

MATTHEW J. PLATKIN, Attorney General of New Jersey; and SUNDEEP IYER, Director of the New Jersey Division on Civil Rights,	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION – OCEAN COUNTY
Plaintiffs,	
v.	DOCKET NO. OCN-C-000064-21
JACKSON TOWNSHIP; JACKSON TOWNSHIP COUNCIL; JACKSON TOWNSHIP ZONING BOARD OF ADJUSTMENT; JACKSON TOWNSHIP PLANNING BOARD; AND MAYOR MICHAEL REINA in his official capacity,	
Defendants.	CIVIL ACTION <b>CONSENT ORDER</b>

WHEREAS, this matter was opened on April 27, 2021 in the New Jersey Superior Court, Ocean County, Chancery Division (Docket No. OCN-C-000064-21) by Plaintiffs Matthew J. Platkin, Attorney General of New Jersey, and Sundeep Iyer, Director of the New Jersey Division on Civil Rights (“the Division”), (collectively, “Plaintiffs”)<sup>1</sup>, pursuant to the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -50 (the “LAD”), seeking, *inter alia*, to enjoin Jackson Township, the Jackson Township Council, the Jackson Township Zoning Board of Adjustment, the Jackson Township Planning Board, and Mayor Michael Reina, in his official capacity, (collectively, “Defendants” or “the Township”) from taking or continuing to take actions that Plaintiffs allege to be discriminatory and in violation of the LAD, including, but not limited to, discriminatory enactment and enforcement of municipal land use and zoning laws, regulations, and ordinances pertaining to religious worship, schools, and other practices; and

<sup>1</sup> Attorney General Matthew J. Platkin succeeded former Acting Attorney General Andrew J. Bruck on February 14, 2022, and is substituted as party to this action pursuant to R. 4:34-4. Sundeep Iyer was appointed to serve as the Director of the Division beginning on January 3, 2023, and is substituted as party to this action pursuant to R. 4:34-4.

WHEREAS, the Plaintiffs and Defendants (together, “the Parties”), have a shared desire to settle this action and to avoid protracted, expensive, and unnecessary litigation; and

WHEREAS, the Parties have agreed to resolve all issues in controversy on the terms set forth in this Consent Order (herein “Order”) to avoid the burden and expense of further litigation; and

WHEREAS, the terms of the Parties’ agreement have been reviewed by the Court as confirmed by the entry of this Order;

IT IS THEREFORE ON THIS 28<sup>th</sup> DAY OF AUGUST 2023 ORDERED and AGREED AS FOLLOWS:

DURATION

1. The duration of this Order shall be three (3) years from the date this Order is entered by the Court.

LAD COMPLIANCE

2. Defendants, including, but not limited to, Defendants’ members, officials, and employees, agree that all decisions exercising the municipal powers of the Township, and all Township policies, laws, and practices affecting land use and zoning, shall fully comply with the LAD. Further, Defendants shall not implement any decision, policy, or practice that has the purpose or effect of discriminating against any individual or household on the basis of race, religion, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, sexual orientation, gender identity or expression, familial status, nationality, disability, sex, pregnancy or breastfeeding status, liability for military service, or any other protected characteristics, in violation of the LAD. Defendants are further permanently enjoined from exercising the Township’s power to regulate land use

and zoning in a manner that unlawfully discriminates on the basis of religion or creed against residents or prospective residents of the Township, including, but not limited to, Orthodox Jewish people, in violation of the LAD. This includes, but is not limited to:

- a. Imposing or implementing a land use or zoning regulation that treats a religious assembly or practice on less equal terms than the same or a substantially similar nonreligious assembly or practice;
- b. Discriminating against any religious assembly or practice on the basis of actual or perceived religion or religious denomination;
- c. Coercing, intimidating, threatening, interfering with, or retaliating against<sup>2</sup> any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by the LAD; and
- d. Otherwise engaging in any conduct that violates the LAD.

#### SUKKAH PERMITTING REQUIREMENTS AND PROCEDURES

3. Within thirty (30) days of the date this Order is entered by the Court, Defendants shall furnish to Plaintiffs a proposed written description of the Township's permitting requirements and procedures regarding sukkahs, via the methods outlined in paragraph 10, under Recordkeeping, Reporting, and Monitoring.<sup>3</sup> Defendants will respond to and address any questions or concerns of Plaintiffs within fifteen (15) days of receipt. Within thirty (30) days of Plaintiffs' approval of Defendants' written description of sukkah permitting requirements and procedures, which will not be unreasonably withheld, Defendants shall

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<sup>2</sup> The Parties acknowledge that the Complaint did not allege that Defendants engaged in retaliatory conduct.

