

**CITY OF SALEM  
RESOLUTION 2025-57**

**RESOLUTION ADOPTING THE NEW JERSEY DEPARTMENT OF COMMUNITY  
AFFAIRS AFFORDABLE HOUSING OBLIGATIONS FOR 2025-2035  
(FOURTH ROUND) FOR THE CITY OF SALEM**

**WHEREAS**, the New Jersey Legislature amended the State’s Fair Housing Act (“Amended FHA” or “Law”) pursuant to P.L. 2024, C.2 which was signed into law by the Governor on March 20, 2024; and

**WHEREAS**, among other amendments, the Amended FHA requires the New Jersey Department of Community Affairs (“DCA”) to perform a calculation of regional need and municipal present and prospective obligations for affordable housing in accordance with the formulas established in the Law; and

**WHEREAS**, pursuant to the requirements of the Amended FHA, DCA has issued a report entitled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background (“DCA Report”); and

**WHEREAS**, in the DCA Report, DCA has calculated the City’s present need of affordable housing obligations for Round 4 in the year 2025 to be 10 units; and

**WHEREAS**, the City’s total prospective affordable housing obligation for Round 4 according to the DCA calculations for the years 2025 to 2035 is 3 units; and

**WHEREAS**, the Amended FHA specifically, N.J.S.A. 42:27D-304.1(f)(1), in relevant part provides as follows:

(a) With consideration of the calculations contained in the relevant reports published by the department pursuant to this section [**DCA Report**] for each 10-year round of affordable housing obligations beginning with the fourth round, a municipality shall determine its present and prospective fair share obligation for affordable housing in accordance with the formulas established in sections 6 and 7 of P.L.2024, c.2 (C.52:27D-304.3) by resolution, which shall describe the basis for the municipality’s determination and bind the municipality to adopt a housing element and fair share plan pursuant to paragraph (2) of this subsection based on this determination as may be adjusted by the program as set forth in this subsection.

(b) For the Fourth round of affordable housing obligations, this determination of present and prospective fair share obligation shall be made by binding resolution no later than January 31, 2025. After adoption of this binding resolution, the municipality shall file an action regarding the resolution with the program no later than 48 hours following adoption. The resolution, along with the date of filing with the program, shall be published on the program’s publicly accessible Internet website. The municipality shall also publish the resolution of its publicly accessible Internet website, if the

municipality maintains one [bracketed term added for clarification]; and

**WHEREAS**, the City officials and its professional consultants have reviewed the calculations and methodology contained in the DCA Report and have determined to accept the obligations stated therein subject to specific reservation of rights including, without limitation, the following:

- a) The right to adjust the number based on a windshield survey, lack of land, sewer, water, regional planning inputs, or any combination thereof.
- b) As described in the Recitals, all rights to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the applicable provisions of the Amended FHA.
- c) All rights to take any contrary position in the event of a third party challenge to the obligations.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Salem, County of Salem, State of New Jersey as follows:


1. The above Recitals are repeated and incorporated by reference as if set forth at length herein.
2. The City hereby accepts the calculations contained in the DCA Report and, specifically, DCA's determination of the City's present need obligation of 10 units and prospective need obligation of 3 units for the Fourth Round period 2025-2035, subject to a reservation of rights including, without limitation,
  - a) The right to adjust the number based on a windshield survey, lack of land, sewer, water, regional planning inputs, or any combination thereof;
  - b) As described in the Recitals, all rights to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the applicable provisions of the Amended FHA.
  - c) All rights to take any contrary position in the event of a third party challenge to the obligations.
3. The City Attorney is directed to file a Complaint for Declaratory Judgment and to file a copy of this Resolution with the Affordable Housing Alternative Dispute Resolution Program as required by the Amended FHA.
4. The City Clerk is directed to publish a copy of this Resolution on the City's website and to take any and all action necessary to proceed with the preparation of the City's Housing Element and Fair Share Plan for filing by June 30, 2025.

5. This Resolution shall take effect immediately, according to law.

ATTEST:

  
Ben Angeli, RMC

CITY OF SALEM

  
Tim Gregory, Council President  
*Samuel Long* *pro tempore*

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
S. Cline			X			
E. Gage	X		X			
V. Groce						X
S. Kellum		X	X			
C. Loatman			X			
J. Long			X			
C. Smith						X
T. Gregory						X

I, Ben Angeli, Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Common Council of the City of Salem on January 13, 2025.

1-13-25  
Date

  
Ben Angeli, RMC