TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #20-179

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AUTHORIZING THE MAYOR AND CLERK TO EXECUTE ALL AGREEMENTS NECESSARY FOR A SHARED MUNICIPAL COURT AGREEMENT BETWEEN THE TOWNSHIP OF RARITAN AND THE TOWNSHIP OF HOLLAND

WHEREAS, the Township of Raritan and the Township of Holland wish to enter into a Shared Services Agreement for a Shared Municipal Court effective January 1, 2021 to create a tax savings through the implementation of a Shared Municipal Court; and

WHEREAS, an agreement to enter into a shared service for municipalities is permitted under N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act;" and

WHEREAS, N.J.S.A. 2B:12-1(c) allows for the establishment of Shared Municipal Courts and provides that:

> Two (2) or more municipalities, by ordinance or resolution, may agree 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. Where municipal courts share facilities in this manner, the identities of the individual courts shall continue to be expressed in the captions of orders and process; and

WHEREAS, the Township of Raritan and the Township of Holland will secure approval for the Shared Municipal Court pursuant to New Jersey Court Rule 1:33-4(a) which provides that "the Assignment Judge shall be the chief judicial officer within the vicinage and shall have plenary responsibility for the administration of all courts therein;" and

WHEREAS, the Township of Raritan and the Township of Holland will take those required steps to implement a Shared Municipal Court including complying with the requirements of the Assignment Judge and Municipal Court Services, including any checklist for the establishment of a Shared Municipal Court; and

WHEREAS, the Township of Holland has elected not to appoint its own Municipal Court Judge, Court Administrator, Prosecutor or Public Defender pursuant to N.J.S.A. 2B:12-1(c); and

WHEREAS, the Shared Services Agreement shall be for five (5) years and may be terminated by either party by providing written notice of termination no later than October 1 of the calendar year in which the Shared Services Agreement will terminate; and

WHEREAS, the Township of Holland shall pay the Township of Raritan a fee of $27,000.00 annually for these services, with equal payments due on April 1, July 1, October 1 and December 1 of each year; and

WHEREAS, on each anniversary date of the start of the Shared Municipal Court there shall be an increase in the annual service fee of two-percent (2%) each year of the term of the agreement; and

WHEREAS, the service fee with the two-percent (2%) increase each year of the term of the agreement is calculated as follows:

Year	Yearly Service Charge
First (2021)	$27,000.00
Second (2022)	$27,540.00
Third (2023)	$28,090.00
Fourth (2024)	$28,652.62
Fifth (2025)	$29,225.67

; and

WHEREAS, all Holland Township court-related revenues shall be retained by the Township of Holland; and

WHEREAS, the Township desires to enter into the attached Shared Services Agreement for a Shared Municipal Court between the Township of Raritan and the Township of Holland substantially in the form attached subject to finalization by the Mayor, Township Administrator and Attorney in order that the Shared Municipal Court becomes operational on January 1, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that:

1. The Mayor and Clerk are hereby authorized to execute the attached Shared Services Agreement for a Shared Municipal Court between the Township of Raritan and the Township of Holland substantially in the form attached subject to finalization by the Mayor, Township Administrator and Attorney in order that the Shared Municipal Court becomes operational on January 1, 2021.

2. The Mayor and Clerk are authorized to execute the Custodian of Records Agreement for the Joint Court of Delaware Valley attached hereto.

3. This Resolution shall take effect immediately.

ATTEST:

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN

Lisa Fania, RMC
Township Clerk

Jeff Kuhl
Mayor

CERTIFICATION

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on July 21, 2020.

Lisa Fania, RMC
Township Clerk