

**TOWNSHIP OF JEFFERSON
COUNTY OF MORRIS, NJ**

CONSENT AGENDA RESOLUTION #17-162

“RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2017 MUNICIPAL COURT ALCOHOL EDUCATION REHABILITATION AND ENFORCEMENT FUND GRANT IN THE AMOUNT OF \$2,959.64”

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Jefferson has been awarded a 2017 Municipal Court Alcohol Education Rehabilitation and Enforcement Fund Grant in the amount of \$2,959.64 and wishes to amend its 2017 budget to include this amount as an item of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Jefferson, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the total amount of \$2,959.64, which will be available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public And Private Revenues Offset with Appropriations:

<u>2017 Municipal Court Alcohol Education Rehabilitation and Enforcement Fund Grant</u>	<u>\$2,959.64</u>
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BE IT FURTHER RESOLVED that a like sum of \$2,959.64 be and the same is hereby appropriated under the caption of: General Appropriations

- A. Operations – Excluded from CAPS
Public and Private Programs Offset by Revenues:
2017 Municipal Court Alcohol Education Rehabilitation and Enforcement Fund Grant
Municipal Court: Salaries and Wages

BE IT FURTHER RESOLVED that the Chief Financial Officer submit one copy of the Chapter 159 certification form and two copies of this resolution to the Director of the Division of Local Government Services.

ATTEST:

COUNCIL OF THE TOWNSHIP OF JEFFERSON:


MICHELE REILLY, TOWNSHIP CLERK
Dated: June 28, 2017


DEBI MERZ, COUNCIL PRESIDENT


CERTIFICATION: I, Michele Reilly, Clerk of the Township of Jefferson, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Jefferson Township Council at a meeting held on June 28, 2017.


Michele Reilly, RMC, Township Clerk

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
Birmingham			X			
Finnegan					X	
Smith	X		X			
Dunham		X	X			
Merz			X			

GLENN A. GRANT, J.A.D.
Acting Administrative Director of the Courts

www.njcourts.com • Phone: 609-984-0275 • Fax: 609-984-6968

MEMORANDUM TO: Municipal Treasurer
FROM: Glenn A. Grant, J.A.D. 
SUBJECT: N.J.S.A. 26:2B-35(b)(3) – Municipal Court Alcohol Education,
Rehabilitation and Enforcement Fund
DATE: May 30, 2017

A municipality is eligible to receive funds from the "Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund" if the number of DWI arrests made in the municipality during 2016 was greater than the number of DWI arrests made in the municipality during the statutorily assigned base year. N.J.S.A. 26:2B-35.

The Administrative Office of the Courts is responsible for collecting these statistics and calculating the amount each municipality receives from the fund. An analysis of your municipality's base year figure and its 2016 DWI arrests indicate that your municipality qualifies to receive such funds this year. The Department of the Treasury will soon issue a check to your municipality in accordance with the statutory formula in the amount set forth on the attached sheet.

Those municipalities receiving funds should be cognizant that the statute expressly provides that these funds be used solely for the purpose of maintaining the Municipal Courts in their efforts to dispose of DWI cases. This includes "payments to municipal court judges, municipal prosecutors and other municipal court personnel for work performed in addition to regular employment hours[,]" N.J.S.A. 26:2B-35(b). To assist you in budgeting these funds, please refer to the attached August 20, 1985 memorandum from the Division of Local Government Services. That memorandum indicates that "municipalities may budget such funds as they would a categorical grant-in-aid" (see N.J.S.A. 40A:4-67). As with other such grants, "these funds are to be appropriated as an exception to the Cap Law." As noted, however, use of these funds is restricted to the statutorily specified areas, i.e., for the maintenance of the Municipal Courts. The monies are not intended to replace amounts normally budgeted to fund the operation of a Municipal Court, but rather should be viewed as funding only for the court's additional DWI-related work.

Additionally, please keep in mind the policy that I promulgated on May 18, 2009, requiring preapproval of the Assignment Judge before the expenditure of any DWI Fund monies (as well as P.O.A.A. monies). Please do not hesitate to contact your municipal court judge or court administrator if you have any questions regarding the preapproval policy.

Any questions on this subject should be directed to Steven Somogyi, Assistant Director, Municipal Court Services Division, at (609) 815-2940 ext. 54850.

