

**TOWN OF HACKETTSTOWN, WARREN COUNTY**

**RESOLUTION# 2026-32**

**RESOLUTION ENDORSING THE AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE LAND USE BOARD**

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301 *et al.*); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

**WHEREAS**, the Town of Hackettstown (the "Town") adopted a binding resolution on January 30, 2025 identifying its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, the Town filed a Declaratory Judgement on January 31, 2025, captioned *IMO Town of Hackettstown*, Docket No. WRN-L-63-25, identifying its present and prospective fair share obligation for the Fourth Round and committing to adopting and submitting a fourth round housing element and fair share plan as required by the FHA; and

**WHEREAS**, the New Jersey Builder's Association ("NJBA") filed a challenge to the Declaratory Judgment Action; and

**WHEREAS**, the Affordable Housing Dispute Resolution Program held a settlement conference on March 26, 2025 presided over by the Honorable Thomas C. Miller, A.J.S.C. (ret.); and

**WHEREAS**, Elizabeth McManus, P.P. served as the Special Adjudicator at the Settlement Conference; and

**WHEREAS**, NJBA and the Town reached a settlement agreement during the Settlement Conference, which was placed on the record and endorsed by Judge Miller and Special Adjudicator McManus setting the Town's Fourth Round Affordable Housing Obligations as follows:

Present Need: 87

Prospective Need: 102

**WHEREAS**, the Court entered an Order on April 8, 2025 approving such settlement and authorizing the Town to proceed with preparation and adoption of a fourth round housing plan by June 30, 2025;

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:44D-13, the Land Use Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan (the "HEFSP") on June 24, 2025 and adopted the HEFSP on the same day; and

**WHEREAS**, Fair Share Housing Center ("FSHC") and Lion Gate at Musconetcong River Urban Renewal ("Lion Gate") filed challenges pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Town's HEFSP on or before August 31, 2025; and

**WHEREAS**, the Town was not able to amicably resolve the matter with FSHC or Lion Gate; and

**WHEREAS**, the Court entered an Order transferring the matter from the Program to the Superior Court, which required the Town to adopt an amended HEFSP by March 16, 2026; and

**WHEREAS**, after notice duly provided, pursuant to N.J.S.A. 40:55D-13, the Board adopted the "2026 Amended Housing Element and Fair Share Plan" ("Amended HEFSP") on March 4, 2026, a copy of which is attached hereto; and

**WHEREAS**, a true copy of the Amended HEFSP is attached hereto; and

**WHEREAS**, the Town of Hackettstown Council wishes to endorse the Amended HEFSP and seeks approval of the Amended HEFSP from the Court.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Hackettstown, Warren County, New Jersey, as follows:

1. That it hereby endorses the Amended Housing Element and Fair Share Plan, as adopted by the Town of Hackettstown Land Use Board on March 6, 2026.
2. That it authorizes and directs its professionals to file with the Court (i) the Housing Element and Fair Share Plan, (ii) the resolution of the Town Council endorsing the Housing Element and Fair Share Plan, and (iii) any additional documents the professionals deem necessary or desirable.
3. This Resolution shall take effect immediately.

**CERTIFICATION:**

I, P.J. Reilly, Clerk of the Town of Hackettstown, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Mayor and Council at a meeting held on March 12, 2026.

  
P.J. Reilly  
Town Clerk/Administrator