



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 21-192**

### **RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF ATLANTIC HIGHLANDS FOR THE CONTINUATION OF MUNICIPAL COURT SERVICES**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. allows a local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to primary purposes of any of the participating local units; and

**WHEREAS**, the Borough of Highlands and the Borough of Atlantic Highlands wish to encourage inter-municipal cooperation; and

**WHEREAS**, by way of Resolution 20-251, duly adopted on December 2, 2020, the Borough of Highlands approved an extension of a Shared Services Agreement with the Borough of Atlantic Highlands for Municipal Court Services through December 31, 2021; and

**WHEREAS**, the aforesaid Shared Services Agreement was for an initial term of three (3) years, beginning December 1, 2013 through November 30, 2016, with extensions for a period of up to five (5) additional years, wherein all rights of renewal were exercised which extended the term through December 31, 2021; and

**WHEREAS**, in accordance with the terms of the aforesaid Shared Services Agreement, the Borough of Atlantic Highlands provides the Borough of Highlands with space in the Atlantic Highlands Municipal Building within which to conduct Municipal Court hearings and the municipalities share facilities, equipment and staff pursuant to N.J.S.A. 2B:12-1(c), in accordance with the terms and conditions set forth therein; and

**WHEREAS**, the Borough of Highlands finds that it would be in its best interest to continue to utilize the Atlantic Highlands Municipal Building's courtroom, court offices and to share facilities, equipment and office staff, in accordance with N.J.S.A. 2B:12-1(c), while each municipality maintains the right to appoint their own judge, prosecutor and public defender; and

**WHEREAS**, the Borough of Highlands and the Borough of Atlantic Highlands have reached agreement with respect to the terms of a new Shared Services Agreement for the continuation of Municipal Court Services; and

**WHEREAS**, in accordance with the terms of a new Shared Services Agreement, the Borough of Atlantic Highlands shall continue to provide the Borough of Highlands with space in the Atlantic Highlands Municipal Building within which to conduct municipal court hearings, and the Municipalities shall share facilities, equipment and staff pursuant to N.J.S.A. 2B:12-1(c); and

**WHEREAS**, in accordance with the terms of a new Shared Services Agreement, the aforesaid Municipal Court Services shall continue for a period of two (2) years, beginning January 1, 2022 through December 31, 2023, which term may be extended for up to two (2) additional years by way of two (2) separate one (1) year renewal options; and

**WHEREAS**, in accordance with the terms of the aforesaid Shared Services Agreement, the Borough of Highlands will pay the Borough of Atlantic Highlands the following amounts:

\$79,500 (for the one (1) year period from January 1, 2022 through December 31, 2022);  
\$79,500 (for the one (1) year period from January 1, 2023 through December 31, 2023);  
\$79,500 for any renewal period; and

in accordance with the terms of the aforesaid Shared Services Agreement, the Borough of Highlands will continue to pay 50% of the cost for any additional office staff that is needed, which is currently in an amount not to exceed \$11,000 for a part-time employee, for each year of the Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Highlands hereby approves a new Shared Services Agreement with the Borough of Atlantic Highlands for the continuation of Municipal Court Services for a period of two (2) years beginning January 1, 2022 through December 31, 2023, in the amount of \$79,500 per year, along with the continuation of payment of 50% of the cost for any additional office staff that is needed as set forth above and in the terms of the Agreement.

**BE IT FURTHER RESOLVED**, that the Mayor be and is hereby authorized to execute a Shared Services Agreement with the Borough of Atlantic Highlands for Municipal Court Services.

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to the Borough of Atlantic Highlands Administrator and Municipal Clerk.

Motion to Approve R-21-192:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN						
MAZZOLA						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: October 20, 2021

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Michelle Hutchinson, Municipal Clerk  
Borough of Highlands