

**Resolution 2011 – 22**

**RESOLUTION OF THE BOROUGH OF MOUNT ARLINGTON,  
COUNTY OF MORRIS, STATE OF NEW JERSEY,  
AUTHORIZING ENTRY INTO AN AGREEMENT FOR SHARED MUNICIPAL  
COURT FACILITIES, PERSONNEL AND RESOURCES**

**WHEREAS**, The Town of Dover, hereinafter “Dover”, the Township of Mine Hill, hereinafter “Mine Hill”, the Borough of Mt. Arlington, hereinafter “Mount Arlington”, the Borough of Rockaway, hereinafter “Rockaway”, and the Borough of Wharton, hereinafter “Wharton”, entered into an agreement for a joint municipal court pursuant to N.J.S.A.2B:12-1 (b); and

**WHEREAS**, issues have arisen regarding the municipalities jointly dealing with appointment of court professionals; and

**WHEREAS**, the five member municipalities believe that they are better capable of selection of court professionals who will operate and maintain the municipal court in the best manner; and

**WHEREAS**, it was anticipated by all the member municipalities in entering into the joint court that they would have a stake in the selection of the court professionals; and

**WHEREAS**, that understanding of the member municipalities is no longer the case; and

**WHEREAS**, a shared municipal court pursuant to N.J.S.A.2B:12-1, (c) allows for two or more municipalities by ordinance or resolution to provide jointly 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**, the five member municipalities unanimously believe this to be in the best interests of their municipal court.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey as follows:

1) The Mayor, Borough Administrator and Borough Attorney of the Borough of Mount Arlington are hereby authorized to enter into negotiations regarding the terms and conditions of a shared service agreement with the Town of Dover, Township of Mine Hill, the Borough of Rockaway and the Borough of Wharton for shared municipal court facilities, personnel and resources pursuant to N.J.S.A.2B:12-1; and

2) The terms and conditions of this shared services agreement shall be substantially the same as in the Shared Services Agreement for the Municipalities of Town of Dover, Township of Mine Hill, Borough of Mount Arlington, Borough of Rockaway, and Borough of Wharton – Joint Municipal Court Facilities, Personnel and Resources Agreement; and

3) The Mayor and Clerk are hereby authorized to execute a Shared Services Agreement for the Municipalities of Town of Dover, Township of Mine Hill, Borough of Mount Arlington, Borough of Rockaway, and Borough of Wharton – Shared Municipal Court Facilities, Personnel and Resources Agreement for a shared municipal court, in such form and incorporating such terms as are negotiated between the parties as authorized hereby.

4. This Resolution shall take effect immediately.

I hereby certify the foregoing to be a true copy of a Resolution passed by the Borough of Mount Arlington Borough Council at a duly convened meeting held on January 4, 2011.



Linda DeSantis, RMC  
Borough Clerk