

RESOLUTION NO. 42 - 2026
BOROUGH OF SEA GIRT

APPROVE SPENDING PLAN

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act") establishing the statutory calculation of the state-wide fair share obligation for the Fourth Round of affordable housing for the time period 2025-2035; and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to provide its calculation of every municipality's Fourth Round fair share affordable housing obligations based upon the criteria on the Amended FHA and the DCA issued a report on October 18, 2024 (the "DCA Report") wherein it supplied its calculation of the fair share affordable housing obligation for all municipalities, including the Borough of Sea Girt; and

WHEREAS, the DCA Report calculated Sea Girt Fourth Round fair share obligations as follows: Present Need (Rehabilitation) Obligation of 0 and a Fourth Round Prospective Need (New Construction) Obligation of 73 affordable housing units; and

WHEREAS, the Borough Council adopted Resolution 09-2025 accepting the DCA calculation of the Borough Fourth Round affordable housing obligation of a Present Need Obligation of 0 units and a Fourth Round Prospective Need obligation of 73 units, subject to the Borough's right to a Vacant Land Adjustment in accordance with N.J.S.A 52:27D-311 of the Amended Act; and

WHEREAS, in addition to the above, the Acting Administrative Director issued Directive #14-24 dated December 13, 2024 and pursuant to that Directive, a municipality seeking a certification of compliance with the Act is required to file a legal action in the form of a declaratory judgment complaint within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, the Borough filed a timely declaratory judgment complaint in accordance with AOC Directive #14-24 known as In the Matter of the Application of the Borough of Sea Girt, County of Monmouth, State of New Jersey, Docket No. MON-L-000337-25 seeking a declaration as to the Borough's Fourth Round affordable housing obligation and the approval of the Borough's Housing Element and Fair Share Plan ("HESP") which sets forth the affordable housing mechanisms the Borough will implement to satisfy its Fourth Round affordable housing obligation; and

WHEREAS, the Court entered an order on April 1, 2025 setting the Borough's Fourth Fair Share obligations a Present Need of zero units and a prospective need of 73 units and ordered the Borough to file a Housing Element and Fairs Plan by June 30, 2025; and

WHEREAS, the Borough filed its HESP after the Combined Planning and Zoning Board approved the HESP and the Council endorsed the HESP setting forth the Borough is entitled to a

Vacant Land Adjustment adjusting the Borough’s Realistic Development Potential to zero with an unmet need of 73 units, and

WHEREAS, Fair Share Housing enter having filed a letter pursuant to NJSA 52:27D-304.1(f)(2)(b) seeking additional information before the HESP may be approved; and

WHEREAS, the Borough and Fair Share having entered into a Consent Order approving the Borough’s affordable housing plan subject to certain conditions which must be met under the Amended FHA by March 16, 2026.

WHEREAS, the Court having entered into an Order requiring the Borough to adopt Fourth Round implementing ordinances and resolutions, including the approval of the Affordable Housing Trust Fund Spending Plan in conformance with the Amended FHA by March 16, 2026; and

WHEREAS, the Borough Council of the Borough of Sea Girt believes it is in the best interest of the Borough to adopt the Affordable Housing Trust Fund Spending Plan in order to obtain compliance certification from the Court thereby protecting the Borough from exclusionary zoning litigation for ten years until 2035; and

NOW, THEREFORE, BE IT RESOLVED, by The Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, that it hereby approves the Affordable Housing Trust Fund Spending Plan appended to its Housing Element and Fair Share Plan dated June 18, 2025 and the Borough shall expend the funds in its Affordable Housing Trust Fund in conformance with the Spending Plan.

I, Dawn Harriman, Clerk of the Borough of Sea Girt, do hereby *certify* that the foregoing is a true and exact copy of the Resolution adopted by the Borough of Sea Girt Borough Council on the 11th day of March, 2026.

Dawn Harriman

Dawn Harriman, RMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
ANTHONY	X		X			
DIFEO						X
DOWNEY			X			
PERRY			X			
RICHMAN			X			
ZAKIN		X	X			
ON CONSENT AGENDA			YES	X	NO	