

RESOLUTION NO. 12-2025-148**RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER PURSUANT TO FOURTH ROUND AFFORDABLE HOUSING COMPLIANCE**

WHEREAS the New Jersey Supreme Court and the New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") and the New Jersey Fair Housing Act, i.e. N.J.S.A. 52:27D-301, et seq. ("FHA") that every municipality in New Jersey has an affirmative obligation to facilitate the provisions of affordable housing; and

WHEREAS on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the New Jersey Fair Housing Act ("Amended FHA"); and

WHEREAS the Borough filed a timely Fourth Round Declaratory Judgment action ("DJ Action") with the Affordable Housing Dispute Resolution Program ("Program"), along with its binding resolution, on January 16, 2025 pursuant to the Amended FHA; and

WHEREAS the filing of the DJ Action gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and

WHEREAS the Borough did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the Borough's Fourth Round obligations on March 1, 2025; and

WHEREAS on March 28, 2025, the Court prepared an order fixing the Borough's obligation and authorizing the Borough to proceed with preparing and adopting its Housing Element and Fair Share Plan ("HEFSP") for the Fourth Round; and

WHEREAS on June 27, 2025, the Borough filed its HEFSP; and

WHEREAS on August 27, 2025, Fair Share Housing Center ("FSHC") objected to the Borough's HEFSP; and

WHEREAS the Borough and FSHC have come to an agreement that resolves the challenge and provides a reasonable opportunity for the development of affordable housing to satisfy the Township's Fourth Round Affordable Housing obligations; and

WHEREAS the Township must enter into a Settlement Agreement with FSHC to accomplish the foregoing; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Barrington, County of Camden, State of New Jersey on this 9th day of December, 2025, that:

1. The Mayor and Clerk or the Borough's Affordable Housing Attorney are hereby authorized to execute the Settlement Agreement in a form substantially consistent with the attached.
2. A certified true copy of this Resolution shall be filed by the Municipal Clerk and filed with the Affordable Housing Alternate Dispute Resolution Program to be received by the Special Adjudicator and FSHC.

BOROUGH OF BARRINGTON

December 9, 2025

BY: 

Kyle Hanson, Mayor

ATTEST: 

Terry Shannon, Borough Clerk

CERTIFICATION

I hereby certify this to be a true copy of a Resolution approved by the Governing Body of the Borough of Barrington at the Council Meeting held on December 9, 2025.



Terry Shannon, Municipal Clerk