<sup>3</sup> This Consent Order incorporates by reference the definitions of "sukkah," "yeshiva," "eruv," "shul," and "lechis" in Plaintiffs' Complaint. Pls.' Complaint at ¶¶ 6 nn.2-4, 39, 112, Platkin v. Jackson, OCN-C-000064-21 (April 27, 2021).

publish such description in a prominent location on the Township's website and Defendants shall maintain such written description in such location for the duration of this Order.

MODIFICATION OF THE JACKSON MUNICIPAL CODE

4. Defendants are enjoined from enforcing Municipal Ordinance 03-17. Defendants shall fully comply with both paragraph 31, under Section V, and Appendix F of the Order entered by the United States District Court for the District of New Jersey on July 7, 2022 in the matter of United States of America v. Township of Jackson and Jackson Planning Board, Docket No. 3:20-cv-6109 (D.N.J.), requiring that the Township repeal Ordinance 03-17 and “replace it with an Ordinance permitting schools in numerous residential and other zoning districts, and permitting associated housing such as dormitories as an accessory to private, parochial, and public schools in certain zoning districts.”
5. Defendants are enjoined from enforcing Municipal Ordinance 20-17. Defendants are drafting a proposed ordinance addressing the establishment of eruvim in the Township. Defendants shall furnish the proposed ordinance to Plaintiffs, via the methods outlined in paragraph 10, and Defendants shall respond to and address any questions or concerns of Plaintiffs within fifteen (15) days of receipt. Defendants will enact the proposed ordinance within sixty (60) days or as soon thereafter as reasonably practicable, of Plaintiffs' approval, which shall not be unreasonably withheld.
6. Defendants shall notify the Division, via the methods outlined in paragraph 10, within ten (10) days following any other amendment, revision, or change of an existing ordinance, policy, practice, or rule, or the adoption of a new ordinance, policy, practice, or rule that may affect religious land use within the Township or the free exercise of religion within

the Township, including, but not limited to, sukkahs, schools, dormitories, eruvim, or the ability of any religious group to freely exercise their religious beliefs and practices. If the Division objects to any such amendment, revision, or change, Defendants shall submit revisions to the Division for review, comment, and approval within forty-five (45) days. Defendants shall publish all public meeting and hearing agendas in a prominent location on the Township website at least forty-eight (48) hours prior to such meeting or hearing.<sup>4</sup> Defendants shall publish all public meeting and hearing minutes in a prominent location on the Township website within twenty-one (21) days following the approval of such meeting or hearing minutes.

#### LAD COMPLAINTS

7. For the duration of this Order, upon any Defendant's receipt of any complaint alleging discrimination on the basis of religion or creed through the exercise of its land use or zoning authority in violation of the LAD ("LAD complaint" or "LAD complaints"), whether received in verbal or written form, Defendants shall provide the complainant with the form attached hereto as Appendix A.
8. Upon receipt of a verbal LAD complaint, the Township shall offer and provide, but shall not require submission of, the form attached as Appendix A.
9. In response to any and all LAD complaints, Defendants shall furnish to the complainant(s) any relevant policies and procedures, contained in the Township Code or existing elsewhere, concerning and/or governing the subject matter of the LAD complaint (e.g., the applicable permitting process, permitting requirements, or zoning or land use provisions).

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<sup>4</sup> The Township may still amend or modify such agendas if and as needed prior to the meeting or hearing.

