

**RESOLUTION NO. 2025-39**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
HARDWICK, COUNTY OF WARREN, STATE OF NEW JERSEY ENDORSING THE  
HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE HARDWICK  
TOWNSHIP LAND USE BOARD**

**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 “Amended FHA”); and

**WHEREAS**, Amended FHA established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan (“HEFSP”); and

**WHEREAS**, that procedure contemplated that municipalities would adopt a resolution by January 31, 2025, committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution and then filing a HEFSP by June 30, 2025, and filing that plan within 48 hours with the Affordable Housing Dispute Resolution Program (the “Program”); and

**WHEREAS**, in accordance with this statutory procedure, the Township adopted a binding resolution on January 21, 2025, committing to a Fourth Round Present Need obligation of zero (0) and Fourth Round Prospective Need obligation of 29, subject to applicable adjustments; and

**WHEREAS**, in accordance with this statutory procedure, the Township filed a Declaratory Judgment Complaint (DJ Complaint) within 48 hours of the adoption of the binding resolution; 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’s affordable housing planning consultant, McKinely Mertz, PP, AICP, of Heyer Gruel & Associates has prepared a HEFSP to address the Township’s affordable housing obligations under Amended FHA; and

**WHEREAS**, the Hardwick Township Land Use Board adopted a HEFSP prepared by Ms. Mertz on June 18, 2025; and

**WHEREAS**, the Resolution, adopted by the Township Land Use Board, is attached hereto as Exhibit A; and

**WHEREAS**, in accordance with the procedure established by Amended FHA, the Township’s affordable housing counsel shall file the duly adopted HEFSP with the Program created by Amended FHA within 48 hours from adoption; and

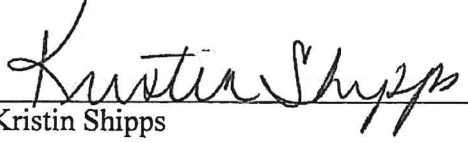
**WHEREAS**, the Township Committee of the Township of Hardwick now wishes to endorse the Housing Element and Fair Share Plan adopted by the Hardwick Land Use Board and seek approval of the HEFSP by the Program and Court.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hardwick, County of Warren, State of New Jersey, as follows:

1. The Township Committee of the Township of Hardwick hereby endorses the Fourth Round HEFSP previously adopted by the Hardwick Land Use Board on June 18, 2025; the Resolution adopting such Plan by the Township Land Use Board is attached hereto.
2. The Township Committee of the Township of Hardwick hereby directs the Township Attorney to (a) file this resolution with the Program, along with any additional documents the professionals deem necessary or desirable; and (b) seek a Compliance Certification from the Program or Vicinage area judge as may be appropriate to formally approve the Plan.
3. The Township reserves the right to further amend the HEFSP, should that be necessary.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township Committee of the Township of Hardwick at a regular meeting held on the 18th day of June 2025.

  
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Kristin Shipps  
Municipal Clerk