

**TOWNSHIP OF CARNEYS POINT  
RESOLUTION NO. 2026-86**

**TITLE: RESOLUTION OF THE TOWNSHIP OF CARNEYS POINT  
ADOPTING AN UPDATED AFFIRMATIVE MARKETING  
PLAN**

**WHEREAS**, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP v. Mount Laurel, 67 N.J. 151 (1975) and Southern Burlington County NAACP 14 v. Mount Laurel, 92 N.J. 158 (1983), has determined that every municipality in New Jersey has a constitutional obligation to provide through its land use regulations a realistic opportunity for its fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, et seq.); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining its present and prospective fair share obligation for the Fourth Round of Affordable Housing Obligations ("Fourth Round"); and

**WHEREAS**, the Township Committee of the Township of Carneys Point ("Township") adopted Resolution No. 43-2025 on January 15, 2025, identifying its present and prospective fair share obligations for the Fourth Round as follows:

<b>Present Need:</b>	<b>43</b>
<b>Prospective Need:</b>	<b>93</b>

**WHEREAS**, the Township filed a Complaint for Declaratory Judgment, *In the Matter of the Application of the Township of Carneys Point, County of Salem*, Docket No. SLM-L-15-25 on January 17, 2025, identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

**WHEREAS**, on April 28, 2025, Hon. Robert G. Malestein, P.J.Ch. issued an Order Fixing Municipal Obligations for "Present Need" and "Prospective Need" for the Fourth Round in accordance with the obligations as set forth above, and authorizing the Township to proceed with preparation and adoption of its proposed HEFSP; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a), each municipality must adopt a HEFSP and propose drafts of the appropriate zoning and other ordinances and resolutions to implement its present and prospective obligations no later than June 30, 2025; and

**WHEREAS**, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, “[after] the entry of an order determining present and prospective fair share obligations, the municipality must file with the Program its adopted housing element and fair share plan... within 48 hours after adoption or by June 30, 2025, whichever is sooner”; and

**WHEREAS**, by Resolution No. 2025-15 Township of Carneys Point Planning Board (June 24, 2025) and Resolution No. 2025-122 Township of Carneys Point (June 25, 2025) respectively, Carneys Point Adopted and Endorsed the Fourth Round HEFSP; and

**WHEREAS**, on June 25, 2025, the Fourth Round HEFSP was e-filed with the Court; and

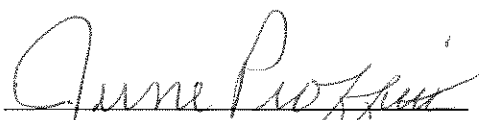
**WHEREAS**, pursuant to Paragraph 8 of the Consent Order entered into by and between the Township and FSHC on December 5, 2025, the Township must update its Affirmative Marketing Plan in accordance with the new regulations at NJAC 5:80-26.1, et seq, and NJAC 5:99; and


**WHEREAS**, TRIAD Associates, the Townships Administrative Agent, has prepared an updated Affirmative Marketing Plan (attached hereto); and

**WHEREAS**, the Township finds it would be both necessary and proper to adopt the attached Affirmative Marketing Plan in order to maintain compliance with the various aforementioned Affordable Housing mandates which will, in turn, maintain the Township’s immunity from Builder’s Remedy Lawsuits.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Pennsville, County of Salem, as follows:

1. The Township hereby adopts the attached Affirmative Marketing Plan.
2. This Resolution shall take effect immediately.

  
June Proffitt, Township Clerk

  
Patrick Bomba, Mayor

Dated: April 15, 2026

COMMITTEE	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
BROWN	X		X			
JOHNSON			X			
C. MARTIN		X	X			
G. MARTIN			X			
BOMBA			X			