



BOROUGH OF ALPHA

1001 East Boulevard
Alpha, New Jersey 08865

SPECIAL MEETING AGENDA Borough of Alpha Municipal Building Tuesday, February 7, 2017

1. Call to Order: Open Public Meetings Notice-Mayor Craig S. Dunwell
2. Prayer & Salute to the Flag
3. Roll Call:

Mr. Cartabona, Mrs. Gable, Mrs. Grossman, Mr. Pettinelli, Mr. Schwar and Mr. Seiss

4: Public Comment:

5. Resolutions

➤ **RESOLUTION 2017-48**

SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF ALPHA AND TOWN OF PHILLIPSBURG FOR TEMPORARY USE OF FACILITIES

6. Payment of Bills and Claims
 7. Executive Session
 8. Adjournment
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Executive Session may be called anytime prior to adjournment.

The public may be excluded for the following reasons as stated in the Open Public Meetings Act, NJSA 10:4-12:

- (1) Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, date, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned

(or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

(4) Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) Any matter involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection including any investigation of violations or possible violations of the law.

(7) Any pending or anticipated litigation or contract negotiation other than in section 4 herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

(9) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

RESOLUTION 2017-48
SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF ALPHA AND TOWN OF PHILLIPSBURG FOR TEMPORARY USE OF FACILITIES

WHEREAS, the Borough of Alpha previously entered into a shared services agreement in 2014 with the Town of Phillipsburg where it was agreed that Phillipsburg would provide the use of its courtroom, court staff and Municipal Court Judge for the provision of the hearing and adjudication of municipal court matters related to the Borough of Alpha; and

WHEREAS, certain conditions have arisen which adversely affect the habitability of the Phillipsburg courtroom and which necessitate the emergent relocation of the Phillipsburg and Alpha court services until such time as the aforementioned conditions may be alleviated; and

WHEREAS, Alpha has agreed to extend the use of its courtroom facilities to the Town of Phillipsburg for the purposes of hearing and adjudicating both Phillipsburg and Alpha municipal court matters, subject to the terms and restrictions set forth in an Agreement delineating such terms; and

WHEREAS, the Administrative Office of the Courts (hereinafter, "the AOC") and the Assignment Judge of Vicinage XIII (hereinafter, "the Assignment Judge"), have approved the relocation of the Shared Municipal Court on an interim basis; and

WHEREAS, the Governing Bodies of both Alpha and Phillipsburg find that it would be in the best interest of both parties for Phillipsburg to temporarily utilize the facilities located in Alpha for the provision of shared municipal court services under the same terms and conditions of the 2014 Agreement, except as modified in the Agreement recently negotiated between the parties.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Alpha, County of Warren, State of New Jersey that Alpha agrees to the proposed terms set forth in the Shared Services Agreement between the Borough of Alpha and the Town of Phillipsburg dated February 7, 2017 permitting temporary use of the courtroom facilities in Alpha pursuant to its terms, and;

BE IT FURTHER RESOLVED, that the Mayor, Borough Clerk, and/or Borough labor Counsel are authorized to execute all necessary documents to effectuate the terms of the above-referenced Shared Services Agreement.