

TOWNSHIP OF MIDDLE  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION  
77-25

Date: January 22, 2025

Subject: BINDING RESOLUTION OF THE TOWNSHIP OF MIDDLE, CAPE MAY COUNTY,  
ACCEPTING THE ROUND 4 PRESENT AND PROSPECTIVE NEED OBLIGATIONS AS  
CALCULATED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

Introduced By: Committeeman Gandy    Seconded By: Committeeman Norris  
Vote – Aye: Committeeman Gandy, Committeeman Norris, Mayor Leusner  
Nay:

WHEREAS, on March 20, 2024, Governor Murphy signed into law substantial amendments to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to 329 (“FHA”), setting forth the procedures, deadlines, and substantive statutory provisions to be applied by New Jersey municipalities for the period between July of 2025 and July of 2035, commonly referenced as “Round 4;” and

WHEREAS, pursuant to the FHA, the New Jersey Department of Community Affairs (“DCA”) on October 20, 2024 published its statewide calculations of the present and prospective affordable housing obligations for every New Jersey municipality; and

WHEREAS, per DCA’s calculations, the TOWNSHIP of MIDDLE’s Round 4 affordable housing obligations are:

- |   |    |
|---|----|
| 1. Present (Rehabilitation) Need:       | 51 |
| 2. Prospective (New Construction) Need: | 81 |

WHEREAS, on December 13, 2024, the New Jersey Administrative Office of the Courts issued Directive #14-24 which, among other things, directed municipalities to file a Declaratory Judgment Complaint and Case Information Statement in the New Jersey Superior Court, Law Division, within 48 hours of the adoption of this Binding Resolution; and

WHEREAS, notwithstanding the fact that the TOWNSHIP lacks sufficient vacant and suitable land to fully address a 51-unit Prospective Need, it intends to accept the DCA’s calculations and will likely seek a “vacant land adjustment” as a component of its Round 4 Housing Element and Fair Share Plan; and

WHEREAS, the TOWNSHIP also intends to accept the DCA’s 81-unit Present Need and will take measures to satisfy said obligation as a part of its ongoing Affordable Housing Rehabilitation Program for the period between 2025 and 2035.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the TOWNSHIP of MIDDLE, County of Cape May, State of New Jersey, as follows:

1. The TOWNSHIP of MIDDLE hereby accepts and adopts the DCA’s “fair share” obligations thereby establishing the TOWNSHIP’s Present Need obligation of 51 and its Prospective Need obligation of 81; and
2. Within 48 hours of the adoption of this Binding Resolution, the TOWNSHIP’s Special Mount Laurel Counsel is directed to file the mandatory Declaratory Judgment Complaint and Case Information Statement in the New Jersey Superior Court, Law Division, and to take any associated ancillary actions as required by law; and
3. A certified copy of this Binding Resolution shall be immediately forwarded to (a) the New Jersey Department of Community Affairs; (b) the TOWNSHIP’s Special Mount Laurel Counsel and Planner, and (c) Fair Share Housing Center; and
4. A true copy of this Binding Resolution shall be posted on the TOWNSHIP’s official website and shall be published in the TOWNSHIP’s legal newspapers within 48 hours of adoption.

I, Kimberly D. Osmundsen, Township Clerk of the Township of Middle, Cape May County, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting of said Middle Township Committee, held on January 22, 2025 and said Resolution was adopted by not less than a two-thirds vote of the members of the Township Committee.

Witness my hand and seal of  
the Township of Middle, this  
22<sup>nd</sup> day of January, 2025



Kimberly D. Osmundsen, Township Clerk