

RESOLUTION 2025-048

RESOLUTION OF THE BOROUGH OF BARNEGAT LIGHT,  
 COUNTY OF OCEAN, STATE OF NEW JERSEY ADOPTING  
 PRESENT AND PROSPECTIVE NEED CALCULATIONS FOR THE  
 PERIOD FROM 2025 TO 2035

WHEREAS, by way of P.L. 2024, c. 2, the State of New Jersey has created the “Affordable Housing Dispute Resolution Program” (the “Program”) within the judiciary through which the judiciary reviews and grants a certification of compliance pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., for municipalities adopting housing element and fair share plans that include the constitutional obligation to create realistic opportunities for low- and moderate-income households; and

WHEREAS, the Borough of Barnegat Light (the “Borough”) wishes to preserve its ability to seek a certification of compliance pursuant to the Fair Housing Act, by formally determining and calculating its present and prospective need, and authorizing the filing of a declaratory judgment through the Program; and

WHEREAS, the Borough has reviewed the calculations prepared by the Department of Community Affairs for the period from 2025 to 2035, which determined that the Township has a present need of 0 units and a prospective need of 64 units; and

WHEREAS, the Borough has determined that the calculations of present and prospective need for low- and moderate-income households thereunder appears to conform to the standards established under the Fair Housing Act, and wishes to accept these calculations; and

WHEREAS, the Borough is located entirely within an environmentally constrained area, due to its location on a barrier island located within the flood zone, and the Borough anticipates relying upon a vacant land adjustment as part of its mechanisms of compliance; and

WHEREAS, the Borough wishes to adopt a binding resolution, pursuant to the Fair Housing Act, committing to the adoption of a housing element and fair share plan within the timelines established by the Fair Housing Act.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Barnegat Light as follows:

1. The Borough has determined that its present need obligation for affordable housing during the period from 2025 to 2035 is 0 units.
2. The Borough has determined that its prospective need obligation for affordable housing during the period from 2025 to 2035 is 64 units.
3. The Township’s special affordable housing counsel, Gibbons P.C., is hereby authorized to file a declaratory judgment action within the Program seeking a certification of compliance.
4. A copy of this resolution shall be posted on the municipal website of the Township within forty-eight (48) hours.

DATED: January 8, 2025

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark		X	X			
Wellington			X			
Gutowski			X			
Reynolds						X
Foley	X		X			
Mikuletzky			X			

CERTIFICATION

I, BRENDA L. KUHN, Municipal Clerk do hereby certify that the foregoing resolution is a true copy of a resolution adopted by the Mayor and Council of the Borough of Barnegat Light on this 3rd day of January, 2025 and hereunto set my hand and the official seal of the Borough of Barnegat Light.

  
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 BRENDA L. KUHN, Municipal Clerk