

WHITE TOWNSHIP, WARREN COUNTY, NEW JERSEY

RESOLUTION 2025-33

**RESOLUTION ENDORSING THE
2025 FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

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 al.); and

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

WHEREAS, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

WHEREAS, the White Township Committee (the "Committee") adopted Resolution No. 2025-14 on January 30, 2025 identifying its present and prospective fair share obligation for the Fourth Round: as follows:

Present Need: 100

Prospective Need: 53; and

WHEREAS, the Township of White (the "Township") filed a Complaint for Declaratory Judgement, captioned *IMO White Township*, Docket No. WRN-L-64-25 on January 31, 2025 identifying its present and prospective fair share obligation for the Fourth Round as set forth above and committing to adopting and submitting a fourth round housing element and fair share plan as required by the FHA (the "Declaratory Judgment Action"); and

WHEREAS, Fair Share Housing Center ("FSHC") and the New Jersey Builder's Association ("NJBA") filed challenges to the Declaratory Judgment Action; and

WHEREAS, the Affordable Housing Dispute Resolution Program held a settlement conference on March 18, 2025 presided over by the Honorable Thomas C. Miller, A.J.S.C. (ret.); and

WHEREAS, Joseph H. Burgis, P.P. served as the Special Adjudicator at the Settlement Conference; and

WHEREAS, FSHC and the Township reached a settlement agreement during the Settlement Conference, which was placed on the record and endorsed by Judge Miller and Special Adjudicator Burgis setting the Township's Fourth Round Affordable Housing Obligations as follows:

Present Need: 100

Prospective Need: 237

WHEREAS, a copy of the resulting settlement agreement is attached hereto as Exhibit B; and

WHEREAS, the Court entered an Order on April 8, 2025 approving such settlement; and

WHEREAS, the FHA now requires, among other actions, that municipalities submit an adopted housing element in fair share plan on or before June 30, 2025; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the White Township Planning Board (the "Board") held a public hearing on the 2025 Fourth Round Housing Element and Fair Share Plan ("HEFSP") on June 10, 2025 and adopted the HEFSP; and

WHEREAS, a true copy of the HEFSP and the resolution of the Board adopting the HEFSP is attached hereto as Exhibit A; and

WHEREAS, the Township Committee wishes to endorse the HEFSP and seek approval of the HEFSP from the Court; and

NOW, THEREFORE, BE IT RESOLVED, by the White Township Committee as follows:

1. That it hereby endorses the Housing Element and Fair Share Plan, as adopted by the Hampton Borough Planning Board on June 2, 2025 via the resolution, attached hereto as part of Exhibit A.
2. The Township Attorney is authorized to take all actions to execute the settlement agreement with FSHC in substantially the same form as attached hereto as Exhibit B.
3. That it authorizes and directs its professionals to file with the Court (i) the Housing Element and Fair Share Plan, (ii) the resolution of the Planning Board adopting and the Borough Council endorsing the Housing Element and Fair Share Plan, (iii) the settlement agreement, and (iv) any additional documents the professionals deem necessary or desirable.
4. That it reserves the right to amend the Housing Element and Fair Share Plan, should that be necessary.
5. This Resolution shall take effect immediately.

ROLL CALL: Hyndman - yes Skoog -- yes Herb - yes

CERTIFICATION

I, Kathleen R. Reinalda, RMC for the Township of White, Warren County, State of New Jersey, do hereby certify this is a true copy of a Resolution adopted at the Regular Meeting of the White Township Committee held on Wednesday, June 11, 2025.

A handwritten signature in black ink, appearing to read 'Kathleen Reinalda', written over a horizontal line.

Kathleen R. Reinalda, RMC

Township Clerk