

**BOROUGH OF WOODBINE
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION 03-68-2026

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
WOODBINE RATIFYING AND CONFIRMING THE ENDORSEMENT OF A
FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN IN
ACCORDANCE WITH RESOLUTION 3-65-2026 OF THE BOROUGH OF
WOODBINE**

WHEREAS, the Borough of Woodbine (hereinafter the “Borough” or “Woodbine”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 8, 2015, the Borough of Woodbine filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and

WHEREAS, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and

WHEREAS, the Borough continues to actively implement its Court-approved Third Round Housing Element and Fair Share Plan; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, the Borough adopted a “binding resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 6, 2025, establishing its Fourth Round Present Need of 27 and Prospective Need of 27; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 29, 2025; and

WHEREAS, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

WHEREAS, the Borough did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the Borough’s Fourth Round obligations on March 1, 2025; and

WHEREAS, on March 27, 2025, the Court entered an order establishing the Borough's Fourth Round Present Need of 27 and Prospective Need of 27; and

WHEREAS, the Borough was required to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Borough's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 11, 2025 and adopted the Fourth Round Housing Element and Fair Share Plan via a resolution on that same night; and

WHEREAS, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024, which stated that the Fourth Round Housing Element and Fair Share Plan should be endorsed by the municipal governing body; and

WHEREAS, on June 11, 2025, the Borough Council adopted Resolution 06-87-2025 endorsing the Fourth Round Housing Element and Fair Share Plan(HEFSP) ; and

WHEREAS, on August 26, 2025, Fair Share Housing Center (FSHC) filed an objection to the Borough's HEFSP in accordance with N.J.S.A. 52:27d-304.1(f)(2)(b) and as a result, the Court entered a Case Management Order on November 18, 2025 requiring FSHC and the Borough to prepare and present to the Court for its approval a proposed form of consent Order that resolves all of the issues raised in the objection to be completed by March 15, 2026; and

WHEREAS, on February 12, 2026 the FSHC and the Borough executed a Consent Order which was signed by the Court requiring the Borough to amend its Fourth Round HEFSP to meet the requirements of the Consent Order as set forth at Paragraph 9 therein among other requirements; and

WHEREAS, Tiffany A. CuvIELLO, P.P. prepared an amended 2026 Housing Element and Fair Share Plan and Appendix dated February 25, 2026 for consideration by the Woodbine Combined Land Use Board (CLUB) at their regular meeting on March 11, 2026 after proper notice has been published and said document and attachments and said document and attachments having been reviewed by the Borough Council; and

WHEREAS, on March 5, 2026, Borough Council adopted Resolution 3-65-2026 endorsing the Amended Fourth Round Housing Element and Fair Share Plan subject to and contingent upon the adoption of said Amended Fourth Round Housing Element and Fair Share Plan by the CLUB at their March 11, 2026 regular meeting and their finding that it is consistent with the goals and objectives of the Borough's current Master Plan, and that the adoption and implementation of the Amended Fourth Round Housing Element and Fair Share Plan is in the public interest, protects the public health and safety and promotes the general welfare; and

WHEREAS, on March 11, 2026, the CLUB adopted Resolution 2-3-2026 wherein the CLUB determined that the appended 2026 Housing Element of the Master Plan and Fair Share Plan

prepared by Tiffany A. Morrissey, AICP, PP provides a realistic opportunity for the development of the Borough's fair share of affordable housing and is consistent with the requirements of the Fair Housing Act and the Municipal Land Use Laws and further recommended the Borough Council adopt the implementing Ordinances to effectuate the 2026 Amended Housing Element of the Master Plan and Fair Share Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Woodbine, County of Cape May, State of New Jersey, as follows:

1. The Borough Council hereby ratifies and confirms Resolution 3-65-2026 endorsing the Amended Fourth Round Housing Element and Fair Share Plan, which is attached thereto as Exhibit A and further finds that the adoption and implementation of the Amended Fourth Round Housing Element and Fair Share Plan is in the public interest, protects the public health and safety and promotes the general welfare.
2. The Borough Council hereby directs the Borough Solicitor to (a) file with the Program and the Court, the Fourth Round Housing Element and Fair Share Plan if it has not done so already, along with any additional documents the professionals deem necessary or desirable and (b) seek Program and Court approval of the Fourth Round Housing Element and Fair Share Plan via a Compliance Certification.
3. The Borough reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.



 WILLIAM PIKOLYCKY, MAYOR



 LAURIE BOYD, ACTING CLERK

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Council of the Borough of Woodbine at a regular meeting held on the 5th day of March, 2026.



 Laurie Boyd, Acting Municipal Clerk

**RESOLUTION No. 03-68-2026
ADOPTED AND APPROVED**

MARCH 19, 2026

Attestation

Adopted and Approved


Laurie E. Boyd
Acting Borough Clerk


Mayor William Pikolycky
Borough of Woodbine

Motion for:	Adoption of Resolution VIA CONSENT AGENDA 03-63-2026 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WOODBINE RATIFYING AND CONFIRMING THE ENDORSEMENT OF A FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN IN ACCORDANCE WITH RESOLUTION 3-65-2026 OF THE BOROUGH OF WOODBINE					
Vote Taken By:	<input checked="" type="checkbox"/> Roll Call		<input type="checkbox"/> Voice		<input type="checkbox"/> Other:	
Roll Call	Motion	Second	Yes	No	Abstain	Absent
Council President Ortiz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councilman Bennett	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Perez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Prettyman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pikolycky [<input checked="" type="checkbox"/> Tie Vote Not Required]			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decision:	APPROVED			5-0-0--1		

I, Laurie E. Boyd, Acting Borough Clerk of the Borough of Woodbine, situate in the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Borough Council of the Borough of Woodbine, situate in the County of Cape May, State of New Jersey.


Laurie E. Boyd
Acting Borough Clerk

[Municipal Seal]