

Resolution No. 93-2025**RESOLUTION****Of The Township Of Pittsgrove
In The County Of Salem, State Of New Jersey****RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF PITTSBGROVE ENDORSING A FOURTH ROUND HOUSING ELEMENT AND
FAIR SHARE PLAN**

WHEREAS, the Township of Pittsgrove (hereinafter the “Township” or “Pittsgrove”) 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 June 12, 2015, the Township 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 Township 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 Township adopted a “binding resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 22, 2025, establishing its Fourth Round Present Need of 25 and Prospective Need of 12; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Township 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 24, 2025; and

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

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

WHEREAS, on April 28, 2025, the Court entered an order establishing the Township’s Fourth Round Present Need of 25 and Prospective Need of 12; and

WHEREAS, now that the Township has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Township’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 May 27, 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, the Township Committee wishes to endorse the Fourth Round Housing Element and Fair Share Plan.

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Pittsgrove, County of Salem, State of New Jersey, as follows:

1. The Township Committee hereby endorses the Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A, which was adopted by the Township's Planning Board on May 27, 2025.
2. The Township Committee hereby directs the Township's Affordable Housing Counsel 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 Township reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

ATTEST:



Charlet Cheeseman, Municipal Clerk



Fiore J. Copare, M.D., Mayor

May 28, 2025

Date

Roll Call:

Harz	<u>Aye</u>
Schmidt	<u>Aye</u>
Spinelli	<u>Aye</u>
Yeagle	<u>Aye</u>
Copare	<u>Aye</u>

CERTIFICATION

I, the Municipal Clerk of the Township of Pittsgrove, do hereby certify that the foregoing is a true copy of a Resolution duly adopted at a Regular Meeting of the Pittsgrove Township Committee held May 28, 2025.

5-28-2025

Date



Municipal Clerk