## RECORDKEEPING, REPORTING, AND MONITORING

10. Any and all documentation and reporting that this Order requires Defendants to produce to the Division shall be submitted to the New Jersey Bias Investigation Access System (“NJBIAS”) (<https://bias.njcivilrights.gov/en-US/>) and to Division on Civil Rights Associate Director for Affirmative Enforcement Malcolm Peyton-Cook by e-mail at [Malcolm.Peyton-Cook@njcivilrights.gov](mailto:Malcolm.Peyton-Cook@njcivilrights.gov).
11. For the duration of this Order, Defendants shall create and maintain records of any and all LAD complaints received pursuant to paragraphs 7-9. Such records shall include, but need not be limited to:
  - a. Each original written LAD complaint, and written records of all verbal LAD complaints;
  - b. The date the LAD complaint was received by Defendants;
  - c. The name, address, phone number, and e-mail address (if available) of the complainant(s);
  - d. The name and job title of the person(s) taking or receiving the LAD complaint, the person(s) responding to the LAD complaint, and the person(s) involved in a decision on the action contemplated and taken on the LAD complaint; and
  - e. A description of, and any documents and information relating to, any and all proposed or actual action taken by Defendants in response to the LAD complaint.
12. For the duration of this Order, Defendants shall, on a bi-annual basis (twice each year), provide to the Division, via the methods identified in paragraph 10, all records identified in paragraph 11, and list all actions and/or interventions taken by Defendants in response

to each. Such records shall be provided in a mutually agreed upon format, such as a spreadsheet tracking all the necessary information.

13. For the duration of this Order, Defendants shall, within thirty (30) days of service upon the Township, provide to the Division, via the methods identified in paragraph 10, any formal written complaint, filed in federal court, state court, or any administrative agency, that raises allegations of discrimination in zoning and/or land use law(s) or regulation(s), where the Township, or its officers or employees, are named as defendant(s) or respondent(s).

14. For the duration of this Order, Defendants shall create and maintain records of any and all complaints to the Township concerning (a) an alleged unlawful change of use converting a private home to a place of worship and/or alleged violations of Municipal Code Section 244-115, and/or (b) sukkahs and/or alleged violations of Municipal Code Section 244-22.

Such records shall include, but need not be limited to:

- a. Each original written complaint, and written records of all verbal complaints;
- b. The date the complaint was received by Defendants;
- c. The name, address, phone number, and e-mail address (if available) of the complainant(s);
- d. The name and job title of the person(s) taking or receiving the complaint, the person(s) responding to the complaint, and the person(s) involved in a decision on the action contemplated and taken on the complaint;
- e. A description of, and any documents and information relating to, any and all proposed or actual action taken by Defendants in response to the complaint; and
- f. Any incidents in which law enforcement or other Township personnel who received or investigated such complaint noted any evidence suggesting that the complaint

was motivated in whole or in part by an animus towards any religious group, sect, or denomination, including but not limited to Orthodox Jews.

15. For the duration of this Order, Defendants shall, on a bi-annual basis (twice each year), provide to the Division, via the methods identified in paragraph 10, all materials related to the complaints described in paragraph 14 and the Township's investigation of and response to the same, including, but not limited to, all of the submissions listed in paragraph 14, as well as a list of all actions and/or interventions taken by Defendants in response to each such complaint.
16. For the duration of this Order, Defendants shall, upon the Division's request and five (5) business days' notice to the Jackson Township Business Administrator, provide to the Division a record of any and all complaints, documentation, and information described in paragraph 14 via the methods identified in paragraph 10.
17. For the duration of this Order, if Defendants receive more than two (2) communal prayer or sukkah complaints within six (6) months concerning the same resident, household, or address, and if, after inquiry and investigation, the Township, through its agents or employees, determines that such complaints were motivated by religious animus and do not constitute violations or warrant further action, the Township shall notify the complainant(s) in writing that complaints motivated by religious animus or other bias or prejudice towards protected groups will not be tolerated.
18. For the duration of this Order, Defendants shall create and maintain records of any notifications issued pursuant to paragraph 17, and provide them to the Division, via the methods identified in paragraph 10. Such records shall include, but need not be limited to:
  - a. Each original written notification;



- b. The date the notification was transmitted;
  - c. The name, address, phone number, and e-mail address (if available) of the recipient(s) of the notification;
  - d. Each original written complaint, and written records of all verbal complaints, that the notification is issued in response to; and
  - e. The name and job title of the person(s) issuing the written notification.
19. Within one hundred eighty (180) days of the date this Order is entered by the Court, and every one (1) year thereafter, Defendants shall submit to the Division, via the methods identified in paragraph 10, an accurate written compliance report, sworn to under penalty of perjury, describing in detail the manner and form in which Defendants have complied with each provision of this Order, and Defendants shall submit the last such report to the Division sixty (60) days before the expiration of this Order.

