

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 208 -2025

**RESOLUTION OF THE TOWNSHIP OF UPPER ENDORSING THE
HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE
UPPER TOWNSHIP PLANNING BOARD**

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 a 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, the Township asked its affordable housing planning consultant, Tiffany Morrissey, PP/AICP to prepare a HEFSP to address the Township's affordable housing obligations under FHA II; and

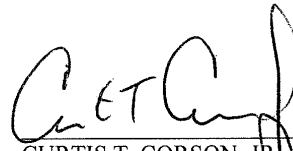
WHEREAS, Ms. Morrissey prepared a HEFSP and the Upper Planning Board adopted the HEFSP which is attached hereto as Exhibit A; and

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

WHEREAS, the Township now wishes to endorse the HEFSP adopted by the Upper Planning Board and seek approval of the HEFSP by the Program and Court.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby endorses the HEFSP previously adopted by the Upper Township Planning Board and attached hereto.
3. The Township Committee hereby directs the Township's Affordable Housing Counsel to (a) file this resolution with the Program, along with any additional documents the professionals deem necessary or desirable; and (b) seek a Compliance Certification from the Program or Vicinage area judge as may be appropriate formally approving the Plan.
4. The Township reserves the right to further amend the HEFSP attached hereto, should that be necessary.



CURTIS T. CORSON, JR., Mayor



JOANNE R. HERRON, Township Clerk

Resolution No. 208-2025

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: July 14, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	x			
Nappen	x			
S. Palombo				x
Z. Palombo	x			
Corson	x			

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Committee of Upper Township at a regular meeting held on the 14th day of July 2025.


Joanne R. Herron, RMC
Municipal Clerk