

RESOLUTION 2012 - 69

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, ENDORSING THE INCLUSION OF THE BOROUGH OF VICTORY GARDENS IN THE JOINT MUNICIPAL COURT OF DOVER

WHEREAS, the Town of Dover of the County of Morris, State of New Jersey, has established a Joint Municipal Court serving the Town of Dover, Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway and Borough of Wharton under a Shared Services Agreement with the Town of Dover as lead agency; and

WHEREAS, the Borough of Victory Gardens currently operates its own municipal court in the town adjoining the Town of Dover; and

WHEREAS, the municipalities have determined it to be in their mutual best interests to provide for joint municipal court facilities, personnel and resources for use by their respective municipal courts with Dover as the lead agency; and,

WHEREAS, the agreement is established in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:61-1 *et. seq.*; and

WHEREAS, each of participating municipalities will realize a savings to their respective tax payers in entering into this Shared Service Agreement; and

WHEREAS, the scope of services provides that Dover will make the necessary facilities available by way of courtroom, offices and storage space; and

WHEREAS, the Dover Municipal Court personnel will include judges, prosecutors and public defenders, interpreters and court administrators as well as security personnel; and

WHEREAS, the municipal court operations will be managed by Dover as a joint court using one set of books and one court calendar; and

WHEREAS, all municipalities will each receive and retain all net revenues generated by each of their respective cases; and

WHEREAS, the supported municipalities have agreed to pay increases based upon increases in the cost of the operation of the joint municipal court; and

WHEREAS, Dover will be able to obtain a substantial annual cost savings benefit which benefit must continue into the future of the agreement; and

WHEREAS, additional municipal participants may become part of the joint municipal court; and

WHEREAS, there will be two judges and two prosecutors appointed with Dover making a recommendation for the presiding judge and the presiding prosecutor and a committee to be established to make a recommendation for the second judge and prosecutor; and

WHEREAS, based on the formula of the Joint Court Advisory Committee Victory Gardens shall pay a base fee of \$10,720.00 annually for their use of the Dover Joint Court; and

WHEREAS, Dover will continue to use its current court administration personnel, and

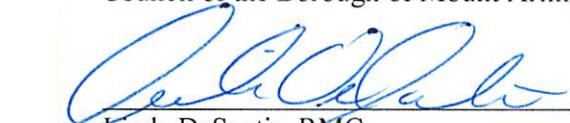
WHEREAS, the inclusion of the Borough of Victory Gardens in the Joint Municipal Court of Dover would result in both the Borough of Victory Gardens and the Joint Municipal Court of Dover benefiting from operational effectiveness and cost efficiency;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, to endorse the execution of an agreement for a joint shared court with Dover as the lead agency and the inclusion of the Borough of Victory Gardens effective March 1, 2012 upon the terms and conditions set forth herein and to hereby authorize its inclusion in the joint municipal court pursuant to N.J.S.A. 2B:12-1 et. seq. and N.J.S.A. 40A:65-1 et. seq.; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Borough of Victory Gardens, Town of Dover, Township of Mine Hill, Borough of Wharton, and Borough of Rockaway which are hereby being requested to consider adoption of a similar Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Honorable Thomas L. Weisenbeck, Assignment Judge Superior Court, and the Honorable Michael Luther, Chief Judge of the Joint Municipal Court of Dover.

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on April 17, 2012.


Linda DeSantis, RMC
Borough Clerk