

RESOLUTION 2024-124 AUTHORIZING AN EXTENSION OF A SHARED SERVICES AGREEMENT WITH VOORHEES TOWNSHIP FOR THE SERVICES OF A POLICE CHIEF

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. ("Shared Services Act"), the Township of Berlin ("Berlin Township") is authorized to enter into an agreement for shared services with other New Jersey municipalities and public entities; and

WHEREAS, Berlin Township and the Township of Voorhees ("Voorhees") are desirous of entering into a Shared Services Agreement ("Agreement") pursuant to the Shared Services Act, whereby the Chief of Police of the Voorhees Police Department, will provide the services of a Police Chief to Berlin Township and the Berlin Township Police Department on a temporary basis; and

WHEREAS, under the Shared Services Act, any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including but not limited to, services incidental to the primary purposes of any of the participating local units; and

WHEREAS, the Camden County Association of Chiefs of Police, via letter correspondence dated July 28, 2022, from Chief Kevin Carey of the Collingswood Police Department, President of the Camden County Association of Chiefs of Police, expressed support for the aforementioned shared Police Chief services between Berlin Township and Voorhees; and

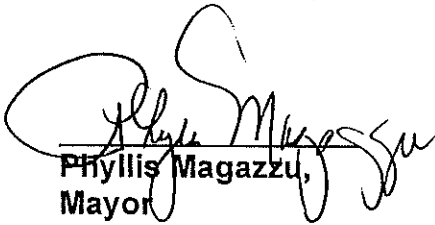
WHEREAS, the agreement is set to expire on August 15, 2024 and the parties desire to extend the Agreement for an additional one (1) year period.

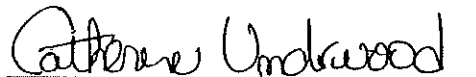
WHEREAS, the Mayor and Township Council of Berlin find that it is in the best interests

of the residents of Berlin Township to enter into the aforementioned Shared Services Agreement for Police Chief Services with Voorhees, for an additional one (1) year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Berlin as follows:

1. The Mayor and/or her designee is hereby authorized to execute a Shared Services Agreement with Voorhees Township for the Services of a Police Chief.
2. The Mayor and/or her designee are further authorized to execute an Indemnification Agreement, in which both parties will provide respective indemnification(s) to each other, arising solely from the aforementioned Shared Services Agreement for the Services of a Police Chief.
3. The Shared Services Agreement shall be placed on file in the office of the Clerk of the Township of Berlin.
4. The Clerk of the Township of Berlin is hereby authorized and directed to provide a certified copy of this Resolution and a copy of the fully executed Agreement upon approval to the Division of Local Government Services in the Department of Community Affairs.


Phyllis Magazzu,
Mayor


Catherine Underwood,
Township Clerk

It is hereby certified that the foregoing is a true and correct copy of a resolution duly adopted by the Mayor and Council of the Township of Berlin at a meeting held July 22, 2024.


Catherine Underwood,
Township Clerk

**SHARED SERVICES AGREEMENT
BY AND BETWEEN THE TOWNSHIP OF BERLIN AND THE TOWNSHIP OF VOORHEES
FOR POLICE CHIEF/SHARED POLICE CHIEF SERVICES**

THIS SHARED SERVICES AGREEMENT made this 22nd day of July 2024 ("Agreement"), by and between the Township of Berlin ("Berlin") a Municipal Corporation of the State of New Jersey, having its principal place of business located at 135 NJ-73, West Berlin, NJ 08091 and the Township of Voorhees ("Voorhees"), a Municipal Corporation of the State of New Jersey, having its principal place of business located at 2400 Town Center, Voorhees, New Jersey 08043 (collectively, the "Parties" or "Municipalities");

WHEREAS, Berlin and Voorhees are desirous of entering into a Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) ("Shared Services Act"), whereby Voorhees' Chief of Police, Louis J. Bordi, would provide the services of a Police Chief to Berlin; and

WHEREAS, under the Shared Services Act, any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, by Resolution adopted July 22, 2024, Berlin authorized the execution of this Agreement; and

WHEREAS, by Resolution adopted July 8, 2024, Voorhees authorized the execution of the aforementioned, Agreement; and

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements between the Parties and for the consideration set forth below, the Parties hereto agree as follows:

1. **Establishment of Shared Police Chief Services/Sharing a Police Chief.** Berlin and Voorhees agree to share a police chief/share police chief services.
2. **Designation of Police Chief; Employer of Police Chief**
 - a. Chief Louis J. Bordi (hereafter "Chief Bordi"), the current Chief of Police of the Voorhees Township Police Department, shall continue to serve as the Chief of Police of the Voorhees Township Police Department.
 - b. During the term of this Agreement, and while an employee of Voorhees Township, Chief Bordi shall also provide the "Services and Duties of Police Chief" under Paragraph (3) of this Agreement, to the Township of Berlin Police Department.
 - c. Chief Bordi shall continue to be and remain an employee of Voorhees.
 - d. Voorhees is hereby designated as the primary employer of Chief Bordi pursuant to N.J.S.A. 40A:65-6.
3. **Services and Duties of Police Chief; Designation of Appropriate Authority; Standard of Performance.**
 - a. Chief Bordi, who under Voorhees' form of government has the duty and responsibility for control of the Voorhees Township Police Department, shall continue to have the duty and responsibility for said control and coverage for the Voorhees Police Department;
 - b. Chief Bordi shall fulfill the services and duties of the Chief of Police of the Berlin Township Police Department which shall include, but may not be limited to, performing, overseeing, and/or ensuring satisfaction of the duties set forth under Section 40-5 of the Berlin Township Municipal Code, which is incorporated by reference into this Agreement;
 - c. Chief Bordi shall faithfully carry out all of the duties and responsibilities of Police Chief

for both Voorhees and Berlin and abide by the laws of the State of New Jersey.