#### MULTICULTURAL COMMITTEE

20. Within sixty (60) days of the date this Order is entered by the Court, Defendants shall establish a Multicultural Committee to work in partnership with the Township to address and remediate issues and concerns regarding discrimination, prejudice, and bias impacting Jackson residents and to combat discriminatory behavior within the Township based on any LAD-protected characteristic.
21. The Multicultural Committee will be composed of one (1) resident of each voting district within the Township, as well as the Division representative during the first year, per paragraph 23. The Jackson Mayor shall appoint members of the Multicultural Committee and shall endeavor to make the Multicultural Committee representative and reflective of the demographics of the Township, including, but not limited to, with regard to religion,

race, age, gender, length of residence in the Township, occupation, educational attainment, and prior involvement in Jackson's community, volunteer, and civic organizations.

22. Within one hundred and twenty (120) days of the date this Order is entered by the Court, the Township shall submit to the Division, via the methods identified in paragraph 10, for the Division's review and approval, a list of proposed Multicultural Committee members, including first and last name, job title, any other relevant affiliations, phone number, address, and e-mail.
23. The Division shall have one (1) temporary seat on the Multicultural Committee for the first year of its existence. The Division intends to fill this seat with an individual from its Community Relations Unit. This Division appointee shall act as a short-term consultant and facilitator. This individual will not receive compensation from the Township.
24. The Jackson Mayor shall appoint a non-voting Secretary to the Multicultural Committee. The Multicultural Committee shall have an appointed Secretary for the duration of this Order and the Multicultural Committee Secretary shall be compensated at the same rate as the Zoning Board of Adjustment Secretary.
25. For the duration of this Order, the Multicultural Committee shall meet at least once per quarter. The Multicultural Committee shall establish concrete goals and track progress towards such goals.
26. The Multicultural Committee shall provide quarterly reports to the Township Council and such reports shall also be submitted to the Division, via the methods identified in paragraph 10.
27. The Multicultural Committee shall be guided by and incorporate input and feedback from the Division concerning all of its activities that fall under the jurisdiction of the LAD.

28. The Multicultural Committee shall organize community events including, but not limited to: forums and town halls; speakers and panels; picnics and field days highlighting and promoting diversity, equity, and inclusion within the Township; and other events that the Multicultural Committee deems beneficial in building bridges and bringing together residents from different religious, non-religious, and cultural backgrounds.
29. The Multicultural Committee shall create and implement a public education campaign with the objective of highlighting diversity within the Township and promoting cultural and religious sensitivity and acceptance of all members of the Township community, including, but not limited to, Orthodox Jewish people and practices. By way of example, the public education campaign may include physical posters and online posts on the Township's website, panels, and other forums and events.
30. The Multicultural Committee shall collaborate as necessary and appropriate with elected Township officials, faith leaders, leaders of secular/non-religious organizations, law enforcement, and community organizations in carrying out the work outlined herein.
31. Within one (1) year of the date this Order is entered by the Court, and thereafter annually for the duration of this Order, the Multicultural Committee shall make written recommendations to the Jackson Township Council on ways to address bias and discrimination, and promote religious and cultural tolerance and diversity, within the Township. Such recommendations may include proposed revisions to the Township Code.
32. Defendants shall furnish to the Division on at least an annual basis, via the methods identified in paragraph 10, no later than December 31st of each year for the duration of this Order, any and all written recommendations made by the Multicultural Committee, accompanied by a list of any and all actions or interventions taken by the Township in

response to such recommendations, and where no action or intervention has been taken an explanation as to why.

33. For the duration of this Order, the Township shall budget no less than \$7,500 annually to be used by the Multicultural Committee for its expenses including, but not limited to, holding community events and conducting a public education campaign, as described herein. Such funds shall be accessed and utilized in the manner similar to other Jackson Township committees and boards that have an annual budget. Any funds not used by the Multicultural Committee in a given year may be carried over to the following year.
34. The Township shall also provide meeting space and clerical staff support to the Multicultural Committee on an as-needed basis including for note taking, photocopying, and assisting in the generation of any written reports, memoranda, and recommendations.

#### TRAININGS

35. Within sixty (60) days of the date this Order is entered by the Court, and then on an annual basis for the duration of this Order, Defendants shall provide trainings conducted by an independent third-party consultant on discrimination in land use and zoning to all Township officials and employees whose duties are implicated by the provisions of this Order, including, but not limited to: the mayor, and elected members and staff of the Township Council, the Township Zoning Board of Adjustment, and the Township Planning Board. The Township will compensate the third-party trainer(s) for their services in accordance with each trainer's standard fee structure.
36. The Township shall furnish each attendee of the trainings with a copy of this Order.

