

**TOWNSHIP OF PENNSVILLE
RESOLUTION NO. 189-2025**

TITLE: RESOLUTION OF THE TOWNSHIP OF PENNSVILLE
ENDORING THE HOUSING ELEMENT AND FAIR SHARE
PLAN AS ADOPTED BY THE PENNSVILLE TOWNSHIP
PLANNING BOARD AND ADOPTING THE SPENDING
PLAN ANNEXED THERETO AS APPENDIX N AS THE
TOWNSHIP'S FOURTH ROUND SPENDING 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 Pennsville ("Township") adopted Resolution No. 62-2025 on January 16, 2025, identifying its present and prospective fair share obligations for the Fourth Round as follows:

Present Need: 69

Prospective Need: 46

WHEREAS, the Township filed a Complaint for Declaratory Judgment, *In the Matter of the Application of the Township of Pennsville, County of Salem*, Docket No. SLM-L-13-25 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, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Pennsville Township Planning Board held a public hearing(s) on the Fourth Round HEFSP on June 9, 2025, and adopted the HEFSP on the same day, as memorialized by *Resolution No. 25-09 Township of Pennsville Planning Board*; and

WHEREAS, a true copy of the Fourth Round HEFSP and Resolution of the Planning Board adopting the HEFSP is annexed hereto as Exhibit “A”; and

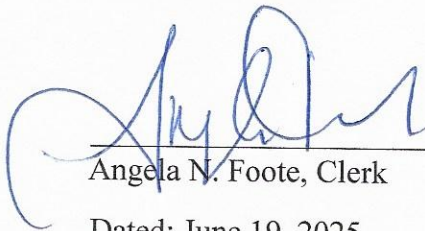
WHEREAS, pursuant to N.J.S.A. 52:27D-329.2, each municipality is required to include in its HEFSP, “a spending plan for current funds in the municipal affordable housing trust fund and projected funds through the current round.”; and

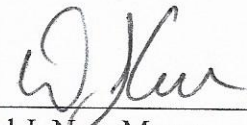
WHEREAS, in accordance with N.J.S.A. 52:27D-329.2, the Township of Pennsville’s Fourth Round HEFSP includes the *Fourth Round Spending Plan of the Housing Element and Fair Share Plan* (“*Spending Plan*”), as Appendix “N”;

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

1. The Township hereby endorses the Fourth Round HEFSP as adopted by the Pennsville Township Planning Board, annexed hereto as **Exhibit A**;
2. The Township hereby adopts the *Spending Plan* annexed to the Fourth Round HEFSP as **Appendix N**, as the Township’s Fourth Round Spending Plan, as required by N.J.S.A. 52:27D-329.2;
3. The Township hereby authorizes and directs its professionals to take all actions required by N.J.S.A. 52-27D-301, *et seq.* and Administrative Directive #14-24, including:

- a. Filing the HEFSP as adopted by the Pennsville Township Planning Board with the Superior Court pursuant to the Township's Declaratory Judgment action filed under Docket No. SLM-L-13-25 within 48 hours of its adoption; and
 - b. Filing the implementing ordinances and compliance submissions, pursuant to the provisions of the FHA.
4. The Municipal Attorney, Municipal Planner, and such other municipal officials as may be necessary or required are authorized to take all actions to draft and file documents necessary to comply with all Fourth Round affordable housing obligations, including an Affordable Housing Trust Spending Plan, and effectuating ordinances and resolutions.
5. The Township reserves the right to amend the HEFSP, in the event that such amendment is necessary to comply with all Fourth Round affordable housing obligations.
6. This Resolution shall take effect immediately.


 Angela N. Foote, Clerk


 Daniel J. Neu, Mayor

Dated: June 19, 2025

Member	Aye	Nay	N.V.	A.B.	Res.	Sec.
Dyer	X					X
Fitchett	X					
Hourigan	X				X	
Thompson	X					
Neu	X					

X indicates N.V.-Not Voting A.B.-Absent Res.-Resolution Moved Sec.-Resolution Seconded

ATTACHMENT(S): Exhibit A, Housing Element and Fair Share Plan.