

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF LITTLE SILVER ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE LITTLE SILVER 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 27, 2025 committing to a Fourth Round Present Need of 0 and Round 4 Prospective Need obligation of 98, subject to applicable adjustments; and

**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, Elizabeth McManus, PP, AICP, of Kyle+ McManus has prepared a HEFSP to address the Borough’s affordable housing obligations under FHA II; and

**WHEREAS**, the Little Silver Borough Planning Board adopted a HEFSP prepared by Ms. McManus on June 12, 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 Little Silver 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 Little Silver, County of Monmouth, State of New Jersey, as follows:

1. The Borough Council hereby endorses the Fourth Round HEFSP previously adopted by the Little Silver 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.

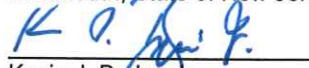
### CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Council of Little Silver Borough at a regular meeting held on the 14th day of July 2025.



\_\_\_\_\_  
Municipal Clerk

I Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of resolution #2025-132 passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey at a meeting held on July 14, 2025.

  
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Kevin J. Burke, Jr.  
Administrator/ Borough Clerk