37. Within thirty (30) days of each training, Defendants shall secure and deliver to the Division, via the methods identified in paragraph 10, a written record of each training attendee including first name, last name, and job title.
38. Defendants shall obtain a signed statement, using the form attached hereto as Appendix B, from each training attendee. Defendants shall provide a copy of each such signed statement to the Division, via the methods identified in paragraph 10, within thirty (30) days each individual receiving the training, and Defendants shall retain the original signed forms for the duration of this Order.
39. For the duration of this Order, Defendants, including, but not limited to, the mayor and elected members and staff of the Township Council, the Township Zoning Board of Adjustments, and the Township Planning Board; any and all other Township officials and employees whose responsibilities relate to implementation and enforcement of Township Code provisions regarding zoning or land use, shall annually attend at least one (1) of the Division's publicly-available trainings on discrimination, bias, and the requirements of the LAD. The list of such trainings can be found at: [www.njoag.gov/about/divisions-and-offices/division-on-civil-rights-home/education-and-training-unit/etu-trainings/](http://www.njoag.gov/about/divisions-and-offices/division-on-civil-rights-home/education-and-training-unit/etu-trainings/).
40. Defendants shall bear all expenses associated with the trainings described in paragraphs 35 and 39.

#### NOTICE TO CONSULTANTS

41. For the duration of this Order, Defendants shall provide a copy of this Order to any and all Township consultants, contractors, or retained professionals whose responsibilities relate to implementation and enforcement of Township Code provisions regarding zoning or land use.

## RESTITUTION FUND

42. Within thirty (30) days of the date this Order is entered by the Court, the Township shall deposit \$150,000 into an interest-bearing account for the purpose of compensating any aggrieved person who has been harmed by the conduct alleged in Plaintiffs' Complaint, filed on April 27, 2021. This money shall be referred to as the Restitution Fund. Within fifteen (15) days of the establishment of the Restitution Fund, Defendants shall submit proof to the Division, via the methods described in paragraph 10, that the account has been established and the funds deposited.
43. Any interest that accrues shall become a part of the Restitution Fund and Defendants shall be responsible for any taxes assessed or owed on any such interest.
44. Within sixty (60) days of the date this Order is entered by the Court, Defendants shall publish in the newspaper of record for Ocean County with the largest circulation ("newspaper of record") the Notice to Potential Victims ("Notice") at Appendix C, informing readers of the availability of compensatory funds. The Notice shall be no smaller than three columns by six inches and shall be published on three (3) occasions in the newspaper of record with each such publication twenty-one (21) days apart, and with at least two (2) of the publication dates being on a Sunday. Within ten (10) days of each such publication, Defendants shall provide the newspaper containing the Notice to the Division, via the methods described in paragraph 10.
45. Nothing in this Order shall preclude the Division from engaging in its own efforts to locate and provide notice to potential aggrieved persons.
46. The Division shall investigate the claims of allegedly aggrieved persons and, within eighteen (18) months of the date this Order is entered by the Court, shall inform Defendants

as to its determinations as to which persons are aggrieved and an appropriate amount of damages that should be paid to each such person. The total amount of such damages shall not exceed the total amount in the Restitution Fund, including any accrued interest. An individual eligible for the Restitution Fund must establish that he/she/they was harmed by Defendants' conduct after January 1, 2015 and such individual must not have already received settlement or restitution funds in compensation for the same asserted harm. The determinations of the Division shall be final and Defendants waive the right to contest such determinations. Plaintiffs acknowledge that the Division's determination that an individual is aggrieved is not a legal or factual finding that Defendants violated the LAD.

47. Defendants shall permit the Division, upon reasonable notice, to review any of Defendants' records that may reasonably facilitate the Division's determinations regarding the claims of alleged aggrieved persons.
48. Defendants shall bear all expenses associated with the administration of the Restitution Fund.
49. After satisfaction of paragraphs 42-48, any money remaining in the Restitution Fund, including interest, shall be distributed to the State of New Jersey in the form of a wire transfer, certified check, cashier's check, or money order made payable to: "Treasurer, State of New Jersey," and mailed to: New Jersey Division on Civil Rights Central Regional Office, 140 East Front Street, 6th Floor, P.O. Box 089, Trenton, New Jersey 08625-0089, Attn: Lisa Haws.

