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BERNARDS TOWNSHIP – TOWNSHIP COMMITTEE 06/01/2020 – COMBINED AGENDA/SPECIAL MEETING *(Click on the page number to go directly to that page)*

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<i>RESOLUTION #2020-0209 - AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF PEAPACK AND GLADSTONE, THE BOROUGH OF BERNARDSVILLE, THE TOWNSHIP OF BEDMINSTER, AND THE TOWNSHIP OF BERNARDS, FOR THE ESTABLISHMENT AND OPERATION OF A SHARED MUNICIPAL COURT, EXHIBIT A, MEMORANDUM OF AGREEMENT.</i>	
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CALL TO ORDER

The mayor called the meeting to order at 8:01 PM. The mayor led the flag salute read the open public meetings statement in accordance with the law.

Notice was provided that this meeting is being conducted through virtual means using video conferencing in accordance with the Open Public Meetings Act on 05/28/2020. Such, notice was posted on the township website, the township's Facebook page, the township's bulletin board, and provided by e-mail to the Recorder Publishing - Bernardsville News, Whippany; the Courier News, Bridgewater; TAPinto.net; Patch.com; and filed with the Township Clerk.

Any motion to go into closed session will be deemed to include a motion that the matters discussed at such closed session will be disclosed to the public when such matters are finally determined and there is no further reason to prohibit the public disclosure of information relating to such matters.

ROLL CALL

Present: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.

Absent:

Also Present: Administrator Monaco, Attorney Sordillo, CFO McCarthy, Municipal Clerk Pisano

PUBLIC COMMENT

The mayor opened public comment. No comments were heard and the mayor closed public comment..

UNFINISHED BUSINESS

[Resolution #2020-0209](#) - Authorizing a [Shared Services Agreement](#) with the Borough of Peapack and Gladstone, the Borough of Bernardsville, the Township of Bedminster, and the Township of Bernards, for the Establishment and Operation of a Shared Municipal Court, [Exhibit A](#), [Memorandum of Agreement](#).

Motion by Esposito, second by Harris, that Resolution #2020-0209 be approved.

Roll Call

Aye: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

WHEREAS, the Township of Bedminster ("Bedminster"), the Borough of Peapack and Gladstone ("Peapack-Gladstone"), the Borough of Bernardsville ("Bernardsville") and the Township of Bernards ("Bernards") 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 four separate courts, pursuant to which Bedminster is the host municipality and provides the services described in this Agreement to Peapack and Gladstone, Bernardsville and Bernards; and

WHEREAS, the Shared Services Agreement, in the form attached hereto and made a part hereof, was negotiated and agreed to by Bedminster, Peapack-Gladstone, Bernardsville and Bernards which establishes a shared 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, Bedminster, Peapack-Gladstone, Bernardsville and Bernards 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 Township Committee of the Township of Bernards finds it to be in the best interest of the Township and its residents to enter into this Shared Services Agreement with Peapack-Gladstone, Bernardsville and Bedminster for the establishment and operation of a shared municipal court.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards, in the County of Somerset, and State of New Jersey, commencing on July 1, 2020, as follows:

1. There shall be established a shared municipal court servicing the Township of Bedminster, Borough of Peapack and Gladstone, Borough of Bernardsville and Township of Bernards subject to compliance with the terms and conditions of the 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, the Borough of Bernardsville and the Township of Bedminster, 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, 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 Township.

PUBLIC COMMENT

The mayor opened public comment. No comments were heard, and the mayor closed public comment.

ADJOURNMENT

Motion by Fields, seconded by Esposito, an unanimously agreed to adjourn the meeting at 8:10 PM.

Respectfully submitted,

Rhonda Pisano
Municipal Clerk

James Baldassare, Jr.
Mayor

Approved: 06/09/2020