

Borough of Hightstown  
County of Mercer

Resolution 2025-118

**RESOLUTION ENDORSING THE FOURTH ROUND  
HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

**WHEREAS**, the Borough adopted a “binding resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 21, 2025, establishing its Fourth Round Present Need of 47 units and Prospective Need of 35 units; and

**WHEREAS**, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 22, 2025; and

**WHEREAS**, the filing of the DJ Complaint 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**, on March 25, 2025, the court issued an order fixing the Borough’s obligation and authorized the Borough to proceed with preparing and adopting its Housing Element and Fair Share Plan for the Fourth Round (“Court Order”); and

**WHEREAS**, the Borough’s Affordable Housing Consultant, Brian Slaugh, PP, AICP has prepared an updated Housing Element and Fair Share Plan that addresses the Borough’s Fourth Round affordable housing obligation (the “Fourth Round HEFSP”); and

**WHEREAS**, the Borough of Hightstown Planning Board, at a meeting held on May 12, 2025, reviewed the Fourth Round HEFSP and determined that it was consistent with the Master Plan and that implementation of the Fourth Round HEFSP is in the public interest and would promote the general welfare and, by Resolution No. 2025-07 dated May 12, 2025, adopted the Fourth Round HEFSP.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Borough of Hightstown, County of Mercer, State of New Jersey, on this 2<sup>nd</sup> day of June 2025, that:

1. The Borough Council hereby endorses the Fourth Round HEFSP as adopted by the Planning Board as an amendment to the Borough’s Master Plan and agrees to implement the Fourth Round HEFSP by adopting applicable ordinances; and
2. The Mayor, Borough Administrator and Borough Clerk, together with all other officers, professionals and employees of the Borough are hereby authorized and

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directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. This Resolution shall take effect immediately.

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on June 2, 2025.

  
Margaret Riggio, Borough Clerk