Attachments

c: Chief Justice Stuart Rabner (w/o attachments)
Assignment Judges (w/o attachments)
Presiding Judges – Municipal Court (w/attachments)
Municipal Court Judges (w/attachments)
Timothy Cunningham, Director, Div. of Local Government Services (w/o attachments)
Steven D. Bonville, Chief of Staff (w/o attachments)
Jennifer M. Perez, Director (w/o attachments)
Steven Somogyi, Assistant Director, MCSD (w/o attachments)
Tina LaLena, Chief, MCSD (w/o attachments)
Melaney Payne, Special Assistant (w/o attachments)
Ann Marie Fleury, Special Assistant (w/o attachments)
Trial Court Administrators (w/o attachments)
Jorge F. Carmona, Municipal Auditor, NJ Div. of Local Government Services (w/o attachments)
Municipal Division Managers (w/attachments)
Municipal Court Directors and Administrators (w/attachments)



363 West State Street
CN 803
Trenton, N.J. 08625-0803

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

August 20, 1985

MEMORANDUM

TO: Robert D. Lipscher, Director
Administrative Office of the Courts

FROM: Barry Skokowski, Director
Division of Local Government Services

SUBJECT: Municipal Court Administration Reimbursement Fund
(P.L. 1983 c.531)

This is in response to inquiries from members of your staff as to how municipalities are to budget monies paid from the referenced fund.

Please be advised that municipalities may budget such funds as they would a categorical grant-in-aid. Anticipation of revenues from this source requires prior written consent pursuant to N.J.S. 40A:4-25, or N.J.S. 40A:4-67. Appropriations of this revenue must fall within the areas specified in the law treating the fund - ". . . for the purpose of maintaining [the] municipal court which may include payments to municipal prosecutors and other municipal court personnel for work performed in addition to regular employment hours" (P.L. 1983, c531, section 5.b.(3)).

As is the case with other categorical grants-in-aid, these funds are to be appropriated as an exception to the CAP law (N.J.S. 40A:4-45.1 et seq.).

cc: John Podeszwa, Project Director
N.J. Administrative Office of the Courts

Joseph Scrivo, Bureau Chief
Bureau of Financial Regulation and Assistance



Anticipated Money	Court Code	Municipality	DWI Filings Base Year	2016 DWI Filings	Difference
\$0.00	1409	DOVER TOWN	102	52	-50
\$1,415.48	1410	EAST HANOVER TWP	12	34	22
\$2,123.22	1411	FLORHAM PARK BORO	15	48	33
\$2,959.64	1412	HANOVER TWP	45	91	46
\$32.17	1413	HARDING TWP	26.5	27	0.5
\$2,959.64	1414	JEFFERSON TWP	24	70	46
\$0.00	1415	KINNELON BORO	12	10	-2
\$1,801.52	1416	LINCOLN PK BORO	10	38	28
\$643.40	1430	LONG HILL TWP	7	17	10
\$128.68	1417	MADISON BORO	28	30	2
\$0.00	1418	MENDHAM BORO	20	5	-15
\$1,930.20	1419	MENDHAM TWP	20	50	30
\$0.00	1420	MINE HILL TWP	69	12	-57
\$1,093.78	1421	MONTVILLE TWP	40	57	17
\$707.74	1423	MORRIS PLAINS BORO	22	33	11
\$3,088.32	1422	MORRIS TWP	42	90	48
\$1,093.78	1424	MORRISTOWN TOWN	46	63	17
\$514.72	1425	MOUNTAIN LAKES BORO	8	16	8
\$0.00	1426	MOUNT ARLINGTON BORO	34	30	-4
\$0.00	1427	MOUNT OLIVE TWP	152	137	-15
\$0.00	1428	NETCONG BORO	12	7	-5
\$1,672.84	1429	PARSIPPANY - TROY HILLS	176	202	26
\$64.34	1431	PEQUANNOCK TWP	41	42	1
\$0.00	1432	RANDOLPH TWP	71	30	-41
\$1,608.50	1433	RIVERDALE BORO	24	49	25
\$0.00	1434	ROCKAWAY BORO	32	27	-5
\$0.00	1435	ROCKAWAY TWP	106.5	104	-2.5
\$0.00	1436	ROXBURY TWP	354	129	-225
\$193.02	1437	VICTORY GARDENS BORO	3	6	3
\$0.00	1438	WASHINGTON TWP	46	41	-5
\$1,608.50	1439	WHARTON BORO	19	44	25

\$35,226.14

MORRIS COUNTY TOTAL

OCEAN COUNTY

\$0.00	1501	BARNEGAT LIGHT BORO	2	2	0
\$836.42	1533	BARNEGAT TWP	39	52	13
\$193.02	1502	BAY HEAD BORO	4	7	3
\$193.02	1503	BEACH HAVEN BORO	8	11	3
\$0.00	1504	BEACHWOOD BORO	34	27	-7
\$0.00	1505	BERKELEY TWP	93	61	-32
\$0.00	1506	BRICK TWP	200	154	-46
\$0.00	1507	TOMS RIVER TWP	434	338	-96
\$0.00	1508	EAGLESWOOD TWP	30	18	-12
\$257.36	1509	HARVEY CEDARS BORO	3	7	4