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OCT 23 2017

**TOWNSHIP OF QUINTON  
RESOLUTION 2017-93  
RESOLUTION AUTHORIZING  
MID SALEM COUNTY MUNICIPAL COURT 2017 MEMORANDUM OF  
UNDERSTANDING**

**WHEREAS**, the Quinton Township Committee has established a joint municipal court with Woodstown Borough, Elmer Borough, Quinton Township and Oldmans Township pursuant to *N.J.S.A. 2B:12-1, et seq.* (referred to as the “Mid Salem County Municipal Court”); and

**WHEREAS**, the representatives of the above named municipalities have met and discussed the 2017 Memorandum of Understanding as it is related to the operations of the Mid Salem County Municipal Court for the year 2018; and

**WHEREAS**, the Quinton Township Committee has reviewed and is prepared to enter into a Memorandum of Understanding with the named municipalities entitled “2018 Memorandum of Understanding – Mid Salem County Municipal Court – Woodstown – Mannington – Elmer – Quinton – Oldmans” to confirm matters pertaining to administration of the Mid Salem County Municipal Court for the year of 2018, including but not limited to the following:

- Percentage responsibilities for shared expenses;
- Salaries and wages;
- Hours of operation;
- Court schedule;
- Administrative fee apportionment;
- Billing;
- Budget; and
- Vacation policy;

**NOW, THEREFORE, BE IT RESOLVED**, by the Quinton Township Committee, as follows:

1. The Quinton Township Committee approves and hereby adopts the “2018 Memorandum of Understanding – Mid Salem County Municipal Court – Woodstown – Mannington – Elmer – Quinton – Oldmans” as the terms and conditions upon which the administrative matters addressed therein shall be governed for the year 2018.

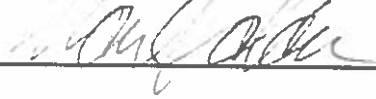
**AND, BE IT FUTHER RESOLVED**, that the Clerk certify a copy of this Resolution and file it on the public record.

Attest:

  
Marty Uzdhanovics, Municipal Clerk

  
Raymond C. Owens  
Mayor

I certify, by signing and affixing the Government Seal, that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Quinton, in the County of Salem, at a regular meeting thereof held on the 5<sup>th</sup> day of December 2017.



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**Marty Uzdanovics, Municipal Clerk**

**2018 Memorandum of Understanding  
Mid Salem County Municipal Court  
Woodstown – Mannington – Elmer – Quinton – Oldmans**

The terms of this MOU were discussed at the November 29, 2017 meeting of the representatives of Mid Salem County Municipal Court Committee and it was agreed to present this MOU to each governing body for formal action. This is a working document, which will become the **2018 Memorandum of Understanding**. Please double check all numbers as my brain is old. Thanks!

<i>The formula for the shared expenses w/ OT for 2017 was:</i>		<i>2018 will be:</i>
Woodstown	22%	21%
Mannington	21%	19%
Elmer	25%	26%
Quinton	12%	12%
Oldmans	20%	22%
	<hr/>	<hr/>
Total	100%	100%

*The Municipal Court Statistics Summary Sheets were reviewed. When compared, the actual court activity (both dollars and time) was discussed and the formula was adjusted to reflect three-year trends. The committee agreed to review three-year activity on an annual basis for possible formula adjustment. The fourth quarter of the current year is always estimated based on the first three quarters when the average revenue is calculated. The previous year is corrected where the estimate had been used last year in the next year's calculation using the audit figures.*

*The Court Committee will continue to use the Municipal Court Statistics Summary Sheets generated by the Mid Salem County Municipal Court Administrator to adjust the formula on an annual basis. The Court Committee continues a member base of 12% related to the cost of operations.*

## Salary and Wages

*Current employees should remain. A 2% increase to the salaries was agreed for 2017.*

*Reminder: Salary was adjusted by 10% when Oldmans joined based on increased caseload from 5100-5700 cases to 5900-6500 cases. The actual caseload in 2014 was 5,719 cases. The actual caseload in 2015 was 5526. The actual caseload in 2016 was 5278. The caseload is 4411 for three quarters, estimate is 5881 for 2017. I used the usual estimate for fourth quarter (/3x4).*