#### REMEDIES FOR NON-COMPLIANCE

50. The Parties shall endeavor in good faith to resolve informally any differences regarding the interpretation of and compliance with this Order before seeking Court or other intervention.

Plaintiffs shall provide Defendants notice of any alleged noncompliance, and Defendants shall be afforded a thirty (30) day period within which to cure, unless the Division determines that a shorter period is warranted.

51. If the Parties are unable to resolve informally any difference(s) regarding the interpretation of and compliance with this Order, in accordance with paragraph 50, the Parties may seek mediation by Chief Justice James R. Zazzali (Ret.). Either Party may then move, on notice, to exercise their rights to enforce such provisions of this Order, including, but not limited to, obtaining specific performance, injunctive relief, and/or any remedies or relief specified in paragraphs 52-54. Nothing herein shall prohibit or limit either Party from seeking enforcement of this Order in New Jersey Superior Court or from opposing any such application.
52. Plaintiffs may seek any and all costs associated with their efforts to remedy Defendants' breach of any terms of this Order, including, but not limited to, costs associated with investigating and litigating the breach, including reasonable attorneys' fees.
53. A determination that Defendants have failed to materially comply with any provision of this Order shall automatically extend the duration of this Order for an additional one (1) year for each breach. A breach of any portion of this Order is considered a breach of the entire Order, such that all obligations set forth herein shall be extended one (1) year. If such an extension is triggered, in addition to continuing compliance with all obligations set forth herein, Defendants shall submit, six (6) months after such extension is triggered, a report to Plaintiffs describing the status of any unmet obligations and projected date(s) of compliance. Defendants shall submit, via the methods outlined in paragraph 10, an updated report to Plaintiffs every six (6) months thereafter during the applicable extension period



until Defendants have met all obligations under this Order, at which point Defendants shall submit a report to Plaintiffs certifying the same. This Order will expire ninety (90) days after Defendants file a final report with the Court, unless Plaintiffs make an application with the Court for an extension.

54. A determination that Defendants have failed to materially comply with any provision of this Order shall automatically trigger payment of the entire suspended penalty amount described in paragraph 56.

#### PENALTIES

55. Within fifteen (15) days of the date this Order is entered by the Court, Defendants shall remit a payment of \$275,000 constituting a statutory penalty pursuant to the LAD.
56. Defendants agree to an additional penalty of \$150,000 pursuant to the LAD that shall be suspended and automatically vacated after the duration of this Order provided that:
- a. Defendants comply in all material respects with this Order;
  - b. The Division does not uncover information that Defendants made any material misrepresentation or material omission with respect to any information provided to the Division in connection with the resolution of this matter; and
  - c. Defendants do not engage in any unlawful conduct prohibited by the LAD with respect to the subject matter of this litigation for the duration of this Order.

#### GENERAL PROVISIONS

57. The Parties have voluntarily agreed to resolve the Division's claims against the Township by entering into this Order, as indicated by the signatures below. In so doing, the Township does not concede liability with respect to the claims alleged in the Complaint. This final executed Order shall operate as a complete and final disposition of the allegations against

Defendants as contained in Plaintiffs' Complaint if, and only if, all of the required provisions of this Order are fulfilled as required by this Order. Only upon fulfillment of these provisions will all of the allegations against Defendants be dismissed with prejudice.

58. Nothing herein shall be construed as relieving Defendants of their obligation to comply with all state and federal laws, regulations or rules, as now constituted or as may hereafter be amended; or as granting permission to engage in any acts or practices prohibited by any such laws, regulations, or rules; or as limiting any right that the Division may otherwise have to obtain information, documents, or testimony from Defendants or to accept and/or investigate any complaints against Defendants.

59. Defendants shall not take any retaliatory action against any person who in any way participated in the investigation or litigation of this matter. Defendants shall not authorize any of their employees or agents to engage in any such conduct or attempt to prevent any person from exercising their rights under the LAD or participating in or assisting with any investigation or proceeding under the LAD.

60. This prohibition against retaliation shall be considered coterminous with the anti-retaliation provisions of the LAD and all other laws cited in the Complaint.

61. The parties agree that New Jersey Law shall govern the enforcement of this Order.

62. Nothing in this Order shall in any manner be construed to limit or affect the right of persons other than the Parties who may have a claim against Defendants or any individual or entity involved in this matter.

63. This Order is executed in settlement of the allegations and potential allegations against Defendants as set forth in the Complaint filed in this matter only and shall not be construed to otherwise limit the authority of Plaintiffs to protect the interests of the State of New

Jersey or the people of the State of New Jersey in any future or pending matter.

