

EXPLANATION: This Resolution authorizes and approves the Shared Services Agreement with the Borough of Peapack and Gladstone and the Borough of Bernardsville for the establishment and operation of a shared municipal court.

TOWNSHIP OF BEDMINSTER

RESOLUTION NO. 2016-022

WHEREAS, the Township of Bedminster (the “Township”) and the Borough of Peapack and Gladstone and the Borough of Bernardsville (the “Boroughs”) have reviewed their needs, resources and personnel and have found that they can assist each other at considerable savings to the tax payers of each municipality by establishing and operating a shared municipal court; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1, et seq., any municipality of the State of New Jersey may contract with any other municipality for the shared provision within their several jurisdictions of any service that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, pursuant to N.J.S.A. 2B:12-1(c), two or more municipalities, by resolution, may agree jointly to provide for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court; and

WHEREAS, in a Shared Municipal Court, each Court retains its own identity; and

WHEREAS, the Shared Municipal Court shall be operated as three separate courts, pursuant to which Bedminster is the host municipality and provides the services described in this Agreement to Peapack and Gladstone and Bernardsville; and

WHEREAS, the Shared Services Agreement, in the form attached hereto and made a part hereof, was negotiated and agreed to by the Township and the Boroughs, which establishes a municipal court and provides for the sharing of court facilities and court staff including the municipal judge, court administrators, other court employees, prosecutors, public defenders and security personnel; and

WHEREAS, the Township and the Boroughs have negotiated a Shared Services Agreement, which is attached hereto and made a part hereof; and

WHEREAS, the Shared Services Agreement has been reviewed by the Township Attorney, along with representatives of the Township; and

WHEREAS, the Shared Services Agreement has been reviewed by the Honorable Yolanda Ciccone, A.J.S.C., and approved same with terms and conditions set forth in a letter dated January 6, 2016; and

WHEREAS, the Township Committee of the Township of Bedminster finds it to be in the best interest of the Township and its residents to enter into this Shared Services Agreement with the Boroughs for the establishment and operation of a shared municipal court.

COMMENCING MARCH 1, 2016, NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bedminster, in the County of Somerset, and State of New Jersey, as follows:

1. There shall be established a shared municipal court servicing the Township of Bedminster and Borough of Peapack and Gladstone and Borough of Bernardsville, subject to compliance with the terms and conditions of the January 6, 2016 approval of Honorable Yolanda Ciccone, A.J.S.C.
2. The Mayor and Township Clerk are hereby authorized and directed to execute the attached Shared Services Agreement with the Borough of Peapack and Gladstone and the Borough of Bernardsville, which Agreement sets forth the terms and conditions for the operation of the shared municipal court, including the sharing of court facilities and court staff including the municipal judge, court administrators, other court employees, prosecutors, public defenders and security personnel.
3. The Township Clerk/Administrator, Township Attorney and other appropriate Township officials are further authorized to take any and all action required to comply with this Agreement.
4. This Resolution shall take effect immediately upon adoption, and the adoption of the appropriate mechanism approving the Shared Services Agreement adopted by the Borough.

ATTEST:

BEDMINSTER TOWNSHIP
COMMITTEE:

By: _____
Judith Sullivan, RMC
Township Clerk

By: _____
Steven E. Parker, Mayor

CERTIFICATION

I, Judith Sullivan, Township Clerk of Bedminster, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a Regular Meeting held on January 19, 2016.

Judith Sullivan, Township Clerk

Introduced	Seconded	Township Committee	Aye	Nay	Abstain	Absent
		Steven E. Parker, Mayor				
		Bernie Pane				
		Lawrence F. Jacobs				
		Staci Santucci				
		Kenneth Olsen				

