

**BOROUGH OF PINE BEACH
COUNTY OF OCEAN
RESOLUTION 2025-82**

**RESOLUTION ENDORSING THE FOURTH ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN**

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

WHEREAS, pursuant to the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Borough of Pine Beach (“Borough”) Council adopted a “binding resolution” committing to a Present Need obligation of zero (0) units and a Prospective Need obligation of three (0) units based on the Borough’s Affordable Housing Planner, Mark Rohmeyer, P.E., P.P., C.M.E. (“Planner”)’s calculations using the methodology in the Amended FHA; and

WHEREAS, the Borough filed a timely Fourth Round Declaratory Judgment action (“DJ Action”) with the Affordable Housing Dispute Resolution Program (“Program”), along with its binding resolution, on January 16, 2025; and

WHEREAS, the filing of the DJ Action 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 New Jersey Builders Association (“NJBA”) and Fair Share Housing Center (“FSHC”) filed timely challenges to the DJ Action; and

WHEREAS, the Honorable Julio L. Mendez, J.S.C. (Ret.) was assigned to manage the proceedings, host settlement conferences, and make recommendations to the Honorable Sean J. Gertner, J.S.C., the Mount Laurel Judge of Ocean Vicinage; and

WHEREAS, the Borough and FSHC reached an agreement that was put on the record at a settlement conference that took place on March 20, 2025 before Judge Mendez; and

WHEREAS, NJBA did not participate in the settlement negotiations, nor did it object to any settlement reached between the Borough and FSHC; and

WHEREAS, on April 15, 2025, Judge Gertner prepared an order fixing the Borough’s obligation at 0 for the Present Need and thirty (30) for the Prospective Need, and authorized the Borough to proceed with preparing and adopting its Housing Element and Fair Share Plan for the Fourth Round; and

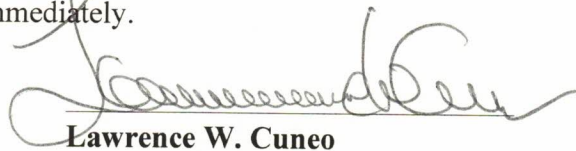
WHEREAS, the Planner has prepared a Fourth Round Housing Element and Fair Share Plan (“Fourth Round HEFSP”) that addresses the Borough’s Fourth Round affordable housing obligation; and

WHEREAS, the Borough of Pine Beach Planning Board (“Board”), at a duly noticed meeting held on June 30, 2025, reviewed the Fourth Round HEFSP and determined that it was consistent with the Master Plan and that implementation of the Fourth Round HEFSP is in the public interest and would promote the general welfare and, by Resolution No. 2025-07, dated June 30, 2025, adopted the Fourth Round HEFSP.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Pine Beach, County of Ocean, State of New Jersey, on this 9th day of July 2025, that:

1. The Borough Council hereby endorses the Fourth Round HEFSP as adopted by the Board as an amendment to the Borough’s Master Plan and agrees to implement the Fourth Round HEFSP by adopting applicable ordinances.

2. The Mayor and Borough Clerk, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
3. This Resolution shall take effect immediately.



Lawrence W. Cuneo

Mayor

CERTIFICATION

I, **Hannah L. Jacobus**, Municipal Clerk of the Borough of Pine Beach, do hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted by the Governing Body of the Borough of Pine Beach at the Reorganization meeting held the 9th Day of **July 2025**.



Hannah L. Jacobus

Municipal Clerk