64. Jurisdiction is retained by this Court for such further orders and directions as may be necessary or appropriate for the construction and modification of the execution of this Order, including punishment for any violation of this Order.
65. Failure to comply with any provision of this Order shall be considered a violation of this Order. Upon such violation, the Plaintiffs may take any and all steps available to enforce this Order, including, but not limited to the steps outlined in paragraphs 50-54.
66. Failure by Plaintiffs to seek enforcement of this Order pursuant to its terms with respect to any instance or provision shall not be construed as a waiver to such enforcement with regard to other instances or provisions.
67. This Order constitutes the entire agreement between the Parties. There are no other agreements, promises, understandings, obligations, covenants, or representations among them. Any changes or amendments to this Order must be in writing and signed by all Parties.
68. This Order shall be binding upon the Parties to it and their successors and assignees. In no event shall assignment of any right, power, or authority avoid compliance with the terms of this Order.
69. Any signature for the entry of this Order may be executed in counterparts, each of which shall be deemed an original, but all of which shall together constitute one and the same Order. The Parties agree that this Order may be signed electronically, and that any electronic signatures appearing on this Order or such other documents are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

70. As used in this Order, the plural shall include the singular and the singular shall include the plural. In addition, “or” and “and” shall be interpreted conjunctively.

71. If any portion of this Order is held invalid or unenforceable by operation of law, the remaining terms of this Order shall not be affected.

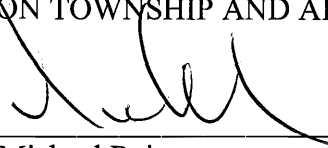
*Mark A. Troncone*

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The Honorable Mark A. Troncone, J.S.C.  
Superior Court of New Jersey  
Chancery Division, Ocean County

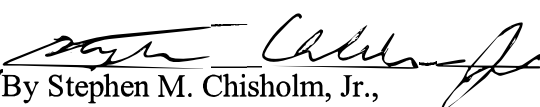
THE PARTIES CONSENT TO THE FORM, CONTENT, AND ENTRY OF THIS ORDER:

JACKSON TOWNSHIP AND ALL DEFENDANTS:

By:   
By Michael Reina  
Mayor

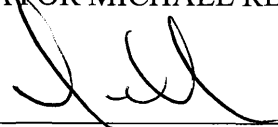
Date: 8-22-2023

JACKSON TOWNSHIP COUNCIL:

By:   
By Stephen M. Chisholm, Jr.,  
Council President

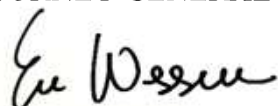
Date: 8-22-23

MAYOR MICHAEL REINA:

  
MICHAEL REINA


Date: 8-22-2023

MATTHEW J. PLATKIN,  
ATTORNEY GENERAL OF NEW JERSEY:

By:   
By Eve Weissman  
Deputy Attorney General

Date: 8/23/2023

SUNDEEP IYER,  
DIRECTOR, NEW JERSEY DIVISION ON CIVIL RIGHTS:

  
SUNDEEP IYER

Date: 8/23/2023

## APPENDIX A

**DISCRIMINATION COMPLAINT  
AGAINST JACKSON TOWNSHIP**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

1. Please state briefly the nature of your complaint (use additional pages if needed), including any service and/or request that you made of Jackson Township, the Jackson Planning Board, the Jackson Zoning Board of Adjustment, or the Jackson Town Council related to the implementation of its zoning or land use laws (e.g., special use approval, variance, re-zoning, etc.). In addition, please include a description of any religious land use and/or assembly or institution at issue in your request:

2. Please describe (use additional pages if needed) in what way(s) you believe that Jackson Township, the Township Council, the Planning Board, the Zoning Board of Adjustment, or other land use or zoning body of the Township may have violated your rights in the exercise of your religion under the United States Constitution, federal law (including the Religious Land Use and Institutionalized Persons Act or the Fair Housing Act), the New Jersey State Constitution, New Jersey law including the New Jersey Law Against Discrimination, or Jackson Township's Code or Ordinances through the implementation and/or exercise of its zoning or land use laws or its permitting or code enforcement (please attach any supporting evidence):

