

RESOLUTION #25-074

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KEANSBURG ENDORING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE KEANSBURG PLANNING BOARD

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 "FHA II"); and

WHEREAS, FHA II established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan ("HEFSP"); and

WHEREAS, that procedure contemplated that municipalities would adopt a resolution by January 31, 2025 committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution and then filing a HEFSP by June 30, 2025 and filing that plan within 48 hours with the Affordable Housing Dispute Resolution Program (the "Program"); and

WHEREAS, in accordance with this statutory procedure, the Borough adopted a binding resolution on January 29, 2025 committing to a Fourth Round Present Need of 91 and Round 4 Prospective Need obligation of 31, subject to applicable adjustments;

WHEREAS, in accordance with this statutory procedure, the Borough filed a declaratory relief action within 48 hours from adoption of the binding resolution; 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, the Borough's affordable housing planning consultant, Caroline Reiter, PP, AICP, of T&M Associates has prepared a HEFSP to address the Borough's affordable housing obligations under FHA II; and

WHEREAS, the Keansburg Borough Planning Board adopted a HEFSP prepared by Ms. Reiter on June 24, 2025, which is attached hereto as Exhibit A; and

WHEREAS, in accordance with the procedure established by FHA II, the Borough's affordable housing counsel filed the duly adopted HEFSP with the Program created by FHA II within 48 hours from adoption; and

WHEREAS, the Borough Council now wishes to endorse the Housing Element and Fair Share Plan adopted by the Keansburg Planning Board and seek approval of the HEFSP by the Program and Court.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Keansburg, County of Monmouth, State of New Jersey, as follows:

1. The Borough Council hereby endorses the Fourth Round HEFSP previously adopted by the Keansburg Planning Board and attached hereto.
2. The Borough Council hereby directs the Borough's Affordable Housing Counsel to (a) file this resolution with the Program, along with any additional documents the professionals deem necessary or desirable; and (b) seek a Compliance Certification from the Program or Vicinage area judge as may be appropriate formally approving the Plan.
3. The Borough reserves the right to further amend the HEFSP attached hereto, should that be necessary.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Council of Keansburg Borough at a regular meeting held on the 25th day of June 2025.

A handwritten signature in cursive script, appearing to read "Th P Cusick", is written over a horizontal line.

Thomas P. Cusick, Municipal Clerk