

BOROUGH OF WATCHUNG

ORDINANCE NO. ORD:2015-01

**AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK
TO SIGN A MUTUAL POLICE AID AGREEMENT.**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes any Local Unit of the State of New Jersey to enter into a contract with any other Local Unit or Units within the State for the joint provision within their territorial jurisdictions of any service which any party to the agreement is empowered to render with its own jurisd-iction; and

WHEREAS, a Local Unit authorized to enter into an agreement under N.J.S.A. 40A:65-4 may enter into a Mutual Police Aid Agreement; and

WHEREAS, Local Units of the State are authorized under N.J.S.A. 40A:14-156 et seq., in the event of an emergency, to provide police assistance outside their territorial jurisdictions in order to protect life and property or to assist in suppressing a riot or disorder; and

WHEREAS, N.J.S.A. 40A:14-156.1 provides that Local Units may enter into an agreement for reciprocal ordinances relating to shared police services in the case of emergencies, and such agreement may provide for reimbursement such as for officers and personnel, equipment, land, and the like, and other such provisions as allowed by statute; and

WHEREAS, police officers have the general authority to answer a call or assist in a contiguous municipality pursuant to neighboring municipalities' practice of covering for each other when necessary to perform police duties, and no ordinance or formal mutual police aid agreement is necessary to implement mutual aid in such contiguous communities (see cases such as State v. Montalvo, 280 N.J. Super. 377 (App. Div. 1995); and

WHEREAS, instances shall occur where assistance will be necessary from non-contiguous municipalities, and the purpose of a Mutual Police Aid Agreement is to address the guidelines for such instances; and

WHEREAS, while it is acknowledged that Borough of Millstone and Borough of Rocky Hill do not have police departments and rely upon the New Jersey State Police for primary law enforcement service and response, both Local Units do request mutual police aid from police departments of neighboring Local Units; and

WHEREAS, the participating Local Units have determined that it is in their best interest and benefit that each agree to render mutual police aid to any requesting Local Unit pursuant to the terms and conditions of a Mutual Police Aid Agreement; and

WHEREAS, the Mayor and Council of the Borough of Watchung, upon recommendation by the Police Chief of the Borough, deemed it in the best interest for the safety and well being of all residents to enter into a Mutual Police Aid Agreement with participating municipalities within Somerset County and the Somerset County Prosecutor's Office and the Somerset County Sheriff's Department.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Mayor and Clerk be authorized to sign a Mutual Police Aid Agreement.

This Ordinance shall become effective after final passage, adoption and publication, according to law.

ATTEST:

BOROUGH OF WATCHUNG

By: Michelle DeRocco
Michelle DeRocco, Clerk

By: Stephen K. Pote
Stephen K. Pote, Mayor

INTRODUCED BY: Joren
PASSED: February 5, 2015
PUBLISHED: February 12, 2015
ADOPTED: February 19, 2015