		2017	2018
Judge	Martin Whitcraft	\$19,518	\$19,908
Administrator	Marita McCarthy-Carll	40,798	41,614
Deputy Admin.	Barbara Garozzo	29,973	30,572
PT Emp/CR/ CI	(Carol Millis)	6,288	6,414
Prosecutor	Niki Trunk	12,363	12,610
Public Defender	Craig Kugler	5,227	5,332
	Total	<u>\$114,167</u>	<u>\$116,450</u>

2016- Will not adjust total, Public Defender paid from court fund when available.

2017- Will not adjust total, Public Defender paid from court fund when available.

*Judge Casarow retired effective December 31, 2015 as Judge for the Mid Salem County Municipal Court. The Court Committee recommended Martin W. Whitcraft for appointment to the Judge position effective 1/1/2016 to the governing bodies and the Vicinage Assignment Judge Georgia M Curio. Judge Whitcraft has been serving the MSCMC since January 2016.*

*Niki Trunk served as Prosecutor in 2015 and 2016. The Court Committee has reviewed her progress with the Judge and Court Administrator who provided a positive report. The position is probably addressed under fair and open. An attorney can serve as prosecutor and solicitor in the same municipality.*

*Craig Kugler has served as Public Defender since March 1, 2015. The Court Committee has reviewed his progress with the Judge and Court Administrator who provided a positive report. The Public Defender is a contractor. The position is probably addressed under fair and open.*

*The Court Committee recommended a \$2500 increase in the 2016 salary of Deputy Administrator Barbara Garozzo based on her completion of the certification process for Municipal Court Administrator in 2015.*

*The Part Time Employee position was created in the 2009 budget. For our budget, it includes any needed emergency fill in staff, the Court Recorder (CR) position (about 10 hours per month) and Call-ins (CI) that are charged at \$25.00 each and are billed as salary and wages.*

*Public Defender Fund had shrunk to near nothing during 2010, but is replenished as fees are collected. Mr. Hackett uses these funds to pay PD when available.*

The Administrator's workweek is set at 33 hours. The Deputy Administrator's workweek is set at 33 hours. Administrator controls work schedule. Call-ins are charged at \$25.00 per event, as verified by Administrator and submitted to CFO.

*These items remain the same unless noted:*

Hourly rate for temporary employee is \$12.00 per hour.

Current Office Hours will remain in effect:

Monday-Tuesday 9:00am to 3:30pm

Wednesday-Thursday-Friday 9:00am to 2:00pm

These are the same hours that have been unchanged for many years and were previously submitted for approval by the State of New Jersey Judiciary, Vicinage 15, Cumberland, Gloucester and Salem Counties' Municipal Division.

There will be 20 to 24 court sessions scheduled (2 per month as necessary) by the Judge and Administrator.

These are the same sessions that have been unchanged for many years and were previously submitted for approval by the State of New Jersey Judiciary, Vicinage 15, Cumberland, Gloucester and Salem Counties' Municipal Division.

A single DWI session may be scheduled if necessary and funds are available. A second DWI session may be scheduled if necessary and funds are available, check with Mannington representative before scheduling. **This is billed directly on a separate voucher to Mannington Township as in the past (Alcohol Education and Rehabilitation Fund [DWI] grant account).**

This policy has been unchanged for many years and we have previously submitted through the Administrator for approval from the State of New Jersey

Judiciary, Vicinage 15, Cumberland, Gloucester and Salem Counties' Municipal Division, when any money is spent from this fund. This policy will continue when session is preapproved by the Vicinage 15 Municipal Division Manager.  
*I believe two DWI sessions were held in 2017, and will be scheduled as needed.*

To address exceptional court volume the Administrator may, on an as-needed basis, schedule up to eight (8) additional paid administrative work hours per month. Additional paid administrative work shall be performed only by the Administrator, or by the Deputy Administrator if delegated by the Administrator. Compensation for additional administrative work shall be \$20 per hour. Additional administrative work hour usage will be monitored and reviewed on an annual basis by the MSCMC committee.

