

TOWNSHIP OF MIDDLE  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION  
275-25

Date: June 30, 2025

Subject: ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE  
MIDDLE TOWNSHIP PLANNING BOARD

Introduced By: Committeeman Gandy                      Seconded By: Committeeman Norris

Vote – Aye: Committeeman Gandy, Committeeman Norris, Mayor Leusner

Nay:

WHEREAS, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2 into law, which amended the 1985 New Jersey Fair Housing Act; and

WHEREAS, for ease in reference, this resolution shall refer to the Fair Housing Act as amended as “FHA II”; and

WHEREAS, FHA II established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan (HEFSP) and secure immunity while developing and seeking approval of an Affordable Housing Plan; and

WHEREAS, that procedure contemplated that municipalities would adopt a resolution by January 31, 2025 committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution and then filing a HEFSP by June 30, 2025 with the Affordable Housing Dispute Resolution Program (the “Program”) within 48 hours of adoption of the Plan; and

WHEREAS, in accordance with this statutory procedure, the Township adopted a binding resolution concerning its fair share and filed a declaratory relief action within 48 hours from adoption of the resolution; and

WHEREAS, the Township has asked its affordable housing planning consultant, Christopher Dochney, PP, AICP, CME Associates to prepare a HEFSP to address the Township’s affordable housing obligations under FHA II; and

WHEREAS, Christopher Dochney, PP, AICP prepared a Housing Element and Fair Share Plan and the Planning Board of the Township adopted the Plan, incorporated by reference; and

WHEREAS, the Planning Board adopted the HEFSP on June 26, 2025; and

WHEREAS, in accordance with the procedure established by FHA II, the Township’s Affordable Housing Counsel filed the duly adopted HEFSP with the Program created by FHA II within 48 hours from adoption; and


WHEREAS, the Township Mayor and Committee now wishes to endorse the Housing Element and Fair Share Plan adopted by the Middle Township Planning Board and seek approval of the HEFSP by the Program and Court.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Middle, County of Cape May, State of New Jersey, as follows:

1. The Township Mayor and Committee hereby endorse the HEFSP previously adopted by the Middle Planning Board and attached hereto.
2. The Township Mayor and Committee hereby direct the Township’s Affordable Housing Counsel to (a) file this resolution with the Program, along with any additional documents he deems necessary or desirable; and (b) seek a Compliance Certification from the Program or Vicinage area judge as may be appropriate formally approving the Plan.
3. The Township reserves the right to further amend the HEFSP attached hereto, should that be necessary.

I, Kimberly D. Osmundsen, Township Clerk of the Township of Middle, Cape May County, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting of said Middle Township Committee, held on June 30, 2025 and said Resolution was adopted by not less than a two-thirds vote of the members of the Township Committee.

Witness my hand and seal of  
the Township of Middle, this  
30<sup>th</sup> day of June, 2025

  
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Kimberly D. Osmundsen, Township Clerk