4. Cost of Services of Police Chief

- a. The costs and expenses for the employment of Chief Bordi shall be in the amount of \$108,000 annually, to be paid in monthly installments (1/12) from Berlin to Voorhees.

5. Effective Date; Duration of Agreement

- a. This Agreement shall be effective as of August 15, 2024.
- b. A copy of the Agreement shall be filed with each party's Municipal Clerk and shall be open to public inspection in each municipality.
- c. The duration of this Agreement shall be one (1) year from the effective date of this Agreement, subject to each party's right of termination as set forth herein.

6. Termination of Agreement. This Agreement may be terminated by either party for any reason and without cause, upon providing sixty (60) days' written notice in advance of the date of termination given by the terminating party, or upon the retirement and/or separation from employment of Chief Bordi from the Voorhees Township Police Department.

7. Assignment of Rights and Obligations. Voorhees and Berlin agree that there will be no assignment of their respective rights or obligations under this Agreement, unless agreed in a writing approved and executed by both participating Municipalities.

8. Notices. Any notices of consent, notice of termination, and/or other notices arising from this Agreement shall be in writing and shall be delivered to the other party and addressed to the party as set out below:

TOWNSHIP OF VOORHEES
2400 Town Center
Voorhees, New Jersey 08043

TOWNSHIP OF BERLIN
135 NJ-73
West Berlin, NJ 08091

9. Waiver. Failure of either Voorhees or Berlin to insist upon strict performance of any part or provision of this Agreement at any time shall not constitute a waiver of such Municipality's right to insist upon strict performance of this Agreement in the future.

10. Merger; Integration. This Agreement contains the entire and only agreement between the participating Municipalities for the aforementioned Police Chief Services, other than the "Indemnification Agreement Between the Township of Voorhees and the Township of Berlin", which is hereby deemed to be a part of this Agreement, and no oral statements, representations or prior writing not contained in this Agreement shall have any force or effect. This Agreement shall not be modified in anyway except by a writing approved and executed by both participating Municipalities.

11. Governing Law. This Agreement shall be governed by the laws of the State of New Jersey.

12. Severability. If any term or provision of this Agreement or the application thereof to any participating Municipality or circumstances, to any extent, shall be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and each term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

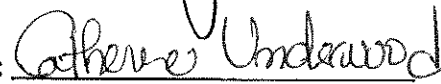
13. Duplicate Originals. This Agreement may be signed in one or more duplicate original

counterparts, each of which shall be original, but all of which together constitute one and the same Agreement.

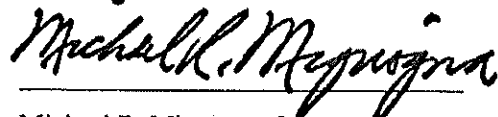
IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by the respective authorized representatives as of the date first written above.

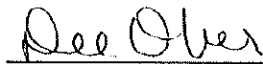
TOWNSHIP OF BERLIN


Phyllis A. Magazzu, Mayor

Attest: 
RMC Berlin Township

TOWNSHIP OF VOORHEES


Michael R. Mignogna, Mayor

Attest: 
Dee Ober, RMC

RESOLUTION NO. 186-24

**RESOLUTION AUTHORIZING AN EXTENSION OF A SHARED SERVICES AGREEMENT
WITH BERLIN TOWNSHIP FOR THE SERVICES OF A POLICE CHIEF**

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et seq., the Township of Voorhees ("Voorhees") is authorized to enter into an agreement for shared services; and

WHEREAS, Berlin Township ("Berlin") and Voorhees are parties to a Shared Services Agreement ("Agreement") pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) ("Shared Services Act"), whereby Voorhees' Chief of Police, Louis J. Bordi, provides the services of a Police Chief to Berlin; and

WHEREAS, under the Shared Services Act, any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, the Camden County Association of Chiefs of Police, via letter correspondence dated July 28, 2022, from Chief Kevin Carey of the Collingswood Police Department, President of the Camden County Association of Chiefs of Police expressed support for the shared police chief/shared police chief services between Voorhees and Berlin; and

WHEREAS, the Agreement is set to expire on August 15, 2024 and the parties desire to extend the Agreement for an additional one (1) year period.

WHEREAS, the Mayor and Township Committee finds that it is in the best interests of the residents of the Township of Voorhees to extend the Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Voorhees as follows:

1. The Mayor and/or his designee is hereby authorized to execute a Shared Services Agreement and Indemnification Agreement in a form to be approved by the Township Solicitor with Berlin Township for the Services of a Police Chief.
2. The Shared Services Agreement shall be placed on file in the office of the Clerk of the Township of Voorhees.
3. The Clerk of the Township of Voorhees is hereby authorized and directed to provide a certified copy of this Resolution and a copy of the fully executed Agreement upon Solicitor approval to the Division of Local Government Services in the Department of Community Affairs.

DATED: JULY 8, 2024

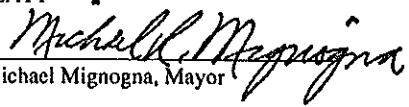
MOTION: MRS. FETBROYT

AYES: 5

SECONDED: MR. PLATT

NAYS: NONE

APPROVED BY:


Michael Mignogna, Mayor

I, Dee Ober, Municipal Clerk of the Township of Voorhees hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Mayor and Township Committee of the Township of Voorhees at their meeting of July 8, 2024, held in the Municipal Building, 2400 Voorhees Town Center, Voorhees, NJ 08043.



Dee Ober, RMC
Township Clerk