



Borough of Chatham

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BOROUGH OF CHATHAM RESOLUTION NO.: 25-370

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, AUTHORIZING THE SETTLEMENT OF CLAIMS RAISED BY FAIR SHARE HOUSING CENTER IN THE MATTER OF THE APPLICATION OF THE BOROUGH OF CHATHAM, PENDING IN THE SUPERIOR COURT OF NEW JERSEY, MORRIS COUNTY, DOCKET NUMBER MRS-L-238-25

WHEREAS, on January 28, 2025, the Borough of Chatham (“Borough”) filed a complaint for declaratory relief relating to its “Fourth Round” affordable housing obligations in the Superior Court of New Jersey, Morris County, under Docket Number MRS-L-238-25; and,

WHEREAS, in furtherance of this declaratory judgment litigation, on June 19, 2025, the Borough filed a Housing Element and Fair Share Plan (“HEFSP”) in accordance with its legal requirements under the Amended Fair Housing Act (“FHA”), for the purpose of addressing the Borough’s affordable housing obligations as set forth in the FHA; and,

WHEREAS, on August 29, 2025, Fair Share Housing Center (“FSHC”) filed a challenge under the authority of the FHA to the Borough’s application for declaratory relief, and contesting the adequacy of the HEFSP (the “Fair Share Challenge”); and,

WHEREAS, the matter was thereafter referred to mediation, and Borough’s Affordable Housing Counsel has negotiated and in consultation with the Borough Attorney, is recommending an amicable resolution and settlement of the Fair Share Challenge; and,

WHEREAS, the Mayor and Council desire to approve and enter into a Settlement Agreement (the “Agreement”) effectuating the terms of the settlement between the parties and resolving the Fair Share Challenge on terms agreeable to all parties; and,

WHEREAS, the Agreement does not reflect any admissions by the Borough as to the merits of the Fair Share Challenge, but it is proposed to fully resolve the disputed claims between the parties without further cost or expense, while mitigating legal risk to the Borough.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, State of New Jersey as follows:

1. The above recitals are hereby incorporated as if restated herein in full.
2. The Mayor and Council of the Borough of Chatham find and determine that it is in the best interests of the Borough to accept the recommendation of its Affordable Housing Counsel and Borough Attorney and settle the Fair Share Challenge.
3. The settlement of the Fair Share Challenge is hereby approved and accepted, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor and/or the Borough Administrator in their discretion in consultation with counsel, which

additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto. The Borough is authorized to execute the Agreement and to take all other necessary and appropriate action to effectuate the Agreement.

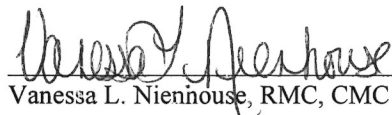
4. The Borough Administrator, Borough Attorney, and the Borough Affordable Housing Counsel are authorized and directed to take all necessary and appropriate action to effectuate the settlement.
5. This Resolution shall take effect immediately.

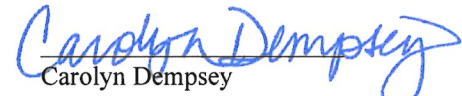
Name	Motion	Second	Yes	No	Abstain	Absent
Mathiasen			X			
Hargrove			X			
Hay			X			
Koronkiewicz		X	X			
Strickland					X	
Treloar	X		X			

Adopted: December 8, 2025

Attest:

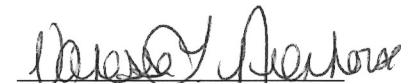
BOROUGH OF CHATHAM


 Vanessa L. Nienhouse, RMC, CMC
 Borough Clerk


 Carolyn Dempsey
 Mayor

CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on December 8, 2025.


 Vanessa L. Nienhouse, Borough Clerk