

BOROUGH OF STOCKTON, HUNTERDON COUNTY

RESOLUTION 2026-40

**ENDORISING AMENDMENT TO THE HOUSING ELEMENT AND FAIR SHARE
PLAN ADOPTED BY THE PLANNING BOARD**

WHEREAS, the Borough of Stockton (the “Borough”) filed a Declaratory Judgment Action in the Superior Court of New Jersey, Hunterdon County, captioned IMO Borough of Stockton, Docket No HUN-L-58-25 (the “Declaratory Judgment Action”), pursuant to N.J.S.A. 52:27D-304.2, -304.3, and -304.1(f)(1)(c) of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq. (collectively, the “FHA”), and in accordance with Section II.A of Administrative Directive #14-24 (“Directive #14-24”) of the Affordable Housing Dispute Resolution Program (the “Program”), seeking a certification of compliance with the FHA; and

WHEREAS, the Stockton Borough Planning Board adopted a Fourth Round Housing Element and Fair Share Plan (“HEFSP”) on June 3, 2025 by way of resolution, which was endorsed by the Borough of Stockton Council on June 19, 2025 by way of Resolution No. 2025-51, in compliance with the FHA and Administrative Directive #14-24 and pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.; and

WHEREAS, Fair Share Housing Center (“FSHC”) filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) to the Borough’s HEFSP on August 31, 2025; and

WHEREAS, the Borough and FSHC entered into a Settlement Agreement dated December 17, 2025, as authorized by Borough Council Resolution No. 2025-92, arising out of the Declaratory Judgment, which determines the Borough’s affordable housing obligation and the mechanisms for how the obligation will be addressed (“Settlement Agreement”); and

WHEREAS, pursuant to and consistent with the terms of the Settlement Agreement, the Borough is required to amend the HEFSP before March 15, 2026 to ensure compliance with the Settlement Agreement; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:44D-13, the Stockton Borough Planning Board (“Planning Board”) held a public hearing on amendments to the HEFSP on February 3, 2026 and adopted the amendments to the HEFSP on the same day; and

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

WHEREAS, the Stockton Borough Council wishes to endorse the HEFSP as amended and seeks approval of the amended HEFSP from the Court.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stockton, Hunterdon County, New Jersey, as follows:

1. The foregoing “Whereas” clauses are hereby incorporated herein as if fully restated.
2. Council hereby endorses the Amended Housing Element and Fair Share Plan, as adopted by the Stockton Borough Planning Board on February 3, 2026 via the resolution attached hereto as part of Exhibit A.
3. Council authorizes and ratifies the filing with the Court (i) the Amended Housing Element and Fair Share Plan, (ii) the resolution of the Planning Board adopting the Amended Housing Element and Fair Shair Plan, (iii) this Resolution of Council endorsing the Amended Housing Element and Fair Share Plan, and (iv) any additional documents the professionals deem necessary or desirable.
4. Council reserves the right to further amend the Housing Element and Fair Share Plan, should that be necessary.
5. This Resolution shall take effect immediately.

Certification:

I, Laurie A. Courter, Clerk of the Borough of Stockton, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing Resolution is a true and exact copy of a Resolution adopted by the Borough Council of the Borough of Stockton on February 9, 2026

X *Laurie A. Courter*

Laurie A. Courter
Borough Clerk

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 9th
day of February , 2026.