

## RESOLUTION 2020 – 102

### RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE TOWNSHIP PARTICIPATION IN THE FEDERAL 1033 PROGRAM AND APPROVING THE ACQUISITION OF SURPLUS MILITARY EQUIPMENT

**WHEREAS**, Federal law permits the Secretary of the United States of Defense to transfer to Federal and State agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities; and

**WHEREAS**, Informally known as Program 1033 this initiative allows local law enforcement agencies to obtain, at little or no cost, surplus federal property; and

**WHEREAS**, in this error of fiscal constraint, participation in the 1033 Program allows local units to obtain equipment that they might not otherwise be able to afford, and to prepare for, respond to and recover from incidents of terrorism and natural disasters such as hurricanes and severe floods; and

**WHEREAS**, although equipment is provided through the 1033 Program at no cost to the county and municipal law enforcement agencies, these entities are responsible for costs associated with the maintenance, fueling and upkeep of this equipment, and for specialized training for its operation; and

**WHEREAS**, the governing body, in accordance with recent legislation must approve the local law enforcement participation in any program established by the United States Department of Defense. Said resolution shall be adopted by a majority of full membership of the governing body; and

**WHEREAS**, the acquisition of any property by the local law enforcement agency enrolled in any program established by the United States Department of Defense shall be approved by resolution adopted by the majority of the full membership of the governing body; and

**WHEREAS**, the governing body approves the enrollment application and the acquisition of equipment by the Barnegat Township Police Department in the United States Department of Defense Program 1033

**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 Mayor and Township Committee hereby approve enrollment of the Barnegat Township Police Department in the United States Department of Defense 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from February 4, 2020 to December 31, 2020.

2. That the Barnegat Township Police Department are hereby authorized to acquire items of non-controlled property designated "DEMIL A"; and any supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes
3. That the Barnegat Township Police Department are hereby authorized to acquire items of controlled property designated "DEMIL B through Q"; if it shall become available in the period of time for which this resolution authorizes
4. That the Barnegat Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property
5. That the Barnegat Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request
6. That a certified copy of this resolution shall be forwarded to the NJ Office of Emergency Management who serves as the State Coordinator in the 1033 Program, the Chief Financial Officer and the Chief of Police

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31<sup>st</sup> of the current calendar year from February 4, 2020 to December 31, 2020.

#### **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 4<sup>th</sup> day of February, 2020, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

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Michele A. Rivers, RMC  
Municipal Clerk