Schedule and policy regarding vacations for the Administrator and Deputy Administrator will remain in effect (attached).

**Administrative and overhead fee** (court room) will be \$600 per partner (5 x 600 = \$3000) and be billed quarterly to each partner, fee was raised in 2014.

**Prosecutor stipend** was added for 2018 of \$2500 and treated as O&E.

**Operating Expenses in 2017** was budgeted at \$33,500.

**Operating Expenses in 2018** will be budgeted at \$34,500, as per discussion with Mr. Hackett. We are only billed what is actually spent, and this provides Jim a buffer.

Operating Expenses include:

1. Telephone costs
2. Printing
3. Supplies
4. Law Books
5. Judge's Robe
6. Auditor's Fee
7. Payroll Overhead
8. Pension Fees
9. Postage
10. Dues
11. Interpreters
12. Surety Bonds
13. Seminars/Training
14. Other items as mutually agreed

## Billing

Municipalities will be billed quarterly.

The final quarterly bill will include a print out of all budgeted charges to the court accounts. This billing must occur before March 15 of the next year.

These numbers are for budgeting.

<u>Estimate of annual cost for 2017:</u>		<u>estimate for 2018:</u>
Salary and Wages (budget)	\$114,167	\$116,450
Fee - court recorder	in PT salary	in PT salary →
Operating Expenses	<u>33,500</u>	<u>34,500</u>
Additional Prosecutor Service Fee		2,500
Total	\$147,385	\$153,450

### 2017

Municipality	Percent	Portion		A/O		Budget (?)
Woodstown	22%	32,486.74	+	600	=	33,086.74
Mannington	21%	31,010.07	+	600	=	31,610.07
Elmer	25%	36,916.75	+	600	=	37,516.75
Quinton	12%	17,720.04	+	600	=	18,320.04
Oldmans	20%	29,533.40	+	600	=	30,133.40
		<u>\$147,667</u>	+	3000	=	\$150,667

### 2018

Municipality	Percent	Portion		A/O		Budget (?)
Woodstown	21%	32,224.50	+	600	=	32,824.50
Mannington	19%	29,155.50	+	600	=	29,755.50
Elmer	26%	39,897.00	+	600	=	40,497.00
Quinton	12%	18,414.00	+	600	=	19,014.00
Oldmans	22%	33,759.00	+	600	=	34,359.00
		<u>\$153,450</u>	+	3000	=	\$156,450

**Attachment 1**

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**POLICY ESTABLISHING VACATION SCHEDULE FOR  
THE MID SALEM COUNTY MUNICIPAL COURT**

The Court Committee of the Mid Salem County Municipal Court with the approval of the governing bodies of the Borough of Woodstown, the Township of Mannington, the Borough of Elmer, the Township of Quinton, and the Township of Oldmans establishes the following schedule and policies regarding employee vacations. Employees included in this policy are the Court Administrator, and the Deputy Court Administrator.

Each employee shall be entitled to receive vacation time with pay as follows:

Completed Time (years)	Vacation Time (weeks)
1 year	1 week
2 years	2 weeks
5 years	3 weeks
10 years	4 weeks

Vacation may be taken in days and half days, but not hours. Unused vacation days shall not be carried over to the next calendar year. The number of days in a vacation week shall correspond with the number of days of the employee's workweek.

Except for the first twelve (12) months of employment, an employee's right to receive vacation time with pay shall accrue on January 1 of each year. A new employee shall be entitled to one (1) week vacation following the completion on the first twelve (12) months of continuous services, to be taken between the anniversary date of employment and December 31 of that year; on January 1 of the following year, the employee shall be deemed to have completed one (1) year of service and shall be entitled to vacation time according to the schedule above.

Service in the previous Mid Salem County Municipal Court is counted toward completed time and vacation policy is unchanged.

EFFECTIVE: April 1, 2011