WHEREAS, the Borough adopted a “binding resolution” (Resolution 71-2025) on January 28, 2025 accepting the calculated Present Need and Prospective Need, as calculated by the New Jersey Department of Community Affairs (DCA), and as required by the Amended FHA, establishing its Fourth Round Present Need of 0 units and Prospective Need of 28 units; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Borough filed a Fourth Round Declaratory Judgment complaint (“DJ Complaint”) on January 30, 2025 with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution; and

WHEREAS, the filing of the DJ Complaint provided the Borough automatic 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 1, 2025; and

WHEREAS, on April 1, 2025, the Program, by way of an Order from Superior Court, established the Borough’s Round 4 present and prospective need obligations based upon the Borough’s adopted binding resolution; and

WHEREAS, the Amended FHA requires a municipality to adopt and endorse a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Borough’s planner, T. Andrew Thomas, P.P. of Thomas Planning Associates, prepared a Housing Element and Fair Share Plan in accordance with Round 4 regulations and other Municipal Land Use Law (MLUL) regulations as required; and

WHEREAS, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 2, 2025 and adopted the Fourth Round Housing Element and Fair Share Plan via a resolution on that same night; and

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WHEREAS, the adopted Housing Plan and Fair Share Element was duly submitted to “the Program” and the Court within 48 hours of adoption; and

WHEREAS, the Acting Administrative Director of the AOC issued Directive No. 14-24 on December 19, 2024, which stated that the Fourth Round Housing Element and Fair Share Plan should be endorsed by the municipal governing body; and

WHEREAS, the Borough Council wishes to endorse the adopted Fourth Round Housing Element and Fair Share Plan.

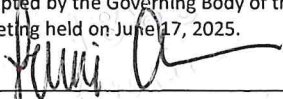
NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Allentown, County of Monmouth, State of New Jersey, as follows:

1. Hereby endorses the Fourth Round Housing Element and Fair Share Plan, which was adopted by the Borough of Allentown Planning Board on June 2, 2025.
2. The Borough Council hereby directs the Borough’s Attorney to file with “the Program” and the Court, a copy of this Resolution and any additional documents as necessary to seek a compliance certification approval from “the Program” and Court of the Fourth Round Housing Element and Fair Share Plan.
3. The Borough reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Elder			X			
Councilman Drennan			X			
Councilwoman Johnson		X	X			
Councilman Payson	X		X			
Councilwoman DeKranes			X			
Councilwoman Darling						X
Mayor Fritts						

CERTIFICATION

I, Laurie A. Roth, Municipal Clerk of the Borough of Allentown do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Borough of Allentown, County of Monmouth, State of New Jersey at the Council meeting held on June 17, 2025.


 Laurie A. Roth, MAS, RMC, CMR, CPM
 Borough Administrator/Municipal Clerk1