RESOLUTION
2010 –321

Resolution of the Township of Ocean, County of Ocean, State of New Jersey Authorizing the Execution of Shared Service Agreement with the County of Ocean, Office of the Sheriff for FY 2011 966 Reimbursement Program

WHEREAS, the Township of Ocean having its offices located at 50 Railroad Avenue, Waretown, NJ 08758; and

WHEREAS, by way of this resolution of the Township Committee of the Township of Ocean authorizes a Shared Service Agreement with the County of Ocean, for FY 2011 State 966 Reimbursement Program executed by Mayor and Township Clerk; and

WHEREAS, State FY 2011 966 Reimbursement Program is a program run by the Ocean County's Sheriff's Department for the purpose of enhancing the County's ability to respond to and recover from emergencies at the Oyster Creek Nuclear Power Plant; and

WHEREAS, the New Jersey State Department of Law and Public Safety will provide supplemental funding to the County of Ocean, through the FY 11 966 Program; and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services.

NOW, THERERFORE, BE IT RESOLVED, in consideration of the mutual covenants and conditions hereinafter set forth pursuant to the authority provided by law, the parties hereby agree to and with each other as follows:

1. Responsibility of County: The County agrees that it shall have the following responsibilities during the term of this Agreement:
    a. The County shall reimburse the Municipality an amount not to exceed $7,838.00 for equipment purchases, made in accordance with New Jersey State Police approved equipment list for the FY 11 within the time frame given below.

2. Responsibilities of Municipality: The Municipality agrees that is shall have the following responsibilities during the term of the Agreement:
    a. The Municipality will purchase equipment in accordance with the New Jersey State Office of Law and Public Safety approved list.
    b. The Municipality will submit the required receipts to Ocean County for all approved equipment that was purchased under this Agreement no later than May 1, 2011. Required receipts shall consist of a Township Voucher, a vendor invoice, and proof of payment. If purchasing a radio or pager the packing slip containing the make, model and serial number must be included.
    c. The municipality where applicable will be responsible for all maintenance, repairs, and insurance coverage for all of the equipment purchased under this agreement.

3. Term. The agreement shall commence when fully executed by the Mayor of the Township of Ocean, Ocean County Sheriff, Ocean County Freeholder Director and shall continue to full force and effect until June 30, 2011.

4. Termination. Either party to this Agreement may give written notice to the other party, to terminate this Agreement.

5. Relationship of Parties. The Municipality and its Police, Fire and Emergency Service and Emergency Response Units pursuant to the Agreement are not and shall not be considered agents or employees of the County.

6. Assignability. The Municipality shall not assign or transfer title to the Equipment, or any of the work or services to be performed hereunder of any other interest in this agreement without prior written approval of the County.

7. Entire Agreement. This Agreement contains the entire Agreement between the parties and no modification hereof shall be effective unless in writing signed by the party to be charged therewith. This Agreement shall superseded any other understanding or correspondence that may have been exchanged between the parties on the subject matter hereof.

8. Binding Effect. This Agreement has been duly entered into and constitutes a legal, valid and binding obligation of the County and the Municipality, enforceable in accordance with its terms, and it shall insure to the benefit of the parties hereto and their successors and assigns.

BE IT FURTHER RESOLVED THAT, certified copies of said Resolution be forwarded to the following:

1. James F. Lacey, Freeholder Director
2. William Polhemus, Sheriff
3. Christine Thorne, CMFO
4. Township Committee
5. David Breeden, Administrator
6. Gerhard Frenz, Lieutenant, Officer in Charge
7. Jack Bennett, Chief, Waretown Vol. Fire Co.
8. Diane B. Ambrosio, RMC

CERTIFICATION

I, Diane B. Ambrosio, RMC, Clerk of the Township of Ocean, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the adopted by the Township Committee of the Township of Ocean at the regular meeting on the 10th Day of November 2010.

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DIANE B. AMBROSIO, RMC
TOWNSHIP CLERK