

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2014-169

Council Meeting Date: 04-28-2014

Date Adopted: 04-28-2014

TITLE: RESOLUTION AMENDING EMERGENCY SERVICES DISPATCH  
CENTER JOINT SERVICES AGREEMENT TO ADD MILLBURN  
TOWNSHIP AS PARTICIPATING LOCAL UNIT

Councilperson Galluccio submitted the following resolution, which was duly  
seconded by Councilperson Madden.

WHEREAS, the Borough Administrator, via e-mail dated April 2, 2014, advises  
that Millburn Township, via resolution of its governing body, has requested participation  
in the New Providence and Summit Emergency Dispatch Center (Joint Emergency  
Services Dispatch Center), and

WHEREAS, acceptance of Millburn Township as a participating local unit in the  
Joint Emergency Services Dispatch Center requires approval resolutions from both the  
City of Summit and the Borough of New Providence, and

WHEREAS, the City of Summit has adopted resolution #36257 accepting  
Millburn Township as a participating local unit, and governing body of the Borough of  
New Providence is considering a similar resolution at the meeting of April 28, 2014, and

WHEREAS, further and final acceptance of Millburn Township as a participating  
local unit in the New Providence and Summit Emergency Dispatch Center would  
require an amendment to the original agreement authorized on December 4, 2012, to  
reflect the addition of Millburn Township.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE  
BOROUGH OF NEW PROVIDENCE:

1. That, subject to adoption of an "accepting" resolution "Resolution Accepting  
The Township Of Millburn Into The "New Providence & Summit Emergency  
Services Dispatch Center As A Participating Local Unit" of the governing body of  
New Providence, the Summit and New Providence Joint Services Agreement  
for an Emergency Services Dispatch Center, authorized on December 4, 2012,  
be amended to add the Township of Millburn as a participating local unit.
2. That That the Mayor and Borough Clerk be and they are hereby authorized to  
execute the amendment as described above.

APPROVED, this 28<sup>th</sup> day of April, 2014.

## RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
HERN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 28<sup>th</sup> day of April, 2014.

Wendi B. Barry, Borough Clerk

**AGREEMENT OF THE BOROUGH OF NEW PROVIDENCE, CITY OF SUMMIT, AND  
TOWNSHIP OF MILLBURN FOR EMERGENCY SERVICES DISPATCH CENTER**

**THIS AGREEMENT** made as of the \_\_\_\_ day of \_\_\_\_\_, 2014 by and between the Borough of New Providence (hereinafter "New Providence"), the City of Summit (hereinafter "Summit"), and the Township of Millburn (hereinafter "Millburn"), each of which is a municipal corporation of the State of New Jersey, Counties of Union and Essex, and are hereinafter sometimes collectively referred to as "Participating Local Units".

**WHEREAS**, New Providence and Summit are parties to an Agreement forming a Joint Meeting for the joint operation of dispatch services, which Agreement provides that they may recommend additional, local units to join the Joint Meeting by written addendum to said Agreement; and

**WHEREAS**, New Providence and Summit have recommended the addition of Millburn, and Millburn has expressed an interest and intention to become part of the Joint Meeting; and

**WHEREAS**, Millburn has been provided with and has reviewed the Agreement between New Providence and Summit for an Emergency Services Dispatch Center; and

**WHEREAS**, each participating local unit has duly authorized their proper officials to enter into and execute this Agreement providing for the addition of Millburn to the Joint Meeting;

**NOW, THEREFORE**, it is mutually agreed as follows:

All terms and provisions of the Agreement between New Providence and Summit for an Emergency Services Dispatch Center signed by New Providence on December 2, 2012, and by Summit on December 6, 2012 shall continue in full force and effect except as provided hereinafter. A copy of said Agreement is annexed hereto and incorporated herein;

**Section 3.1 of said Agreement shall be amended to read as follows:**

A "Joint Meeting" to be known as "New Providence, Summit and Millburn Emergency Services Dispatch Center" (hereinafter the "Shared Dispatch Center") is hereby established and constituted pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., by and between New Providence and Summit in the County of Union, and Millburn in the County of Essex;

**Section 6.1.1(a) shall be amended to read as follows:**

Within sixty (60) days of the execution of this Agreement by New Providence, Summit and Millburn, each participating local unit, which has not previously contributed for acquisition and construction, shall pay the sum of \$350,000.00 as a capital contribution toward the capital costs of the Shared Dispatch Center (hereinafter "Shared Dispatch Center capital costs"), such payment to be made to New Providence;

**Section 11.2 shall be amended to read as follows:**

A withdrawing participating local unit shall deliver written notice of its withdrawal to each other participating local unit no later than March 1 of the fourth year of the term of this Agreement or any renewal term hereof;

**Section 11.3 shall be amended to read as follows:**

The withdrawal shall be effective on December 31 of the fourth full year of the term of this Agreement or any renewal term hereof;

**Section 14 shall be amended to read as follows:**

Unless sooner terminated pursuant to Section 13, this Agreement shall remain in full force and effect for a period of four full years, plus the remainder of the year in which the Agreement is signed, and shall renew automatically for additional terms of three (3) years each, not to exceed a total of forty (40) years.

This Agreement, with the Agreement referenced herein between New Providence and Summit and attached hereto, encompasses the entire agreement of the Participating Local Units. No understanding or amendment, addendum or addition to this Agreement shall be effective unless made in writing and signed by all Participating Local Units. In the event any provision herein is in conflict with any provision in the Agreement between New Providence and Summit attached hereto, the terms of this Agreement shall take precedence.

To show their consent to the terms of this Agreement, the Participating Local Units have signed this Agreement on the date indicated above.

WITNESS:

Borough of New Providence

\_\_\_\_\_  
Borough Clerk

By: \_\_\_\_\_  
Mayor

WITNESS:

City of Summit

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

WITNESS:

Township of Millburn

\_\_\_\_\_  
Township Clerk

By: \_\_\_\_\_  
Mayor

**AMEND EMERGENCY SERVICES DISPATCH  
CENTER JOINT SERVICES AGREEMENT  
TO ADD MILLBURN TOWNSHIP AS  
PARTICIPATING LOCAL UNIT**

36257

April 15, 2014

WHEREAS, the City Administrator, in a memo dated April 10, 2014, advises that Millburn Township, via resolution of its governing body, has requested participation in the New Providence and Summit Emergency Dispatch Center (Joint Emergency Services Dispatch Center), and

WHEREAS, acceptance of Millburn Township as a participating local unit in the Joint Emergency Services Dispatch Center requires approval resolutions from both the City of Summit and the Borough of New Providence, and

WHEREAS, the City of Summit has adopted a resolution accepting Millburn Township as a participating local unit, and governing body of the Borough of New Providence will be considering a similar resolution at its next meeting, and

WHEREAS, further and final acceptance of Millburn Township as a participating local unit in the New Providence and Summit Emergency Dispatch Center would require an amendment to the original agreement authorized on December 4, 2012, to reflect the addition of Millburn Township.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

1. That, subject to receiving an "accepting" resolution from the governing body of New Providence, the Summit and New Providence Joint Services Agreement for an Emergency Services Dispatch Center, authorized on December 4, 2012, be amended to add the Township of Millburn as a participating local unit.
2. That That the Mayor and City Clerk be and they are hereby authorized to execute the amendment as described above.

Dated: April 15, 2014

I, David L. Hughes, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Tuesday evening, April 15, 2014.

  
City Clerk