

TOWNSHIP OF MANALAPAN**RESOLUTION APPROVING MEDIATION AGREEMENT**

Mrs. Musich offered the following Resolution and moved its adoption:

WHEREAS, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or the "Act"); and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to provide an estimate of the Present Need, also referred to as the rehabilitation obligation, and the Round 4 Prospective Need of all municipalities by October 20, 2024 based upon the criteria on the Amended FHA; and

WHEREAS, the Township filed a timely declaratory judgment complaint in accordance with AOC Directive #14-24 known as In the Matter of the Application of the Township of Manalapan County of Monmouth, State of New Jersey, Docket No. MON-L-000435-25 seeking a declaration as to the Township's Fourth Round affordable housing obligation and the approval of the Township's Housing Element and Fair Share Plan ("HESP") which sets forth the affordable housing mechanisms the Township will implement to satisfy its Fourth Round affordable housing obligation; and

WHEREAS, the Court entered an order on April 14, 2025 setting the Township Fourth Round fair share obligations as a Present Need of 62 units and a Prospective Need of 252 units and order the Township to file a Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, the Township having filed its HEFSP on June 16, 2025 ("Adopted HEFSP"); and

WHEREAS, FSHC and three private developers having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township's HEFSP and the Township having engaged in mediation through the Program with the objectors and the Program Judge; and

WHEREAS, the Township and FSHC have agreed to amicably resolve the issues set forth in the challenge through a Mediation Agreement without resolution with the private developers which if approved will result in a compliance certification for the Township for the Fourth Round; and

WHEREAS, the Township Council of the Township of Manalapan believes it is in the best interest of the Township to approve the Mediation Agreement in order to obtain compliance certification from the Program/Court thereby protecting the Township from exclusionary zoning litigation for ten years until 2035.

NOW, THEREFORE, BE IT RESOLVED that Township Committee of the Township of Manalapan, County of Monmouth, State of New Jersey that it hereby approves the Mediation

Agreement with Fair Share Housing Center in a form approved by the Township's Special Affordable Housing Counsel.

BE IT FURTHER RESOLVED the Township Administrator is hereby authorized to execute the Mediation Agreement on behalf of the Township.

SECONDED BY Mr. Gregowicz and adopted on roll call by the following vote:

AFFIRMATIVE: Gregowicz, Musich, Nelson, McNaboe

NEGATIVE: None

ABSTAIN: Cohen

ABSENT: None

DATED: March 11, 2026

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A
RESOLUTION ADOPTED BY THE TOWNSHIP OF MANALAPAN
DURING A MEETING HELD ON MARCH 11, 2026



MUNICIPAL CLERK
TOWNSHIP OF MANALAPAN