

**RESOLUTION OF THE PLANNING BOARD OF THE BOROUGH OF  
KENILWORTH ADOPTING A 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 15, 2025, establishing its Fourth Round Present Need of 35 and Prospective Need of 208; 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 16, 2025; and

**WHEREAS**, the filing of the DJ Complaint gave the Borough automatic, immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

**WHEREAS**, the Borough did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the Borough’s Fourth Round obligations on March 1, 2025; and

**WHEREAS**, on March 27, 2025, the Court entered an order establishing the Borough’s Fourth Round Present Need of 35 and Prospective Need of 208; and

**WHEREAS**, now that the Borough has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

**WHEREAS**, in accordance with the Amended FHA, the Borough’s affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A; and


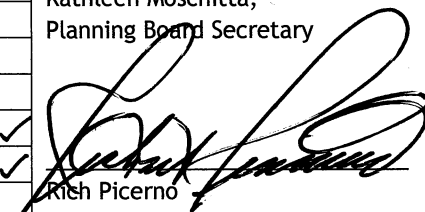
**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 24, 2025; and

**WHEREAS**, the Planning Board determined that the attached Fourth Round Housing Element and Fair Share Plan is consistent with the goals and objectives of the Borough’s current Master Plan, and that adoption and implementation of the Fourth Round Housing Element and Fair Share Plan is in the public interest and protects public health and safety and promotes the general welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Kenilworth, County of Union, State of New Jersey, that the Planning Board hereby adopts the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Planning Board of Borough of Kenilworth at a regular meeting held on the 24 day of June, 2025.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Linda Karlovitch						✓	<p>I hereby certify that the above Resolution was adopted by the Planning Board of the Borough of Kenilworth at a Meeting held on June 24, 2025</p> <p> Kathleen Moschitta, Planning Board Secretary</p> <p> Rich Picerno Planning Board Chairman</p>
Rich Picerno			✓				
Gregg David			✓				
Savino Scorese						✓	
Larry Clementi			✓				
Nick Pantina		✓	✓				
Frank Mazzeo			✓				
Anthony Laudati					✓		
Scuderi, Michael						✓	
Louis DeMondo						✓	
Joseph Calello			✓				
Anthony Deluca						✓	
Robert Grimaldi	✓		✓				
Tony Pugliese			✓				