

## RESOLUTION 2017-135

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING THE FILING OF A COMPLAINT BY THE NEW JERSEY ASSOCIATION OF COUNTIES WITH THE NEW JERSEY COUNCIL ON LOCAL MANDATES THAT THE CRIMINAL JUSTICE REFORM ACT, N.J.S.A. 2A-162-15 ET SEQ., CONSTITUTES AN UNFUNDED STATE MANDATE IN VIOLATION OF ARTICLE VIII, SECTION II, PARAGRAPH 5 OF THE NEW JERSEY CONSTITUTION**

**WHEREAS**, the Criminal Justice Reform Act will impose upon municipal governments an undue financial hardship to implement as each municipality in some capacity must hire new personnel, invest in a new equipment and information technology, and make capital and other necessary improvements to jail, court and ancillary court facilities; and

**WHEREAS**, the New Jersey Council on Local Mandates is responsible for resolving disputes in whether a law, rule, or regulation adopted after 1996 constitutes an unfunded mandate; and

**WHEREAS**, an unfunded mandate upon boards of education, municipalities and counties is a law, rule or regulation that does not authorize resources, other than the property tax to offset additional direct expenditures required to implement said law, rule or regulation; and

**WHEREAS**, other than the collection of local property taxes, the Criminal Justice Reform act did not allocate monies to County or local governing bodies to offset the costs associated with implementing and administering the Criminal Justice Reform Act in violation of New Jersey's Constitution.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. That the Barnegat Mayor and Township Committee hereby support the filing of a complaint by the New Jersey Association of Counties with the New Jersey Council on Local Mandates that the Criminal Justice Reform act, N.J.S.A. 2A:162-15 et seq, constitutes an unfunded State mandate, in violation of Article VIII, Section II, Paragraph 5 of the New Jersey Constitution.
2. That a certified copy of this resolution shall be forwarded to the Governor of the State of New Jersey, Chris Christie, the President of the New Jersey State Senate, Steven Sweeney, the Speaker of the General Assembly, Vincent Prieto, the New Jersey Association of Counties, the Office of Ocean County Freeholders, and all Ocean County municipalities.

### **CERTIFICATION**

I, Michele A. Rivers Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee of the Township of Barnegat at their regular meeting held on the 7<sup>th</sup> day of March, 2017, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

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Michele A. Rivers, RMC  
Municipal Clerk