3. Please describe the relief and/or remedy you are seeking (use additional pages if needed):

4. If you believe that Jackson Township, the Township Council, the Planning Board, the Zoning Board of Adjustment, or any other land use or zoning body of the Township, or any other local government or municipality, has discriminated against you in the exercise of your religion through the implementation and/or exercise of its zoning or land use laws or its permitting or code enforcement, in addition to completing this complaint, please contact the U.S. Attorney's Office at 855-281-3339 or the United States Department of Justice Civil Rights Division at 202-514-4713. You may also register a complaint via email to [USANJ.Civilrightscomplaint@usdoj.gov](mailto:USANJ.Civilrightscomplaint@usdoj.gov) or [rluipa.complaints@usdoj.gov](mailto:rluipa.complaints@usdoj.gov) or by writing to either of the following addresses:

United States Attorney's Office District  
of New Jersey  
Civil Rights Division  
970 Broad Street, Suite 700  
Newark, NJ 07102

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
4 Constitution Square  
150 M Street NE  
Washington, DC 20530

In addition, you may file a complaint through the New Jersey Bias Investigation Access System (NJBIAS) at <https://bias.njcivilrights.gov/en-US/>. You may also contact the New Jersey Division on Civil Rights via email at [NJDCR4U@njcivilrights.gov](mailto:NJDCR4U@njcivilrights.gov) or regular or certified mail at:

New Jersey Division on Civil Rights  
Central Regional Office  
140 East Front Street, 6th Floor  
Trenton, NJ 08625

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(Signature)

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(Date)

**Jackson Township Complaint Investigation Process:** Any complaint received by Jackson Township alleging that the Township, the Township Council, the Planning Board, the Zoning Board of Adjustment, or any agent, official, or employee of same has violated RLUIPA, the FHA, the New Jersey Law Against Discrimination, or otherwise discriminated against a person or entity on the basis of religion through the implementation and/or exercise of its zoning or land use laws or its permitting or code enforcement will proceed as follows. All complaints, regardless of who the complaint is received by, shall be immediately transmitted to the Township Administrator. Upon receipt of the complaint the Township Administrator shall log the complaint in the RLUIPA/FHA/LAD Complaint Form. The Township Administrator shall gather all materials relevant to the complaint and transmit the complaint and all related materials to the township attorney and/or his/her designee to conduct an investigation. Within fifteen (15) days of the complaint being filed, the investigating attorney shall issue a written report to the Township Administrator setting forth findings of fact, conclusions, and recommendations. Within thirty (30) days of the complaint being filed, the Township shall send a written response to the complainant advising of the status and outcome of the investigation.

**APPENDIX B**

**CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT ORDER**

I, \_\_\_\_\_, certify that on \_\_\_\_\_, I received a copy of the Consent Order resolving Platkin et al. v. Jackson Township et al., Docket No. OCN-C-000064-21, filed in the Superior Court of New Jersey, Chancery Division – Ocean County.

I further certify that on \_\_\_\_\_, I attended a training on discrimination in land use and zoning and that all my questions concerning these topics were answered.

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE



**APPENDIX C**

**NOTICE TO POTENTIAL VICTIMS OF ZONING OR LAND USE DISCRIMINATION**

On \_\_\_\_\_, 2023, Jackson Township, New Jersey entered into a settlement to resolve a lawsuit brought by the New Jersey Office of the Attorney General and New Jersey Division on Civil Rights alleging that the Township, and its officials, exercised their power to regulate land use and housing to unlawfully discriminate against residents and prospective residents who are Orthodox Jews, in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-12.5.

As part of the settlement, Jackson Township has established a fund to help compensate people harmed by its past conduct. You, or members of your family, may be eligible for the fund if you:

- Were discouraged or prevented from practicing your religion due to Jackson Township's land use and/or zoning policies or ordinances.
- Were discouraged or prevented from moving to or living in Jackson Township as a result of its land use and/or zoning policies or ordinances.
- Were targeted or harassed due to your actual or perceived race, religion, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, sexual orientation, gender identity or expression, familial status, nationality, disability, sex, pregnancy or breastfeeding status, liability for military service, or any other protected characteristics under the LAD.

If you believe you may have been harmed because of your religion, or if you have information about someone else who may have been harmed, please contact \_\_\_\_\_

\_\_\_\_\_.

*To be eligible, you must call or write by \_\_\_\_\_, 2024 [365 days from the date of entry of the Consent Order] and provide your full name, address, phone number, and if available, an alternate phone number as well as an e-mail address where you can be reached.*