

**June 17, 2025**

**MEDFORD TOWNSHIP  
BURLINGTON COUNTY**

**RESOLUTION 109 - 2025**

**RESOLUTION ENDORSING 2025 HOUSING ELEMENT AND FAIR  
SHARE PLAN**

**WHEREAS**, the New Jersey Supreme Court, in Mount Laurel II, ruled that each municipality in New Jersey has a constitutional obligation to provide its fair share of the region's affordable housing needs; and

**WHEREAS**, as contemplated by the New Jersey Supreme Court's decision in Mount Laurel IV, Medford Township filed a Declaratory Judgement Action (DJA) in the New Jersey Superior Court, Burlington County, Law Division (the "Court") under Docket Number L-2596-15, to establish and finalize Medford Township's Third Round (1999-2025) obligation for affordable housing; and

**WHEREAS**, by Court Order in the above action entered on September 15, 2020, Medford Township was granted a Final Judgment of Compliance and Repose (Without Conditions), for the Township's Present Need or Rehabilitation Obligation, the Township's Prior Round Obligation (1987-1999), as well as its Third Round Obligation, consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*), P.L. 2024, c. 2. (hereinafter "Amended FHA"); and

**WHEREAS**, the Amended FHA required the Department of Community Affairs ("DCA") to produce non-binding estimates of each New Jersey municipal fair share obligation for the Fourth Round Affordable Housing Cycle; and

**WHEREAS**, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the obligation for all municipalities within each affordable housing region based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.3, a municipality's average allocation factor is comprised of the equalized nonresidential factor, income capacity factor, and land capacity factor and shall be averaged to yield the municipality's average allocation factor, and

**WHEREAS**, the DCA Report calculated Medford Township's Round 4 (2025-2035) share of Region 5's affordable housing obligation as follows: a Present Need or Rehabilitation Obligation of 69 units and a Prospective Need or New Construction Obligation of 171 units; and

**WHEREAS**, by adoption of Resolution 32-2025 the Medford Township Council accepted the DCA calculations and the Township's share of the Region Five Present Need and Prospective Need affordable housing obligation, subject to the reservation of certain rights as set forth in said Resolution; and

**WHEREAS**, on December 14, 2024, the New Jersey Administrative Office of the Courts issued Directive 14-24, promulgating the procedures and guidelines implementing the Alternate Dispute Resolution Program created by the Amended FHA; and

**WHEREAS**, on January 22, 2025, as required by Directive 14-24, the Township filed its Complaint for Declaratory Judgment (Affordable Housing), in the Superior Court of New Jersey, Burlington County, Docket No. 000171-25; and

**WHEREAS**, on April 8, 2025, the Hon. Terrence R. Cook, A.J.S.C. entered an Order in the Declaratory Judgment action, fixing Medford Township's present need of 69 affordable housing units and its prospective need of 171 affordable housing units for the Fourth Round Affordable Housing Cycle and further authorizing the Township to proceed with preparation of its proposed Housing Element and Fair Share Plan; and

**WHEREAS**, per the Amended FHA and the April 8, 2025 Court Order, to allow the Township to maintain immunity from exclusionary zoning litigation, the Township is required to complete and file its 2025 Housing Element and Fair Share Plan no later than June 30, 2025; and

**WHEREAS**, in light of the above, the Medford Township Council finds that it is in the best interest of the Township and its residents to endorse the Medford Township 2025 Housing Element and Fair Share Plan, refer and recommend it to the Medford Township Planning Board for adoption, and to expressly commit to meeting its Present Need and Prospective Need Fourth Round affordable housing fair share obligation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Medford, County of Burlington, and State of New Jersey, as follows:

1. All of the above WHEREAS Clauses are incorporated into the operative clauses of this Resolution.
2. The updated 2025 Medford Township Housing Element and Fair Share Plan attached hereto and made a part hereof as Exhibit A, is hereby endorsed by the Township

Council on behalf of the Township of Medford and referred to the Medford Township Planning Board for final adoption.

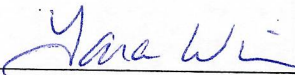
3. The Township hereby commits to providing its share of the Region Five Round Four affordable housing Present Need Obligation of 69 units and the Prospective Need Obligation of 171 units, subject to all reservations of rights set forth in Resolution 32-2025.

**AND BE IT FURTHER RESOLVED THAT** a copy of this Resolution shall be posted on the Township's official website and filed with the Affordable Housing Dispute Resolution Program on or before June 30, 2025.

This resolution shall take effect immediately, upon passage, according to law.

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Council of the Township of Medford at a meeting held on the 17th day of June, 2025.

  
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Tara Wicker, Township Clerk